

NIPOMO COMMUNITY SERVICES DISTRICT AGENDA

DECEMBER 4, 2002

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

John S
72
20
1440
1500
1590

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 2002-842
- 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) RENEWAL OF INTENT TO SERVE LETTER – TRACT 2375 (HERNANDEZ)
Request for renewal of Intent-to-Serve for a 24-lot development at Orchard and Grande
 - D-2) RENEWAL OF INTENT TO SERVE LETTER – TRACT 2441 (MID STATE PROPERTIES)
Request for renewal of Intent-to-Serve for a 38-lot development at the intersection of Blume & Grande
 - D-3) RENEWAL OF INTENT TO SERVE LETTER – CO 97-0134 (BONITA HOMES)
Request for renewal of Intent-to-Serve for a 4-lot development on W. Tefft Street
 - D-4) RENEWAL OF INTENT TO SERVE LETTER – TRACT 2212 (TRINCON, INC.)
Request for renewal of Intent-to-Serve for an 8-lot development on Primrose & Manriquez
 - D-5) REQUEST FOR SERVICE – APN 090-385-015 (HOLDREDGE)
Request for water and sewer service for a 2-unit development at 119 E. Tefft St.
 - D-6) REQUEST FOR SERVICE – APN 090-121-005 (FOX)
Request for water and sewer service for a commercial/residential development E. Tefft St.
 - D-7) REQUEST FOR SERVICE – TRACT 2312 (KING VENTURES)
Request for water and sewer service for a commercial/residential development at S. Frontage Rd. & Hill St.
 - D-8) REQUEST FOR SERVICE – CO 02-0363 (HERNANDEZ)
Request for water and sewer service for a 4-lot residential/office building on W. Tefft Street
 - D-9) REQUEST FOR SERVICE – TRACT 2496 (PAYETTE)
Request for water and sewer service for a 5-lot development on Theodora Street
 - D-10) INTENT-TO-SERVE – ADMINISTRATIVE APPROVAL OF 4 OR LESS RESIDENTIAL UNITS
Resolution for adopting Policy & Guidelines for District water and sewer service
 - D-11) REPEAL OF CHAPTER 4.16 OF DISTRICT CODE
Introduction of ordinance to repeal Chapter 4.16 of District Code-Approval letter for sewer service

NIPOMO COMMUNITY SERVICES DISTRICT
AGENDA

DECEMBER 4, 2002

REGULAR MEETING 9:00 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

PAGE TWO

E. OTHER BUSINESS

E-1) NOMINATIONS FOR ELECTION TO LAFCO
Consider nominations to the Local Agency Formation Commission

E-2) FORMATION OF A MARINE SANCTUARY EXPANSION COMMITTEE
City of Morro Bay position on Marine Sanctuary

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 November 20, 2002, Regular Board meeting
Minutes of November 22, 2002, Special Board meeting

F-3) ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS [RECOMMEND APPROVAL]
Accept improvement for Tract 2412 (Nipomo Business Center, LLC)

G. MANAGER'S REPORT

H. COMMITTEE REPORTS

I. DIRECTORS COMMENTS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9

A. SMVWCD VS NCSD SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.

B. SAVE THE MESA VS. NCSD CV 020181

C. ANTICIPATE/INITIATION OF 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§54956.9

ADJOURN

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

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

AGENDA ITEM
D 1
DECEMBER 4, 2002

RENEWAL OF INTENT TO SERVE
TRACT 2375
HERNANDEZ

ITEM

Request to renew an Intent-to-Serve letter for Tract 2375, a 24-lot development at Orchard and Grande in Nipomo

BACKGROUND

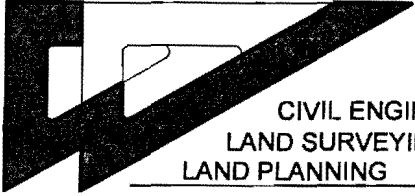
The District has received a request from Westland Engineering, Inc., representing Mr. Delfino Hernandez, to renew an Intent-to-Serve letter for water and sewer service for Tract 2375, a 24-lot development at Orchard and Grande Avenue in Nipomo. The original Intent-to-Serve letter was approved March 2, 2000. The \$50.00 renewal fee has been paid. Your Honorable Board may renew 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 prepared 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 and sewer 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 issue an Intent-to-Serve letter to Westland Engineering (Hernandez) for water and sewer service for Tract 2375, with the above mentioned conditions.

WESTLAND ENGINEERING, INC.



CIVIL ENGINEERING
LAND SURVEYING
LAND PLANNING

75 ZACA LANE, SUITE 100 • SAN LUIS OBISPO, CA 93401
TELEPHONE:(805) 541-2394 • FAX:(805) 541-2439

November 25, 2002

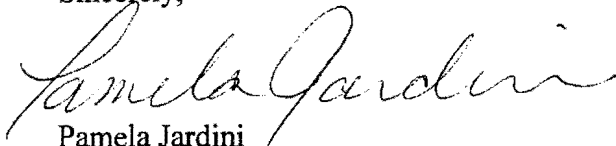
Doug Jones
c/o Nipomo Community Services District
148 South Wilson Street
Nipomo, CA 93444-0326

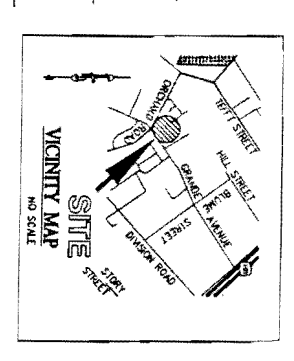
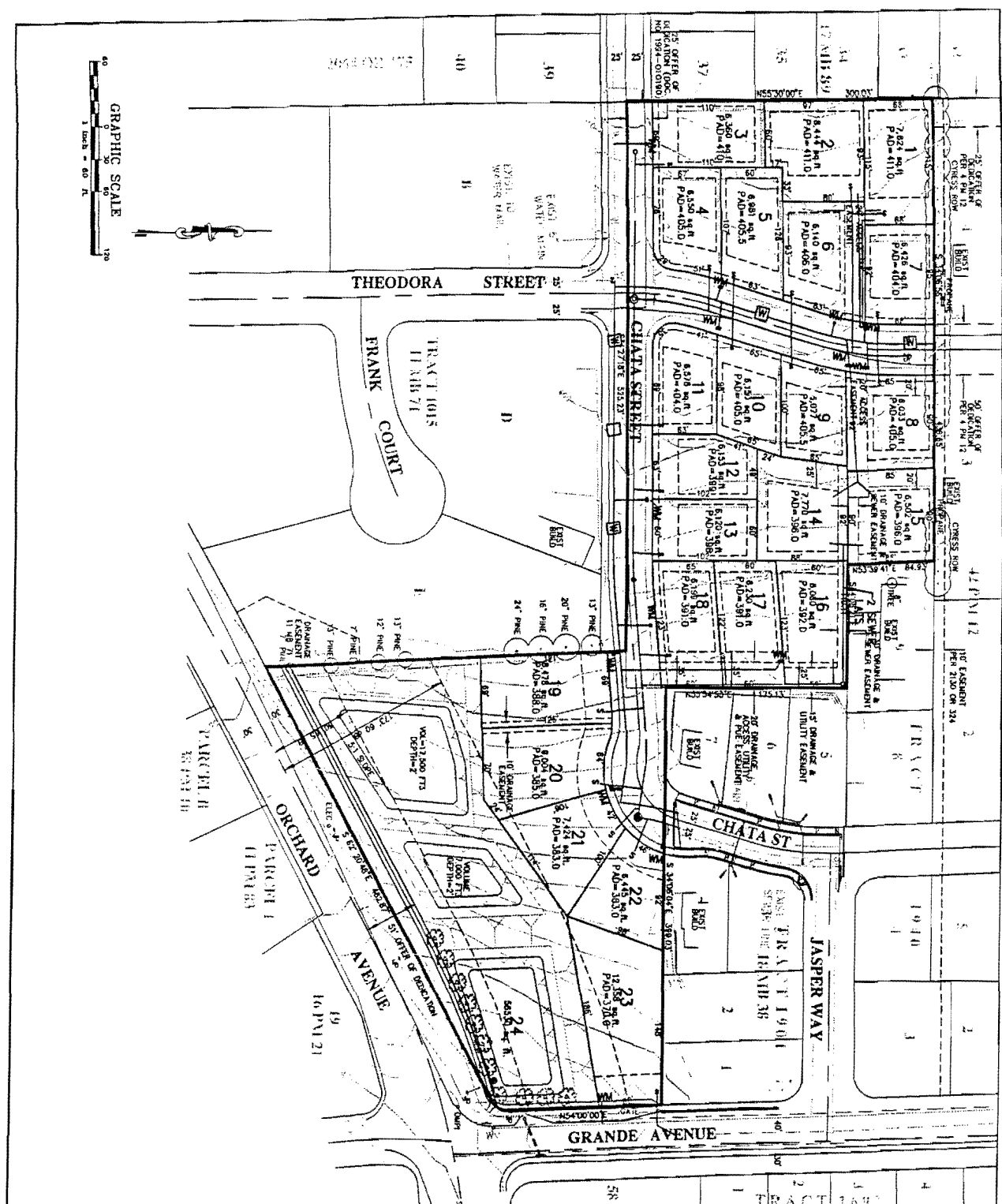
RE: Renewal on an intent to serve letter for Tract 2375, Hernandez
Dear Mr. Jones,

We respectfully request a renewal on the intent-to-serve letter on this project. I have attached a copy of the original intent-to-serve letter for your reference and the appropriate renewal fee has been paid. The project has not change from our original submittal.

If you have any questions or concerns, please contact me at 541-2394.

Sincerely,


Pamela Jardini
Senior Planner



OWNER'S STATEMENT

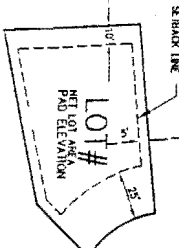
I HEREBY AFFIRM FOR APPROVAL OF THE DESIGN OF THIS PROPERTY SHOWN ON THIS MAP AND STATEMENT THAT I AM THE LEGAL OWNER OF SAID PROPERTY OR THAT I AM AUTHORIZED AGENT OF THE LEGAL OWNER AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

WESTLAND ENGINEERING COMPANY
 75 ZACK LANE, SUITE 100, SAN LUIS OBISPO, CA 93408
 (805) 541-2384
 RECORD OWNERS MR. & MRS. GERRIT H. HERNANDEZ
 75 ZACK LANE, SUITE 100, SAN LUIS OBISPO, CA 93408
 (805) 541-2384
 SANTA ANA, CA 92704

ENGINEER'S STATEMENT

HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA AND THAT I AM A MEMBER OF THE CALIFORNIA BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS, STATE OF CALIFORNIA.

TERRANCE R. ORTIZ, P.E. 21907, EXPIRES 8-30-2001
 WESTLAND ENGINEERING COMPANY
 75 ZACK LANE, SUITE 100, SAN LUIS OBISPO, CA 93408
 (805) 541-2384
 APR 08-2-130-054
 APR 08-2-130-072
 APR 08-2-130-072
 APR 08-2-130-072



TYPICAL LOT
 NO SCALE

TRACT 2375
VESTING TENTATIVE MAP

PREPARED FOR:
 DELFINO HERNANDEZ
 PREPARED BY:
 WESTLAND ENGINEERING COMPANY
 75 ZACK LANE, SUITE 100,
 SAN LUIS OBISPO, CALIFORNIA 93408
 (805) 541-2384
 JANUARY 2000 JOB NO. 99185
 SHEET 1 OF 1



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
P.O. BOX 326 NIPOMO, CA 93444-0326
(805) 929-1133 FAX (805) 929-1932

March 2, 2000

Pamela Jardini
75 Zaca Lane, Site 100
San Luis Obispo, CA 93401

This is NOT a Will-Serve Letter

SUBJECT: INTENT-TO-SERVE (HERNANDEZ) TRACT 2375- WATER AND SEWER
TWENTY EIGHT-LOT DEVELOPMENT NEAR ORCHARD AND GRANDE IN NIPOMO

At their Regular Meeting of March 1, 2000, the Board of Directors of the Nipomo Community Services District considered your request for water and sewer service for Tract 2375, located near Orchard Rd. and Grande Ave. in Nipomo. The Intent-to-Serve letter for your development was granted subject to the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit improvement plans showing appropriate looping in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following:
 - a. Reproducible "As Builts" - A paper copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer 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.

The County Planning & Building Department is directed to withhold the building permit until the District's fees have been paid.

RECEIVED MAR 04 2000

Pamela Jardini
Intent-to-Serve (Hernandez)
Water and Sewer
Tract 2375
March 2, 2000

This is NOT a Will-Serve Letter

This "Intent-to-Serve" letter shall be subject to the current and future rules, regulations, fees, resolutions and ordinances of the Nipomo Community Services District. This "Intent-to-Serve" letter may be revoked as a result of conditions imposed upon the District by a Court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors for the protection of the health, safety, and welfare of the District. The District reserves the right to revoke this "Intent-to-Serve" letter at any time.

Notice is provided that Nipomo Community Services District has been made a party to that lawsuit entitled Santa Maria Valley Water Conservation District, et al. v. City of Santa Maria, et al., Santa Clara Superior Court Case No. CV 770214. The case involves competing claims to the right to produce water from and/or store water in the Santa Maria Valley Groundwater Basin, the water source from which Nipomo Community Services District derives the water, which it serves. The District is now unable to predict with any certainty the outcome of the above-referenced litigation. However, the litigation conceivably could result in a limitation on the availability of groundwater for the District's production and/or an increase in the cost of water which the District serves to its water customers.

The San Luis Obispo Board of Supervisors has adopted Ordinance 2895, which establishes a 2.3% annual limit on new building permits for the Nipomo Mesa. The Nipomo Community Services District, by issuance of a Will-Serve letter, cannot guarantee that you will receive a project permit from the County of San Luis Obispo.

A TWO YEAR EXPIRATION DATE IS IN EFFECT

Sincerely,

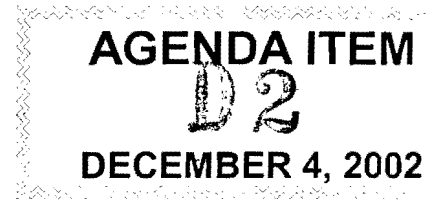
NIPOMO COMMUNITY SERVICES DISTRICT



Doug Jones
General Manager

Will-Serve\Intent\Tract 2375.DOC

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



RENEWAL OF INTENT TO SERVE
TRACT 2441
MID STATE PROPERTIES

ITEM

Request to renew an Intent-to-Serve letter for Tract 2441, a 38-lot development at the intersection of Blume and Grande Avenue in Nipomo

BACKGROUND

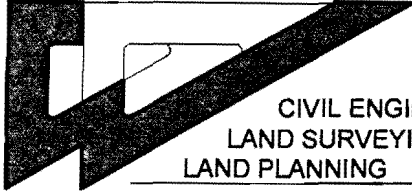
The District has received a request from Westland Engineering, Inc., representing Mid State Properties, to renew an Intent-to-Serve letter for water and sewer service for Tract 2441, a 38-lot development at the intersection of Blume and Grande Avenue in Nipomo. The original Intent-to-Serve letter was approved August 1, 2001. The \$50.00 renewal fee has been paid. Your Honorable Board may renew 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 prepared 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 and sewer 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 issue an Intent-to-Serve letter to Westland Engineering (Mid State Properties) for water and sewer service for Tract 2441, with the above mentioned conditions.

WESTLAND ENGINEERING, INC.



CIVIL ENGINEERING
LAND SURVEYING
LAND PLANNING

75 ZACA LANE, SUITE 100 • SAN LUIS OBISPO, CA 93401
TELEPHONE:(805) 541-2394 • FAX:(805) 541-2439

November 25, 2002

Doug Jones
c/o Nipomo Community Services District
148 South Wilson Street
Nipomo, CA 93444-0326

RE: Renewal on an intent to serve letter for Tract ²⁴⁴¹2241, Mid-State Properties

Dear Mr. Jones,

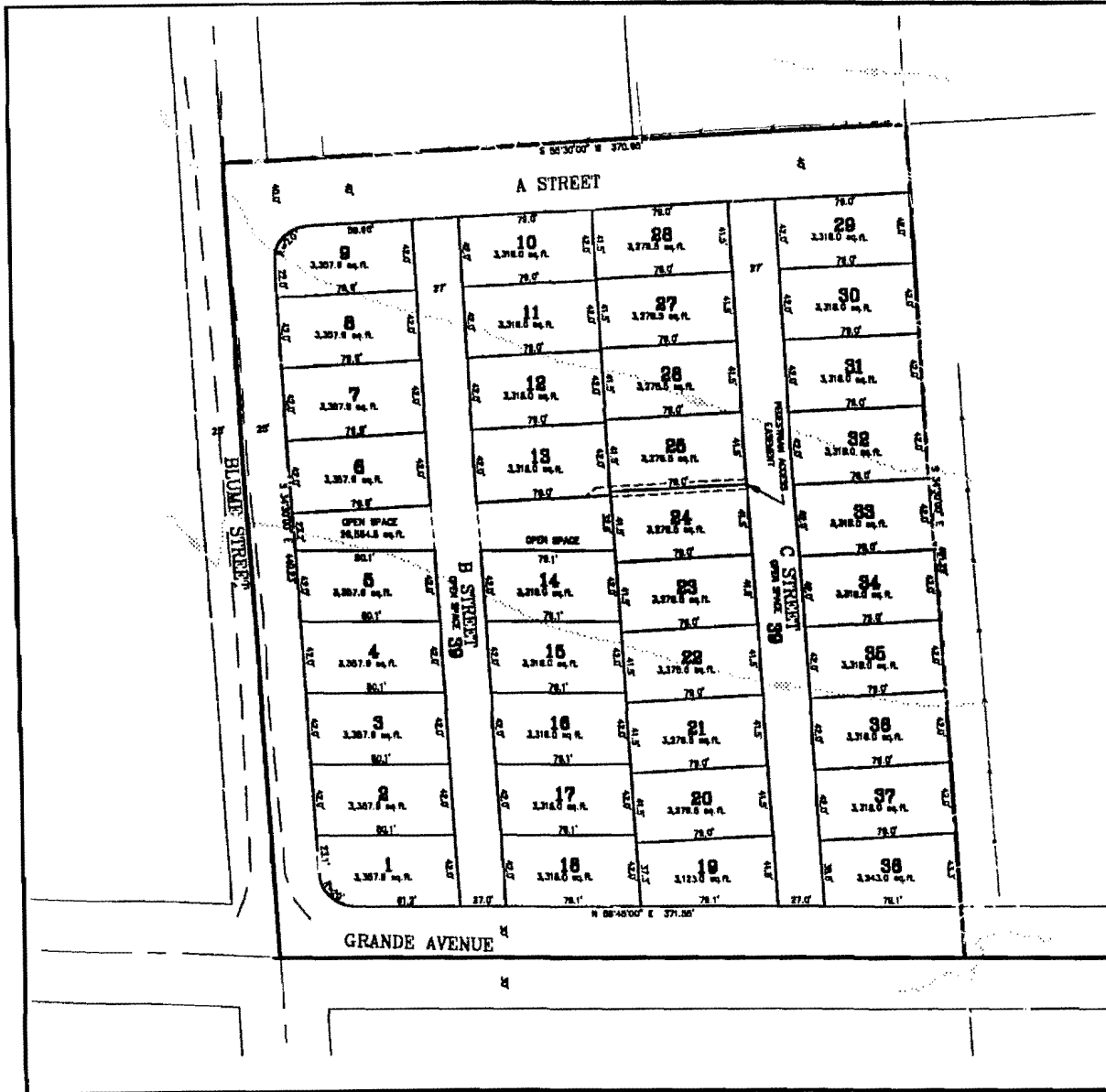
We respectfully request a renewal on the intent-to-serve letter on this project. I have attached a copy of the original intent-to-serve letter for your reference and the appropriate renewal fee has been paid. The project has not change from our original submittal.

If you have any questions or concerns, please contact me at 541-2394.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Jardini".

Pamela Jardini
Senior Planner



OWNER'S STATEMENT

I HEREBY APPLY FOR APPROVAL OF THE DIVISION OF REAL PROPERTY SHOWN ON THIS PLAT AND STATE THAT I AM THE LEGAL OWNER OF SAID PROPERTY OR THE AUTHORIZED AGENT OF THE LEGAL OWNER AND THAT THE INFORMATION SHOWN HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

WESTLAND ENGINEERING COMPANY
75 ZACA LANE, SUITE 100, SAN LUIS OBISPO, CA 93401
(805)-841-2384

RECORD OWNER:

MID-STATE PROPERTIES, LLC
1320 ARCHER STREET
SAN LUIS OBISPO, CA 93401

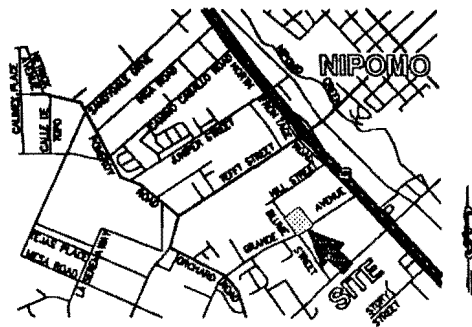
ENGINEER'S STATEMENT

I HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIED WITH THE LOT DIVISION ORDINANCE OF THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

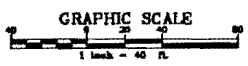
TERENCE K. ORTON, P.E. 21807, CPRES 8-30-2001
WESTLAND ENGINEERING COMPANY
75 ZACA LANE, SUITE 100, SAN LUIS OBISPO, CA 93401
(805)-841-2384

ASSESSOR'S PARCEL MAPS

087-130-048



VICINITY MAP
NO SCALE



**TRACT 2441
VESTING TENTATIVE MAP**

A DIVISION OF PORTIONS OF LOT 16 OF MESA GRANDE TRACT AS RECORDED IN BOOK OF A PARCEL MAPS AT PAGE 18 IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

REQUESTED BY:
MID-STATE PROPERTIES, LLC
PREPARED BY:
WESTLAND ENGINEERING COMPANY
75 ZACA LANE, SUITE 100, SAN LUIS OBISPO, CA 93401
(805)-841-2384

JULY 2001 JOB NO. 00.001
SHEET 1 OF 1

NIPOMO COMMUNITY

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
RICHARD MOBRAATEN, DIRECTOR
MICHAEL WINN, DIRECTOR
JUDITH WIRSING, DIRECTOR
CLIFF 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

August 16, 2001

Effective date August 6, 2001

Pamela Jardini
Westland Engineering Company
75 Zaca Lane, Suite 100
San Luis Obispo, CA 93401

THIS IS NOT A WILL-SERVE LETTER

**SUBJECT: INTENT-TO-SERVE WATER AND SEWER SERVICE
TRACT 2441 BLUME & GRANDE, NIPOMO (Mid State Properties)**

At their Regular Meeting on August 1, 2001, the Board of Directors of the Nipomo Community Services District considered your request for water and sewer service for Tract 2441, a 38-lot development at Blume and Grande in Nipomo. The Intent-to-Serve letter for your development was granted subject to 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 and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water improvement costs
5. This Intent-to-Serve Letter will expire two years from date of issuance.

As required by Section 19.20.238 Title 19 of the San Luis Obispo County Code, the Nipomo Community Services District certifies that it will provide potable water service to Tract ²⁴⁴¹~~2393~~, and that it has sufficient water resources and system capacity to provide such service. Notwithstanding any other language in this letter, the District certifies that (1) it will provide new service to the parcel(s) within the development on the same basis as it provides new service to any other legal parcel within the District's service area; and (2) once new service is established for a parcel(s) within the development, the District will provide service to said parcel on the same basis as it provides service to other customers within the same land use designation.

Pamela Jardini
Westland Engineering Company
Tract 2441
Intent-to-Serve
August 16, 2001
Page 2

Notwithstanding to the above paragraph, notice is provided that Nipomo Community Services District has been made a party to that lawsuit entitled Santa Maria Valley Water Conservation District, et al. v. City of Santa Maria, et al., Santa Clara Superior Court Case No. CV 770214. The case involves competing claims to the right to produce water from and/or store water in the Santa Maria Valley Groundwater Basin, the water source from which Nipomo Community Services District derives the water, which it serves. The District is now unable to predict with any certainty the outcome of the above-referenced litigation. However, the litigation conceivably could result in a limitation on the availability of groundwater for the District's production and/or an increase in the cost of water which the District serves to its water customers.

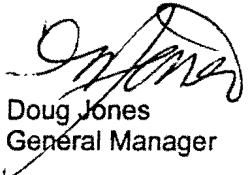
The County Planning & Building Department is directed to withhold the building permit until the District's fees have been paid.

This "Intent-to-Serve" letter shall be subject to the current and future rules, regulations, fees, resolutions and ordinances of the Nipomo Community Services District. This "Intent-to-Serve" letter may be revoked as a result of conditions imposed upon the District by a Court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors for the protection of the health, safety, and welfare of the District. The District reserves the right to revoke this "Intent-to-Serve" letter at any time.

A TWO YEAR EXPIRATION DATE IS IN EFFECT

Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT


Doug Jones
General Manager

Will-Serve\Intent\Tr 2441 Mid State Properties new.doc

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

AGENDA ITEM
03
DECEMBER 4, 2002

RENEWAL OF INTENT TO SERVE
PARCEL MAP CO 94-0134
BONITA HOMES/GHORMLEY

ITEM

Request to renew an Intent-to-Serve letter for Parcel Map CO 97-0134, a 4-lot development on W. Tefft Street in Nipomo

BACKGROUND

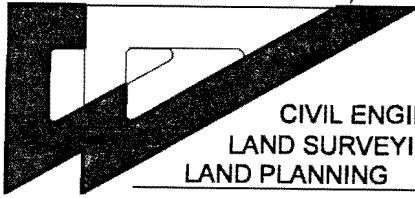
The District has received a request from Westland Engineering, Inc., representing Bonita Homes, to renew an Intent-to-Serve letter for water and sewer service for Parcel Map CO 97-0134 (APN 092-130-011), a 4-lot development on W. Tefft St. in Nipomo. The original Intent-to-Serve letter was approved September 20, 2000. The \$50.00 renewal fee has been paid. Your Honorable Board may renew 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 prepared 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 and sewer 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 issue an Intent-to-Serve letter to Westland Engineering (Bonita Homes) for water and sewer service for Parcel Map CO 97-0134, with the above mentioned conditions.

WESTLAND ENGINEERING, INC.



CIVIL ENGINEERING
LAND SURVEYING
LAND PLANNING

75 ZACA LANE, SUITE 100 • SAN LUIS OBISPO, CA 93401
TELEPHONE:(805) 541-2394 • FAX:(805) 541-2439

November 25, 2002

Doug Jones
c/o Nipomo Community Services District
148 South Wilson Street
Nipomo, CA 93444-0326

RE: Renewal of an intent to serve letter for Parcel Map CO 97-0134, Bonita
Homes/Ghormley

Dear Mr. Jones,

We respectfully request a renewal on the intent-to-serve letter on this project. I have attached a copy of the original intent-to-serve letter for your reference; please note that the original intent-to-serve did not specify an expiration date. This request may not be required since there was no expiration date on the original, however, if it is determined that a renewal is required, please process this request.

If you have any questions, please contact me at 541-2394.

Sincerely,


Pamela Jardini
Senior Planner

TEFFT ST.

LOT 12

ASSESSORS PARCEL NUMBERS
APH 92-130-011

OWNER'S STATEMENT

I HEREBY APPLY FOR APPROVAL OF THE DIVISION OF REAL PROPERTY SHOWN ON THIS PLAT AND STATE THAT I AM THE LEGAL OWNER OF SAID PROPERTY OR THE AUTHORIZED AGENT OF THE LEGAL OWNER AND THAT THE INFORMATION SHOWN HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

WESTLAND ENGINEERING COMPANY
75 ZACA LANE, SUITE 100, SAN LUIS OBISPO, CA 93401
(805)-541-2394

RECORD OWNER: JACK GHORMLEY
P.O. BOX 1540, ARROYO GRANDE, CA

ENGINEER'S STATEMENT

I HEREBY STATE THAT THIS MAP WAS PREPARED BY ME UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE, BELIEF AND FAITHFUL OPINION, IT COMPLIES WITH THE LOT DIVISION ORDINANCE OF THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

TERENCE K. ORTON, P.E. 21807, EXPIRES 9-30-97
WESTLAND ENGINEERING COMPANY
75 ZACA LANE, SUITE 100, SAN LUIS OBISPO, CA 93401
(805)-541-2394

LOT 11

PARCEL 1
1.1 ACRES
PARCEL A

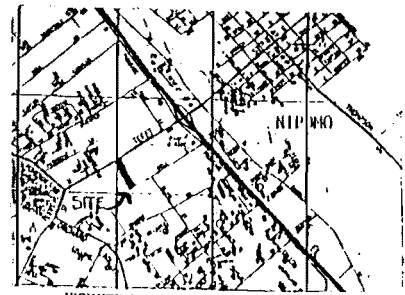
PARCEL 2
1.1 ACRES

PARCEL 3
0.9 ACRES

PARCEL 4
0.7 ACRES

PARCEL B

TRACT 1700

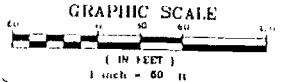


VICINITY MAP

CO-97-0134
VESTING TENTATIVE
PARCEL MAP
OF PARCEL A OF CO-68-97 BEING A PORTION OF LOT 1
OF H.C. WARD'S SUBDIVISION OF RANCHO IMPERIAL
IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

REQUESTED BY:
JACK GHORMLEY

PREPARED BY:
WESTLAND ENGINEERING COMPANY
75 ZACA LANE, SUITE 100, SAN LUIS OBISPO, CA 93401
(805)-541-2394
JULY 1997 SHEET 1 OF 1
JOB NO. 97-040



ZONE

LINE

110' RADIUS

25' WIDE ACCESS EASEMENT

TANIS PLACE

20

19

18

17

25

22

21

20

25

22

21

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NIPOMO COMMUNITY

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
AL SIMON, VICE PRESIDENT
RICHARD MOBRAATEN, DIRECTOR
ALEX MENDOZA, DIRECTOR
MICHAEL WINN, 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 - NCSD@ix.netcom.com

September 20, 2000

Bonita Homes Inc.
P O Box 1540
Arroyo Grande, CA 93421-1540

SUBJECT: INTENT-TO-SERVE WATER SERVICE (W. TEFFT STREET)
PARCEL MAP CO 97-0134 (BONITA) NIPOMO

At their Regular Meeting on September 20, 2000, the Board of Directors of the Nipomo Community Services District considered your request for water and sewer service Parcel Map CO 97-0134, a 4-lot development in Nipomo. The Intent-to-Serve letter for your development was granted subject to the following conditions:

1. Install sewer laterals to each of the parcels.
2. Install water services to parcels without service.
3. Submit a plan showing the location of the water and sewer services.
4. Enter into a Plan Check & Inspection Agreement and pay the appropriate fees.
5. Pay all appropriate District water, sewer and other fees associated with this development.
6. Construct the improvements required and submit the following:
 - Reproducible "As Builts" - A paper copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - A summary of all water and sewer improvement costs
7. This Intent-to-Serve Letter will expire two years from date of issuance.

THIS IS INTENT TO SERVE LETTER

Bonita Homes Inc.
Parcel Map CO 97-0134
Intent-to-Serve
September 20, 2000
Page Two

The County Planning & Building Department is directed to withhold the building permit until the District's fees have been paid.

This "Intent-to-Serve" letter shall be subject to the current and future rules, regulations, fees, resolutions and ordinances of the Nipomo Community Services District. This "Intent-to-Serve" letter may be revoked as a result of conditions imposed upon the District by a Court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors for the protection of the health, safety, and welfare of the District. The District reserves the right to revoke this "Intent-to-Serve" letter at any time.

Notice is provided that Nipomo Community Services District has been made a party to that lawsuit entitled Santa Maria Valley Water Conservation District, et al. v. City of Santa Maria, et al., Santa Clara Superior Court Case No. CV 770214. The case involves competing claims to the right to produce water from and/or store water in the Santa Maria Valley Groundwater Basin, the water source from which Nipomo Community Services District derives the water, which it serves. The District is now unable to predict with any certainty the outcome of the above-referenced litigation. However, the litigation conceivably could result in a limitation on the availability of groundwater for the District's production and/or an increase in the cost of water which the District serves to its water customers.

A TWO YEAR EXPIRATION DATE IS IN EFFECT

Sincerely,

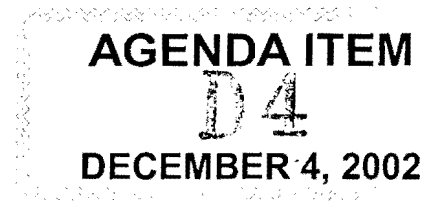
NIPOMO COMMUNITY SERVICES DISTRICT



Doug Jones
General Manager

Will-Serve\Intent\PM CO 97-0134 Bonita.doc

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



RENEWAL OF INTENT TO SERVE
TRACT 2212
TRINCON, INC.

ITEM

Request to renew an Intent-to-Serve letter for Tract 2212, an 8-lot development near the intersection of Primrose and Manriquez in Nipomo

BACKGROUND

The District has received a request from Trincon, Inc. to renew an Intent-to-Serve letter for water and sewer service for Tract 2212, an 8-lot development near the intersection of Primrose and Manriquez in Nipomo. The original Intent-to-Serve letter was approved November 16, 1999. The \$50.00 renewal fee has been paid. Your Honorable Board may renew 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 prepared 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. Connect existing residence to sewer
5. 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 and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
6. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

Staff recommends that your Honorable Board issue an Intent-to-Serve letter to Westland Engineering (Mid State Properties) for water and sewer service for Tract 2441, with the above mentioned conditions.

 **TRINCON, INC.**
ACQUISITIONS & SERVICES

November 26, 2002

NCS
Attn: Doug Jones
Po Box 326
Nipomo, CA 93444

Re: Tract 2212 Will-Serve-Letter

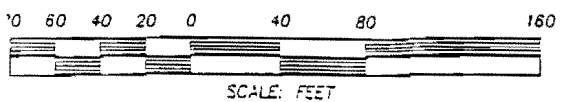
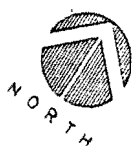
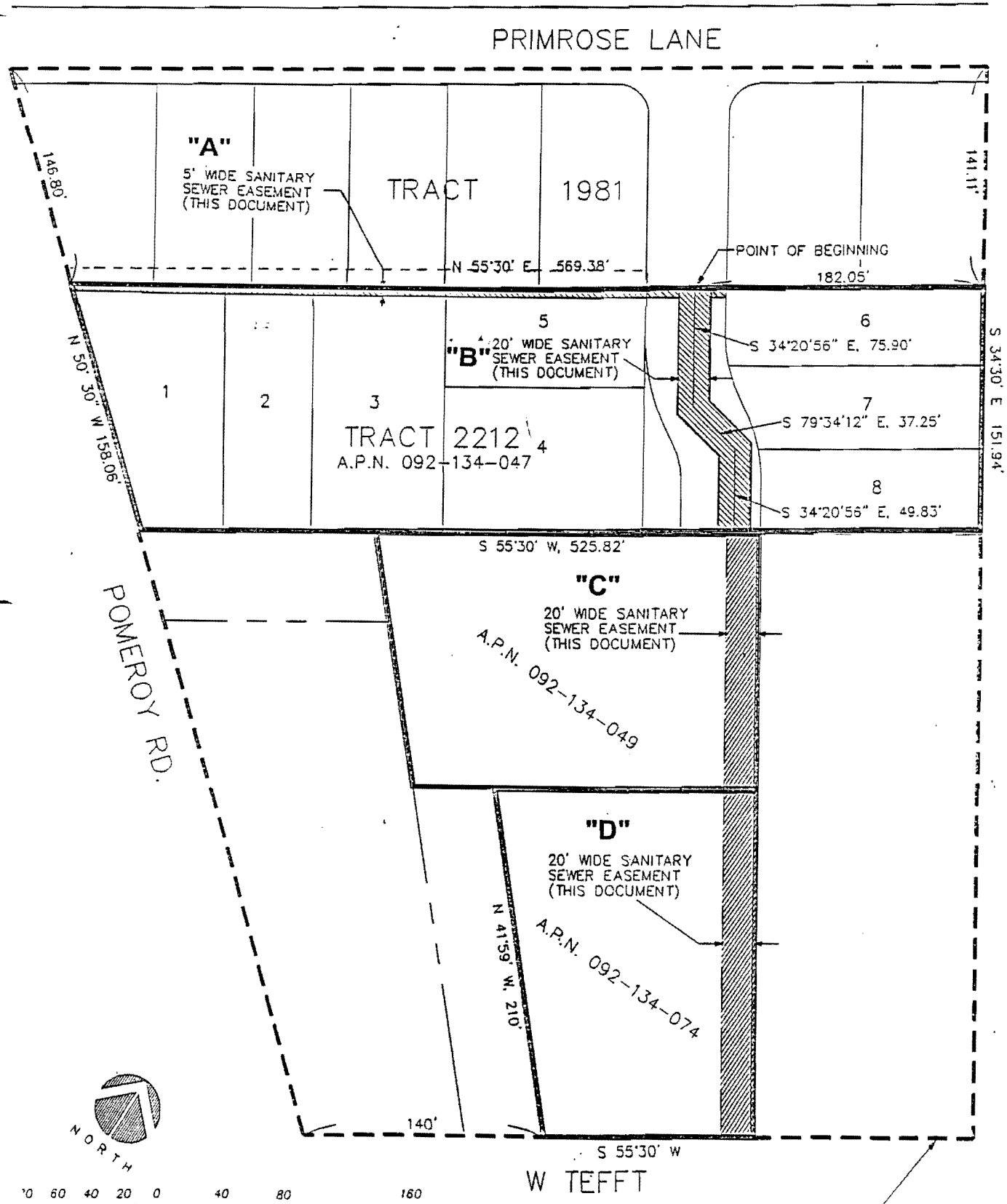
Dear Mr. Jones:

Our records indicate that the Intent-to-Serve Letter has expired, please place us on the agenda for a Will-Serve- Letter for Tract 2212.

If you have any questions, please feel free to contact us at (805) 925-5507.

Thank you,
Roberta Chavez
By Trincon, Inc.

EXHIBIT "A"
RESOLUTION 96-580



NIPOMO COMMUNITY SERVICES DISTRICT

P O BOX 326 NIPOMO, CA 93444
(805) 929-1133 FAX (805) 929-1932

November 16, 1999

This is NOT a Will-Serve Letter

TrinCon, Inc.
Erik Benham
124 W. Main, Suite C
Santa Maria, CA 93458

SUBJECT: INTENT-TO-SERVE (TRINCON, INC.) TRACT 2212 - RENEWAL
EIGHT (8) LOT SUBDIVISION PRIMROSE & MANRIQUEZ

At their Regular Meeting of November 3, 1999, the Board of Directors of the Nipomo Community Services District considered your request for water and sewer service for Tract 2212, an eight (6)-lot subdivision, located near the intersection of Primrose Lane and Manriquez Court. The Intent-to-Serve letter for your development was granted subject to 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. Connect existing home to sewer
5. Construct the improvements required and submit the following:
 - a. Reproducible Paper copy and digital format (Auto Cad) include Engineer, Developer, Tract No. and water/sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all improvement costs
6. This Intent-to-Serve Letter will expire two years from date of issuance.

TrinCon, Inc.
Intent-to-Serve
Tract 2212 (Primrose Lane)
November 16, 1999

This is NOT a Will-Serve Letter

The County Planning & Building Department is directed to withhold the building permit until the District's fees have been paid.

This "Intent-to-Serve" letter shall be subject to the current and future rules, regulations, fees, resolutions and ordinances of the Nipomo Community Services District. This "Intent-to-Serve" letter may be revoked as a result of conditions imposed upon the District by a Court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors for the protection of the health, safety, and welfare of the District. The District reserves the right to revoke this "Intent-to-Serve" letter at any time.

Notice is provided that Nipomo Community Services District has been made a party to that lawsuit entitled Santa Maria Valley Water Conservation District, et al. v. City of Santa Maria, et al., Santa Clara Superior Court Case No. CV 770214. The case involves competing claims to the right to produce water from and/or store water in the Santa Maria Valley Groundwater Basin, the water source from which Nipomo Community Services District derives the water, which it serves. The District is now unable to predict with any certainty the outcome of the above-referenced litigation. However, the litigation conceivably could result in a limitation on the availability of groundwater for the District's production and/or an increase in the cost of water which the District serves to its water customers.

A TWO YEAR EXPIRATION DATE IS IN EFFECT

Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT


Doug Jones
General Manager

Will-Serve\Intent\Tr2212.DOC

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

AGENDA ITEM
D5
DECEMBER 4, 2002

REQUEST FOR SERVICE
APN 090-385-015
HOLDREDGE

ITEM

Request for water and sewer service for two residential units on an existing parcel with an existing unit.

BACKGROUND

The District has received a request from Mr. Holdredge for water and sewer service at 119 E. Tefft Street for a proposed duplex on an existing parcel with an existing house, as shown on the attached plot plan. The District may issue an Intent-to-Serve 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 and sewer 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 issue an Intent-to-Serve letter for APN 090-385-015, with the above mentioned conditions.

APN 090-357-015

Nov. 15, 2002

To CSD

I am pointing in this notice

for a request of upgrading my
water service from a 1" meter to

a "1 1/2" meter to serve a planned

a unit building on my property.

This is a single lot zoned for

multi family residences. There is

an existing 2 bdrm. home on property

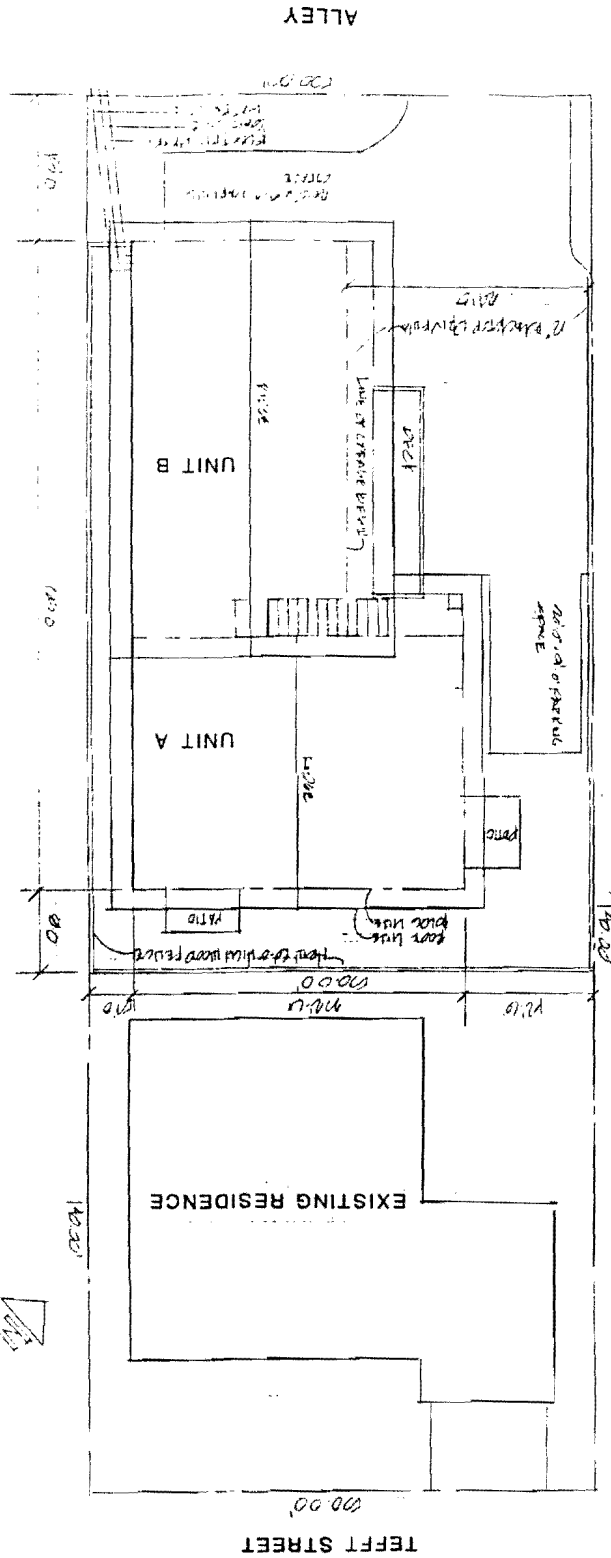
now. The water service will be

relocated from alley to the front of

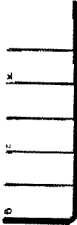
property on Dept St.

Thank you
Larry Haddock

ROOF PLAN / PLOT PLAN



PROJECT DATA
 119 E Tefft St
 1st floor
 100% coverage
 21' x 21' (9' x 9')
 21' x 21' (9' x 9')
 12000sf
 APN 90-00-015

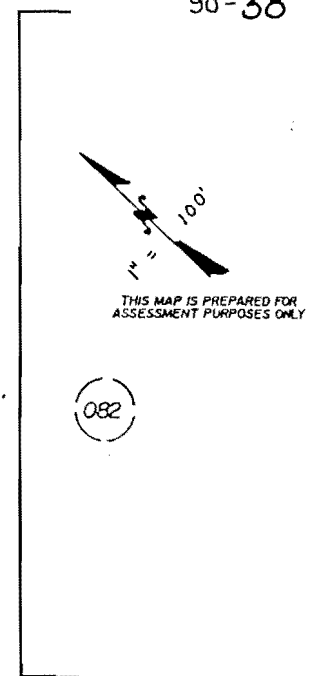
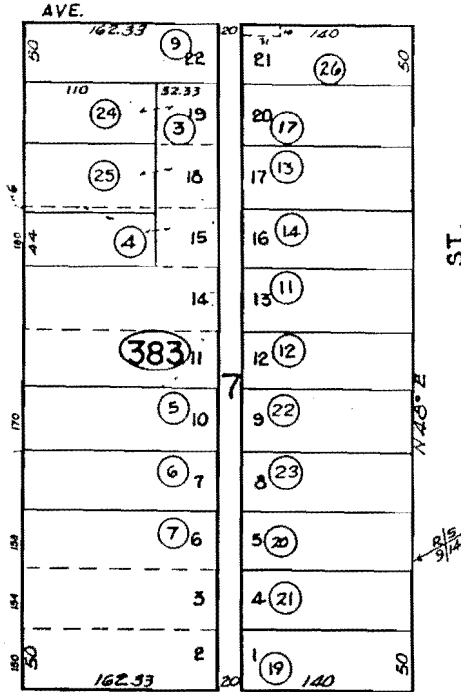
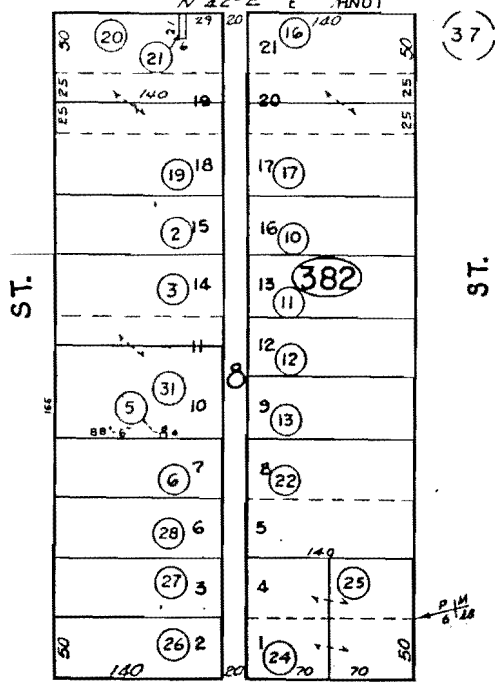
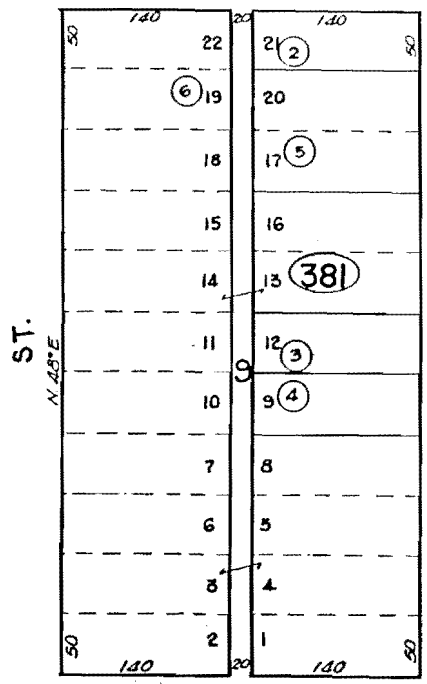


PROJECT: **HOLDREDGE DUPLEX**

OWNER: **1111 11th Street, 90910**
 APN 90-00-015

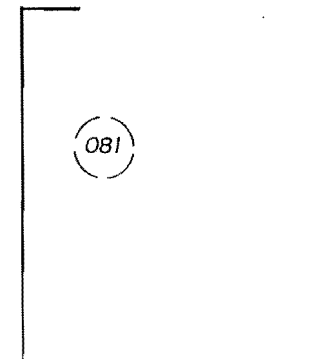
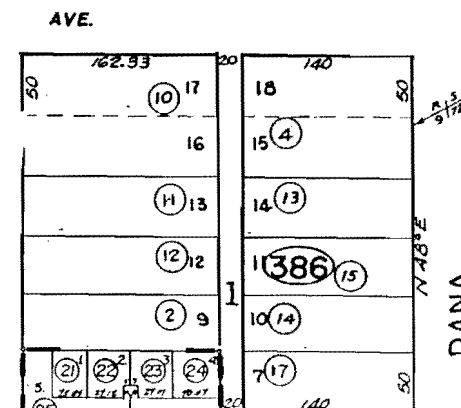
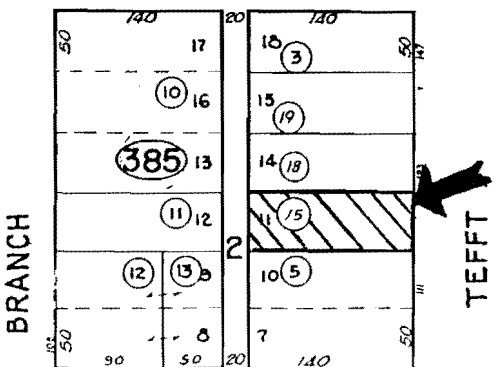
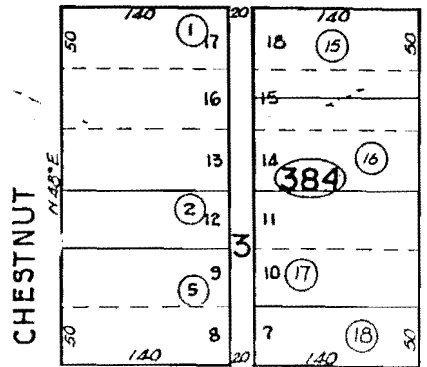
THESE PLANS AND INSTRUMENT SERVICE AND MAY NOT BE REPRODUCED OR COPIED WITHOUT WRITTEN CONSENT. ALL DIMENSIONS AND SPECIFICATIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED. COMMENCEMENT OF WORK: 10/1/2011

Richard E. Oliphant Residential Graphics
 1097 Grand Ave Suite E

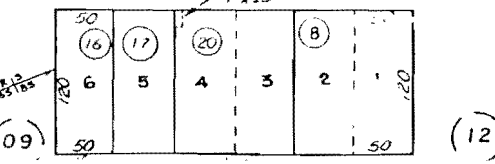
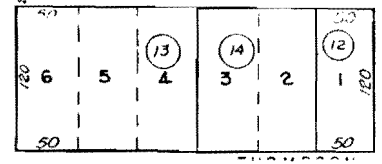


(072)

AVOCADO



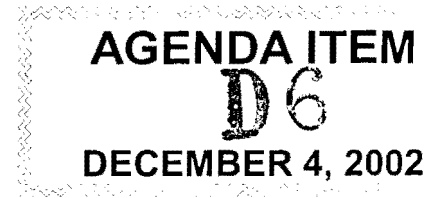
2-19-93
6-28-94
9-12-97
2-16-98
1/16/86
4-15-97
5-17-97



THOMPSON AVE

FAIRVIEW TRACT
TOWN OF NIPOMO
SAN LUIS ISPO COUNTY
CALIFORNIA

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



REQUEST FOR SERVICE
APN 090-121-005
FOX

ITEM

Request for water and sewer service for a commercial/residential development on Tefft Street

BACKGROUND

The District has received a request from Mr. Homer Fox for water and sewer service to a commercial office building with residences above the office space, as shown on the attached plan. This proposed development on West Tefft Street is between Burton and Thompson Avenue. The District may issue an Intent-to-Serve letter for this project 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 and sewer 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 issue an Intent-to-Serve letter for the commercial/residential development at APN 090-121-005, with the above mentioned conditions.

105 Sea Street
Nipomo, California 93444
(805) 929-3239

November 21, 2002

N. C. S. D.
P. O. Box 326
Nipomo, California 93444

Attention: Doug Jones

Re: Request for Intent/Will Serve Letter
APN 090-121-005
Commercial Zone--Tefft St., Nipomo
(Olde Towne)

Gentlemen:

I request to be placed on the agenda of the next regular board meeting to be considered for an Intent to Serve or Will Serve letter.

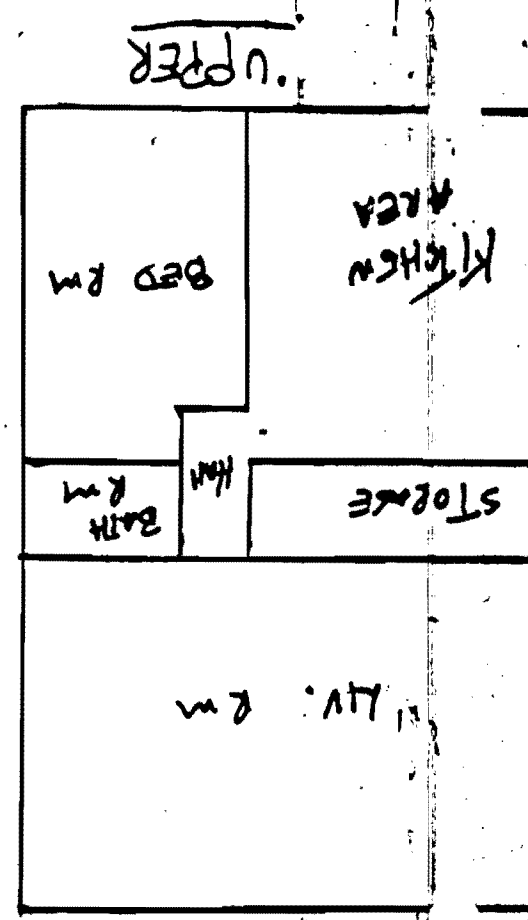
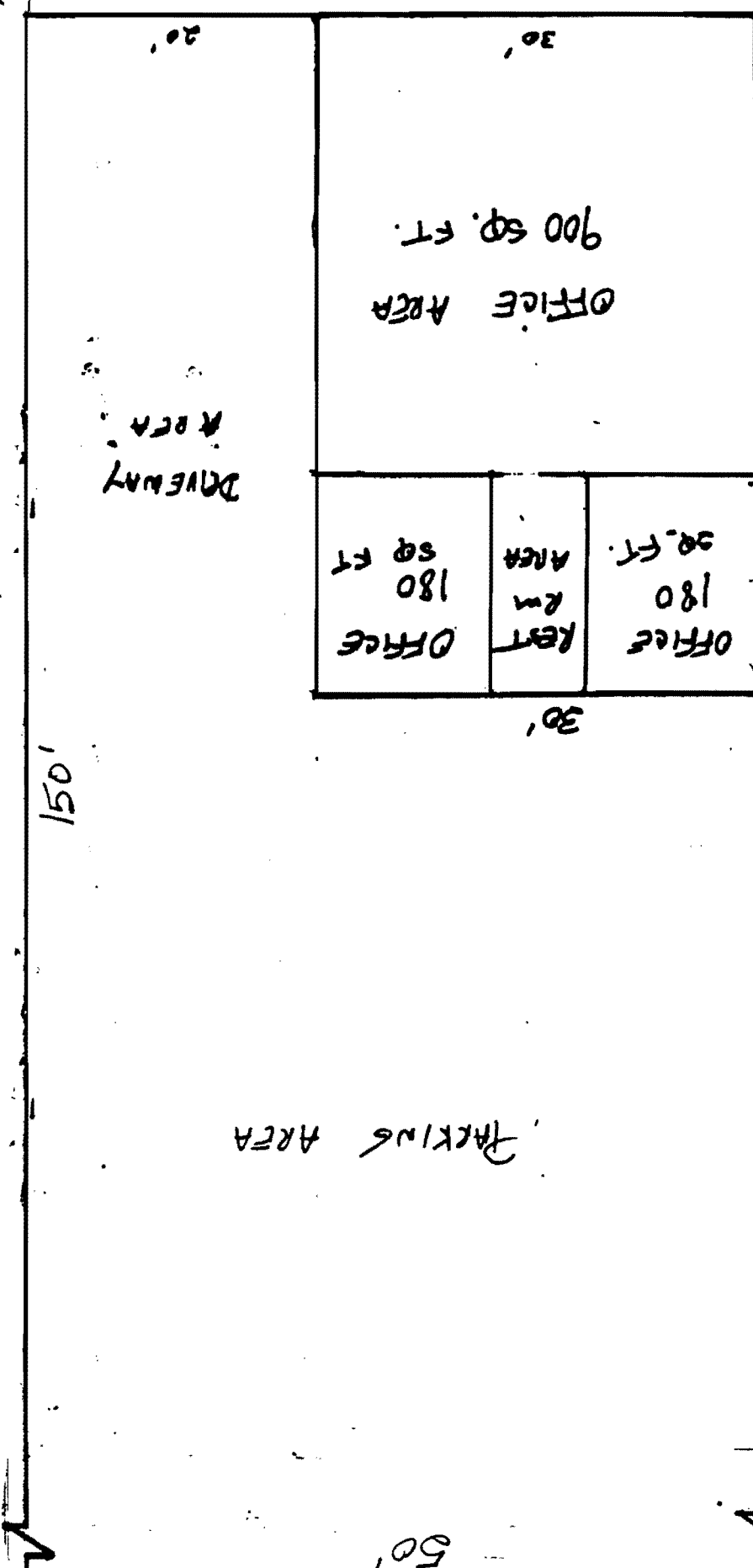
My project will consist of 1 each office building with living quarters above.

~~Enclosed please find \$50.00 filing fee.~~ ^{Dr.} Estimated water use
60,000 GALS/YR

Respectfully,
Homer J. Fox
Homer J. Fox

Encl.

RECEIVED
NOV 21 2002
COUNTY OF SAN LUIS OBISPO

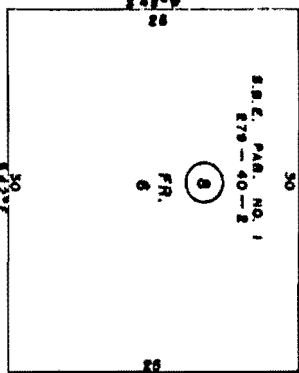
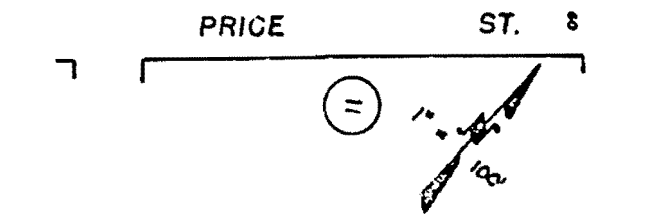
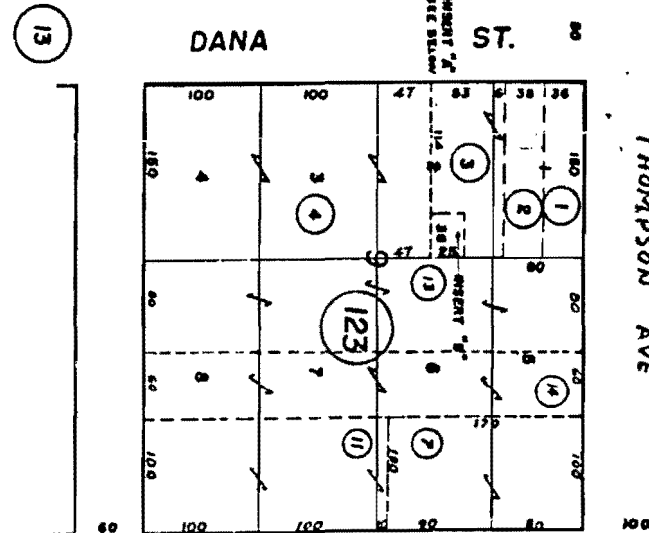
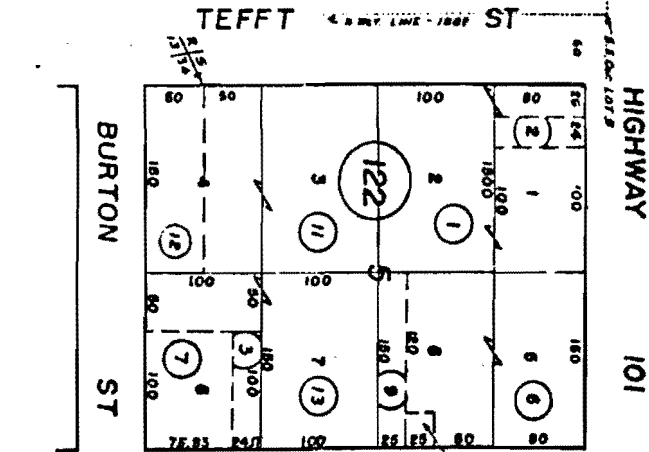
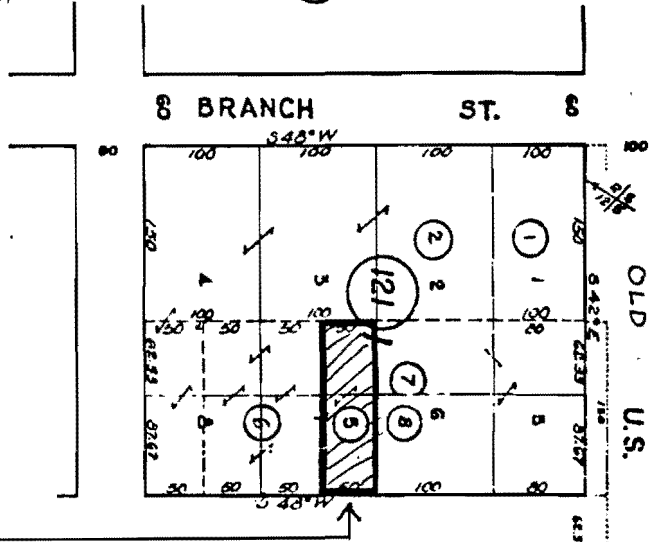


ARW 09D-121-005

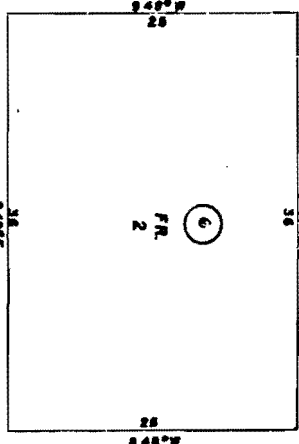
This plat is furnished by CUESTA TITLE GUARANTY COMPANY for your aid in locating your land with reference to streets and other parcels. It is not a survey. While this plat is believed to be correct, the Company assumes no liability for any loss occurring by reason of reliance thereon.

7/13/54

APN 090-124-005



INSERT 'A'



INSERT 'B'

SCALE - 1" = 10'

NOTE - ASSESSOR'S BLOCK & LOT NUMBERS SHOWN IN CIRCLES

TOWN OF NIPOMO
SAN LUIS OBISPO COUNTY
CALIFORNIA

BURTON ST. 12

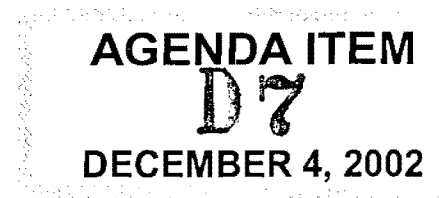
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08

90-12

90-13

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



REQUEST FOR SERVICE
TRACT 2312
KING VENTURES

ITEM

Request for water and sewer service for a commercial/residential development (El Mercado Shopping Center) on South Frontage Rd. and Hill Street

BACKGROUND

The District has received a request from King Ventures for water and sewer service to the El Mercado Shopping Center on So. Frontage Road at Hill Street, as shown on the attached plan. Based on the plumbing fixture information presented to the District, the center would use approx. 25-30 ac/ft/yr. and has a Dwelling Unit Equivalent (DUE) of 88 homes (sewer). The District may issue an Intent-to-Serve letter for this project, 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 and sewer 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 issue an Intent-to-Serve letter for Tract 2312, with the above mentioned conditions.



November 15, 2002

Via Facsimile: 929-1932
Total Three (3) Pages

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

**Re: Request For Calculation of Water and Wastewater Fees Due -
El Mercado Plaza Shopping Center Project, So. Frontage Road, Nipomo
Development Plan and Tract 2312 / County File No. S980065U**

Dear Doug:

Consistent with our last discussion, I have enclosed a calculation of the plumbing fixture units associated with the captioned retail shopping center. I would appreciate it if you could provide me a calculation of the required water and sewer fees for this project.

This project includes 92,300 SF of various types of retail stores and restaurants. The accompanying chart summarizes each building by parcel number, use and size. In addition, there are 44 residential units on the site. It is our intention to build out this mixed-use project next year. To this end, we wish to finalize our water and wastewater service commitment with the District, and pay the required fees associated with said service.

Please call me to discuss this request further if you need. Thank you in advance for your continuing courtesy and assistance on these matters.

Sincerely,

A handwritten signature in black ink that reads "David Watson".

David Watson, AICP

NIPRETncsd01fees

RECEIVED

NOV 18 2002

NIPOMO COMMUNITY
SERVICES DISTRICT

Nipomo Retail Plumbing Fixture Calculations

Site	Use	SF <small>70% above or 20% abv. of 50% maximum of 10% increase</small>	Occupant Load Factor	Occupant Load	# Men or Women = O.L./2	1997 UPC TABLE 4-1					Fixture Units	
						Water Closets ¹ Men	Water Closets ¹ Women	Urinal ²	Lavatories ³ Men	Lavatories ³ Women		Drinking Fountain
Parcel 01	residential N/A	NA										
Parcel 02	residential N/A	NA										
Parcel 03	fast food	2,950										
	customer kitchen		1,918	1/15	128							
			1,033	1/200	5							
	Kitchen Equipment ⁵				68	2	3	1	1	1	0	26
Parcel 04	fast food	3,200										
	customer kitchen		2,080	1/15	139							
			1,120	1/200	6							
	Kitchen Equipment ⁵				72	2	3	1	1	1	0	26
Parcel 05	retail ⁴	7,486										
	customer storage		5,228	1/30	174							
			2,240	1/300	7							
					91	2	2	0	2	2	0	20
Parcel 06	retail ⁴	3,834										
	customer storage		2,884	1/30	99							
			1,150	1/300	4							
					47	2	2	0	2	2	0	20
Parcel 07	restaurant	3,044										
	customer kitchen		1,979	1/15	132							
			1,065	1/200	5							
	Kitchen Equipment ⁵				69	2	3	1	1	1	0	26
Parcel 08	restaurant	3,010										
	customer kitchen		1,957	1/15	130							
			1,054	1/200	5							
	Kitchen Equipment ⁵				68	2	3	1	1	1	0	26
Parcel 09	retail ⁴	30,000										
	customer storage		21,000	1/30	700							
			9,000	1/300	30							
					365	2	2	0	2	2	0	20
Parcel 10 A	theater	12,766										
	seats			NA	495							
	employee			NA	5							
					250	3	11	3	2	2	2	73
	B&C retail ⁴	6678										
	customer storage		4,073	1/30	156							
			2,003	1/300	7							
					61	2	2	0	2	2	0	20
Parcel 11	retail ⁴	9,898										
	customer storage		6,829	1/30	231							
			2,969	1/300	10							
					120	2	2	0	2	2	0	20
Parcel 12	retail ⁴	6,668										
	customer storage		4,668	1/30	156							
			2,000	1/300	7							
					61	2	2	0	2	2	0	20
	restaurant	2,780										
	customer kitchen		1,807	1/15	120							
			973	1/200	5							
	Kitchen Equipment ⁵				63	2	3	1	1	1	0	26
Parcel 13	basin	NA										
Totals		92,312										443

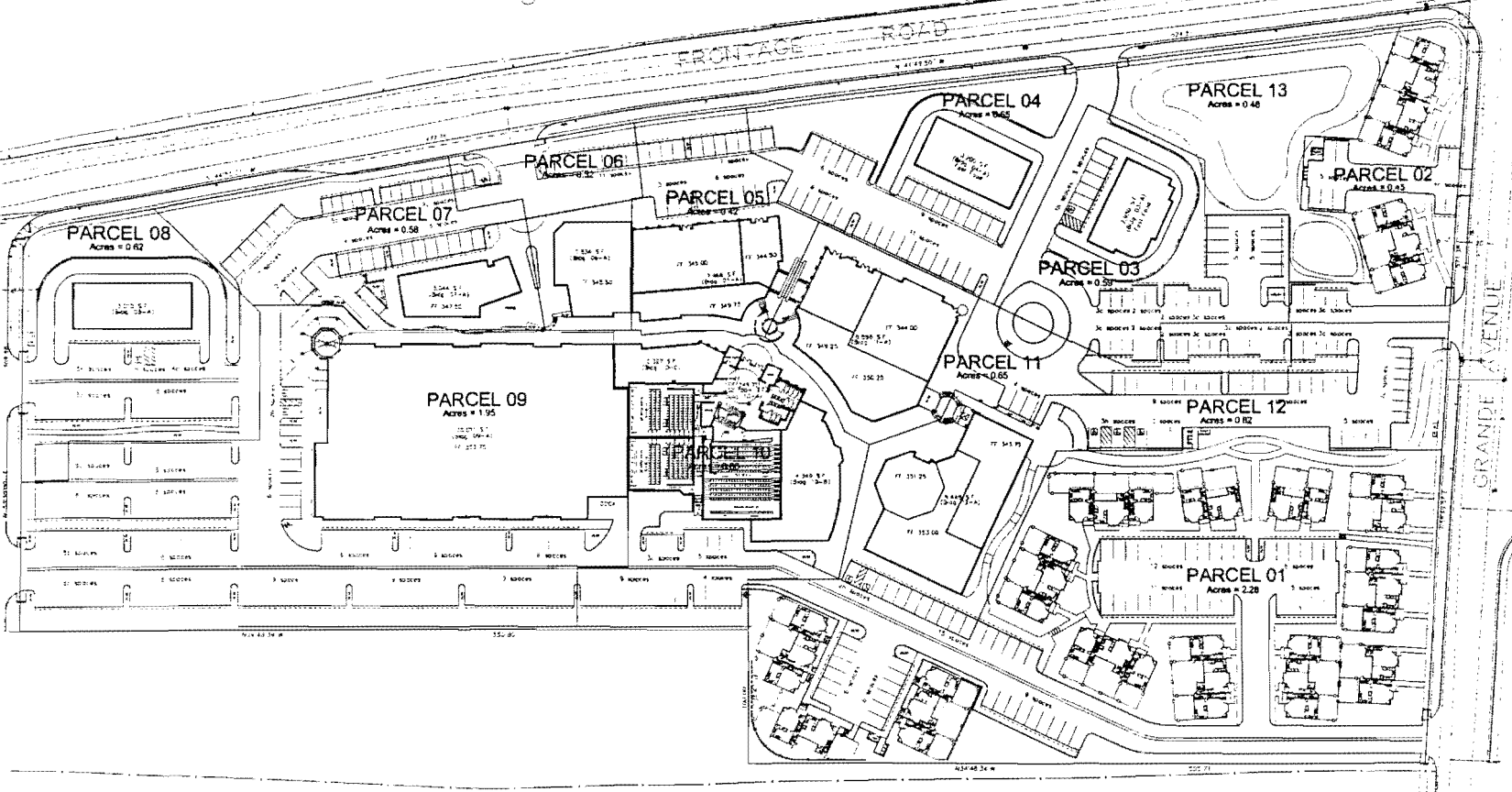
1. Water Closet assumed to be equipped with 1.6 GPF Flushometer Valve in the General Use category, 4.0 fixture units each.
2. Urinals assumed to be equipped with 1.0 GPF Flushometer Valve in the General Use category, 4.0 fixture units each.
3. Lavatories assumed to be individually installed, 1.0 fixture units each.
4. Retail area fixture count based upon (4) single occupant restrooms per parcel
5. Kitchen Equipment fixture unit count based upon assumed typical kitchen shown in Chart B

Chart B : Assumed Typical Kitchen

Fixture	Fixture Units Each	Qty.	Fixture Units Tot
Bar Sink	2	1	2
Dishwasher	2	1	2
Food Waste Grinder	3	1	3
Sink	3	3	9
Mop Basin	3	1	3
Receptor, Indirect Waste	1		5
ice machine		1	
refrigerators		3	
HVAC		1	
			24

U.S. 101 HIGHWAY

FRONTAGE ROAD



Nipomo Retail
Nipomo, California



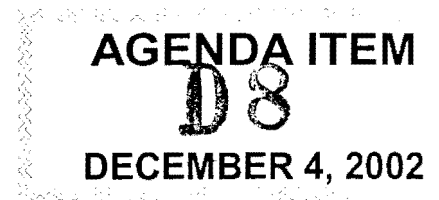
1st Floor/Site
 Plot Date: 02-07-02
 Purpose: J.C. Martin
 Revision Date: 00-00-00
 Software: AutoCAD 2000
 Job Number: 0650-00
 File Name: 0650-00 Site Plan - 13

By Robert Richmond Co. All easements for easements and other property rights reserved. The information on this drawing was prepared by the project of Robert Richmond Co., and the user shall not be responsible for any errors or omissions in connection with any work or project. Other than the specific project for which it has been prepared, no warranty is made by Robert Richmond Co.



01
Sheet No.

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



REQUEST FOR SERVICE
CO 02-0363
HERNANDEZ

ITEM

Request for water and sewer service for a commercial/residential development on W. Tefft St.

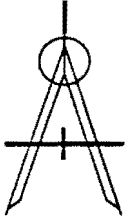
BACKGROUND

The District has received a request for water and sewer service from Bill Dyer, representing Mr. Hernandez, for Parcel Map CO 02-0363 located on W. Tefft Street near Gardenia Way, as shown on the attached plot plan. The District may issue an Intent-to-Serve 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. Connect existing residence to sewer
5. 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 and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
6. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

Staff recommends that your Honorable Board issue an Intent-to-Serve letter for Parcel Map CO 02-0363, with the above mentioned conditions.



WRD Engineering

Civil Engineering - Land Surveying

592 South 13th Street 93433
P. O. Box 432
Grover Beach CA 93483

Phone: (805) 481-1964
FAX: (805) 481-9146

RECEIVED
NOV 20 2002
MAIL ROOM
COUNTY OF SAN LUIS OBISPO

November 18, 2002

NCSD
Doug Jones
P.O. Box 326
Nipomo, CA 93444

RE: Request for Will Serve letter
Tentative Parcel Map CO 02-0363

Dear Doug,

On behalf of the owner of the above referenced project, this is a request for a "Can-and-will-Serve" letter for Tentative Map processing with the County of San Luis Obispo. A copy of the Tentative Parcel Map is enclosed for you information.

The project includes the following:

- a) Existing single family residence of 2,300 sq ft already served by water but on private septic system.
- b) Three proposed professional office buildings of 3,000 sq ft each.
- c) Twelve proposed residential studio apartments of 500 sq ft each.

Please respond at your earliest convenience. If you have any questions please call.

Regards,

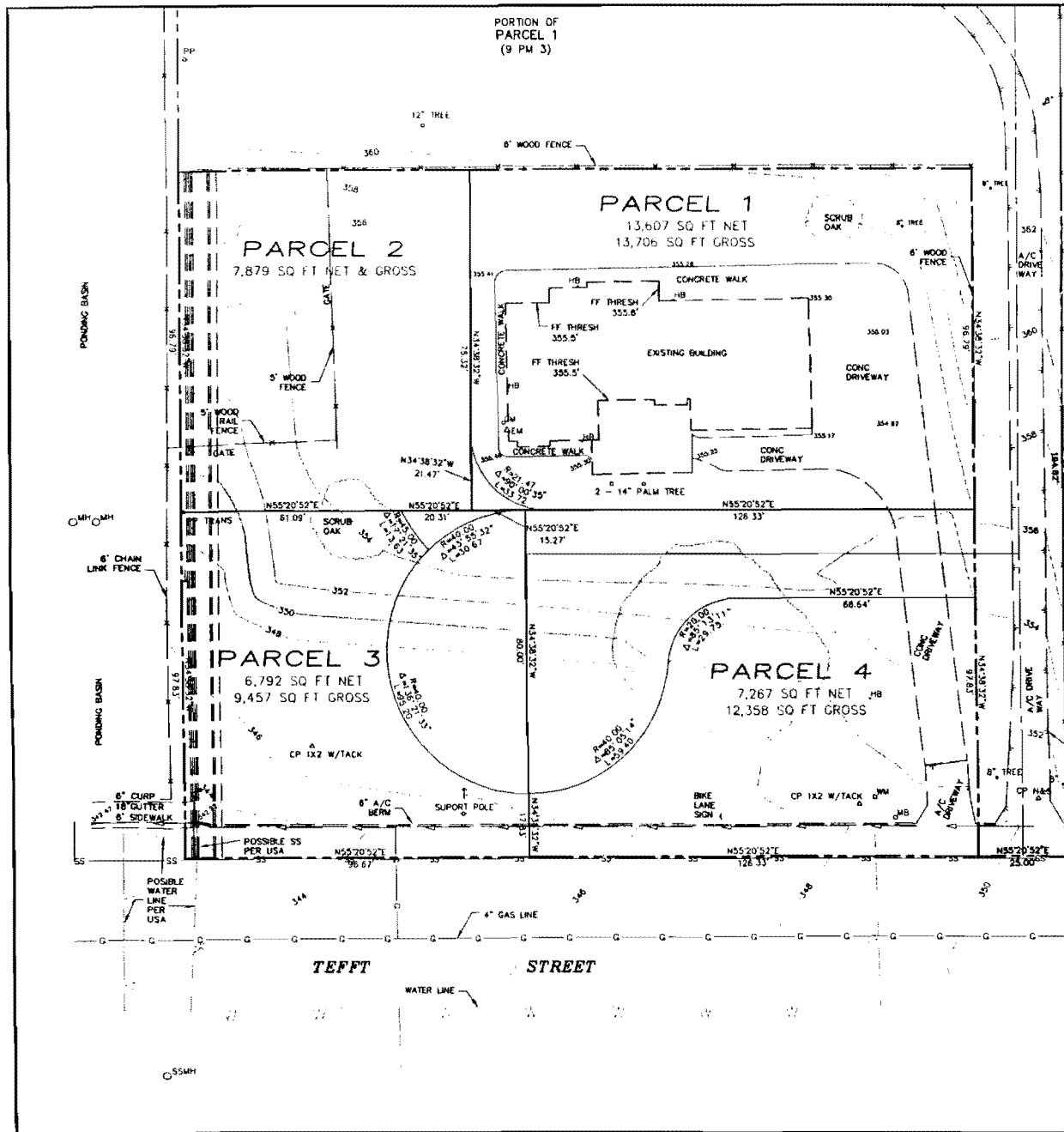
Bill Dyer

Cc: Raul Hernandez

**VESTING
TENTATIVE PARCEL MAP
NO. CO 02-0363**

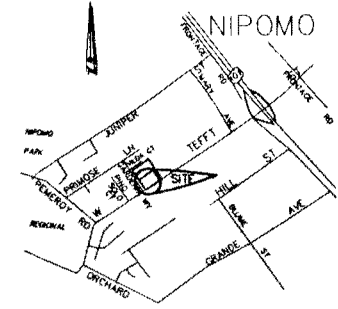
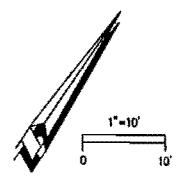
OF A PORTION OF PARCEL 1
(9 PM 3)

County of San Luis Obispo,
State of CALIFORNIA
October, 2002



LEGEND

 60 EXISTING CONTOUR
 ——— PROPERTY LINE
 - - - - - EASEMENT LINE



NOTE
THE BEARINGS AND DISTANCES SHOWN ON THIS MAP ARE PER 9-PM-3.

SURVEYOR'S STATEMENT
THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE LOT DIVISION ORDINANCE OF THE COUNTY OF SAN LUIS OBISPO, CALIFORNIA.

BY: RICHARD H. CASSERA, LS4283, EXP. 6/30/04

APPLICANT & OWNER
Raul Hernandez
782 W. Tefft
Nipomo, CA 93444
(805)931-0276

ASSESSOR'S PARCEL NUMBERS
092-572-034

Surveying by:
WRD Engineering
Civil Engineering - Land Surveying
P. O. Box 432, Grover Beach, CA 93483
PH: (805) 481-1954 FAX: (805) 481-9146

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

AGENDA ITEM
D9
DECEMBER 4, 2002

REQUEST FOR SERVICE
TRACT 2496
PAYETTE

ITEM

Request for water and sewer service for a 5-lot development on Theodora Street in Nipomo

BACKGROUND

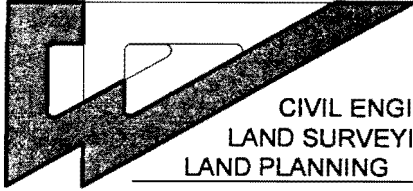
The District has received a request from Westland Engineering, Inc., for water and sewer service to APN 092-130-070, Tract 2496, on Theodora Street in Nipomo. Your Honorable Board may issue an Intent-to-Serve letter for this project, with the following conditions:

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. Connect existing residence to sewer
5. 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 and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
6. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

Staff recommends that your Honorable Board issue an Intent-to-Serve letter for Tract 2496, with the above mentioned conditions.

WESTLAND ENGINEERING, INC.



CIVIL ENGINEERING
LAND SURVEYING
LAND PLANNING

75 ZACA LANE, SUITE 100 • SAN LUIS OBISPO, CA 93401
TELEPHONE:(805) 541-2394 • FAX:(805) 541-2439

November 25, 2002

Doug Jones
C/o Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444

RE: Intent to serve letter for Tract 2496

Dear Mr. Jones,

We are submitting an application to the County of San Luis Obispo's Planning Department for a development of five (5) lots on this property. The County's Planning Department requires an intent to serve letter from NCSO in order to process the tentative Tract Map. The owner of the property is Roger Payette at 865 Theodora Street, Nipomo, CA 93444; Assessor's Parcel Number 092-130-070. Please provide us with an intent to serve letter. A copy of the proposed Tract Map and a reduction is enclosed for your review.

Sincerely,

A handwritten signature in black ink that reads "Pamela Jardini". The signature is written in a cursive, flowing style.

Pamela Jardini
Westland Engineering

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

AGENDA ITEM
D 10
DECEMBER 4, 2002

INTENT TO SERVE
ADMINISTRATIVE APPROVAL OF 4 OR LESS RESIDENTIAL UNITS

ITEM

Resolution for adopting Policy and Guidelines for District Water and Sewer Service

BACKGROUND

At the last regular Board meeting, your Honorable Board reviewed an administrative approval program for Intent-to-Serve for 4 or less residential units. Staff has re-drafted the attached resolution, policy statement and application for Intent-to-Serve letter for the Board's review and consideration.

RECOMMENDATION

The attached resolution and policy is presented to the Board for consideration for adoption.

Board 2002/Intent admin approval.DOC

RESOLUTION NO. 2002-___

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING THE POLICY AND GUIDELINES FOR DISTRICT WATER AND SEWER SERVICE

WHEREAS, based on staff report, staff presentation, and public comment the Nipomo Community Services District (District) Board of Directors desires to adopt District Policies and Guidelines for District water and sewer services.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

1. The Nipomo Community Services District's Policy and Guidelines for District Water and Sewer Services attached hereto as Exhibit "A" is hereby approved and adopted.
2. Resolution 99-680 is repealed in its entirety.
3. Application fee for renewal of Intent-to-Serve Letter of \$50.00 (non-refundable), as established by Resolution 99-680 is incorporated herein by reference.

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

AYES: Directors _____
NOES: _____
ABSENT: _____
CONFLICTS: _____

the foregoing resolution is hereby passed, approved and adopted by the Board of Directors of the Nipomo Community Services District this 4th day of December, 2002.

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

ATTEST:

Donna Johnson Secretary to the
Board of Directors

**NIPOMO COMMUNITY SERVICES DISTRICT
POLICY AND GUIDELINES
FOR DISTRICT WATER AND SEWER SERVICE**

POLICY

The Nipomo Community Services District (“District”) will only provide water and sewer service to projects that have complied with all the terms, conditions, rules, regulations and ordinances of the District and other agencies having jurisdiction over the project.

GUIDELINES

A. APPLICATIONS

~~(1) — (1) Prior to accepting application for processing the applicant shall pay the appropriate application fee. All applications for Intent to Serve letters shall be made on the District’s Application Form and shall be signed by either the Owner, the Owner’s Architect or Engineer and shall include:~~

- ~~a. The Project Description;~~
- ~~b. The Project location;~~
- ~~c. The name and address of the Project contact person;~~
- ~~d. A statement that the Applicant has been provided a copy of these Policies.~~

~~(2) In addition to the requirements of Paragraph (1) above, Applications for commercial projects, multi-use projects, projects that exceed two (2) residential units or multi-family projects shall include; be in writing signed by either the owner, or the owner’s architect or engineer and shall include:~~

- ~~(a) Two (2) separate sets of a site plan that shows the approximate square footage, the site topography and an estimate of the number of water fixtures to serve the project.~~
- ~~(b) An engineer or architect’s estimate of monthly water and sewer demand (in gallons per month) for the project.~~
- ~~(c) The project location.~~
- ~~(d)(c) The name and address of the project contact person.~~
- ~~(e) A statement that the applicant has been provided a copy of this policy.~~
- ~~(f)(c) An indemnity clause as follows: The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the~~

project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgements or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgements or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782.

B. "INTENT-TO-SERVE" LETTERS

1. Small Projects: Where the Project consists of four (4) or less residential units, four (4) or less multi-family units or for commercial projects and multi-use projects where the total estimated water demand is less than two acre feet per year (2 a.f.y.), the General Manager may issue an Intent-to-Serve letter administratively or refer the approval to the Board of Directors pursuant to subparagraph 2 below.
2. Larger Projects: Where the project exceeds four (4) residential units, four (4) or more multi-family units or for commercial units and multi-use projects with a total water demand is greater than two (2) acre feet per year (2 a.f.y.), the Intent-to-Serve letter shall be approved by the Board of Directors.
3. Remodels and Conversions: Where the total water demand does not exceed current use or the additional resulting water demand is within the requirements of subparagraph 1, above, the General Manager may issue an Intent to Serve letter administratively or refer the approval to the Board of Directors pursuant to Paragraph 2 above.
4. All Intent-to-Serve letters shall be based on findings that sufficient excess water and sewer capacity exists to serve the project.
5. Each "Intent-to-Serve" Letter shall include the following:
 - (a) Conditions for service.
 - (b) That Applicant enter into a Plan Check and Inspection Agreement when applicable.
 - (c) all easements and dedications required for District service shall be delivered to the District.

- (d) All construction work and installations shall conform to the District's standard plans and specifications.
- (e) That District service is conditioned on applicant paying all District fees and charges relating to the project and complying with the terms and conditions, rules and regulations of the District.
- (f) That the District service is conditioned on the applicant complying with all the terms, conditions, rules and regulations of other agencies that have jurisdiction over the project.
- (g) This "Intent-to-Serve" Letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District. This "Intent-to-Serve" Letter may be revoked as a result of conditions imposed upon the District by a Court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- (h) That unless sooner-terminated sooner this "Intent-to-Serve" Letter will terminate two (2) years from the date of issuance.
- (i) This "Intent-to-Serve" Letter shall not be interpreted as the District's Board of Directors endorsement of the project.
- ~~(j)~~ (j) The "Intent-to-Serve" Letter will be stamped in red that this is not a Will-Serve Letter or a commitment to provide District services.
- (k) For projects requiring off-site improvements, the following language will be included in the Intent-to-Serve letter.
 - a. Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs

C. EXTENSIONS AND TRANSFERS

1. Extensions:

- (a) Prior to expiration, Applicants may apply to renew an Intent-to-Serve letter or a conditional Will Serve letter upon payment of a non-refundable fifty dollar (\$50) fee. (Originally established by Resolution 99-680).

(b) Upon application the Intent-to-Serve letter may be extended pursuant to the policies and guidelines referenced in Section B above.

2. Transfers:

Prior to expiration, an Intent to Serve Letter may be transferred to a successor-in-interest in the property to be served, on the following terms and conditions:

- (a) The application is signed by the current owner;
- (b) The successor-in-interest acknowledges and agrees in writing to the terms and conditions of the Intent to Serve Letter, and;
- (c) The date of recording of the new deed is the date of the transfer.

D. "WILL-SERVE" LETTERS

"Will-Serve " Letters are evidence of the District's commitment to provide service to the project consistent with District's ordinances, rules and regulations. "Will-Serve" Letters will be issued administratively upon the applicant paying all District fees and charges related to the project and complying with all terms and conditions of the District's "Intent-to-Serve" Letter. "Will-Serve" Letters will contain the following language:

~~(1) District service is conditioned upon the applicant complying with all terms, conditions, rules and regulations of agencies that have jurisdiction over the project. The District reserves the right to demand evidence of compliance as a condition to either setting the water meter or providing continued water service.~~

(12) This "Will-Serve" Letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District. This "Will-Serve" Letter may be revoked as a result of conditions imposed upon the District by a Court, or by a change in ordinance, resolution, rules, or regulations adopted by the Board of Directors for the protection of health, safety, and welfare of the District and it's residents.

~~(3)~~(2) Notwithstanding the above paragraphs, notice is provided as follows:

- (a) That Nipomo Community Services District has been made a party to that lawsuit entitled Santa Maria Valley Water Conservation District, et al. v. City of Santa Maria, et al., Santa Clara Superior Court Case No. CV 770214. The case involves competing claims to the right to produce water from and/or store water in the Santa Maria Valley Groundwater Basin, the water source from which Nipomo Community Services District derives the water, which it serves. The District is now unable to predict with any certainty the outcome of the above-referenced litigation.

However, the litigation conceivably could result in a limitation on the availability of groundwater for the District's production and/or an increase in the cost of water, which the District serves to its water customers.

- (b) That this Will Serve letter and the Project are subject to the San Luis Obispo County's Growth Control Ordinance which establishes annual limits on building permits for the Nipomo Mesa.

E. DISTRICT SERVICE

1. The District will only set water meters when all off-site improvements are dedicated and accepted by the District.
2. District water and sewer service will only be provided to the project if the applicant and/or the owner of the project has complied with the terms, conditions, rules and regulations of the District, ~~and other agencies that have jurisdiction over the project.~~
3. ~~The District General Manager reserves the right to demand evidence of compliance as a condition of either setting the water meter or providing continued water service.~~

Adopted: _____, 2002

Resolution 2002- _____

**NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER**

1. **Owner Name:** _____
2. **Business Address:** _____
3. **Mailing Address:** _____
4. **Phone Number:** _____
5. **Agent's Name(Architect or Engineer):** _____
6. **Mailing Address:** _____
7. **Phone Number:** _____
8. **Assessor's Parcel Number(APN) of lot(s) to be served:** _____
9. **Project's Location:** _____

10. **San Luis Obispo County Planning Department/Tract Development No.:** _____

11. **Total Number of Residential Units:** _____

12. **Type of Use:**

- Single Family Residence Duplex Triplex Multi-Family
 Subdivision
 Commercial
 Multi-use (*Project Description*) _____
Type _____
 Remodel: (*Project Description*) _____

13. **Applications for multi-use projects, commercial projects, projects that exceed two (2) residential units, or multi-family projects will not be approved until the following have been submitted to the District for its review:**

- a. **Two (2) separate sets of site plans that show the approximate square footage of each unit, the site topography and an estimate of the number of water fixtures to serve each unit in the project; and**
- b. **An engineer or architect's estimate of monthly water and sewer and demand (in gallons per month) for the project.**

14. **The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of**

persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgements or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgements or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782.

15. The undersigned acknowledges receipt of the Nipomo Community Services District ~~Application for District Service~~ Policy and Guidelines (attached).

~~16. APPLICATION FEES:~~

~~Intent to Serve Application Processing Fee _____ \$ _____
(Non-refundable payment attached to this application)~~

Date _____

(Must be signed by owner or owner's agent)

Print name

~~FOR DISTRICT OFFICE USE:~~

Amount Paid _____ Date: _____ Receipt # _____

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

AGENDA ITEM
DEC 04 2002



REPEAL OF CHAPTER 4.16 OF DISTRICT CODE-APPROVAL LETTERS
FOR SEWER SERVICE

ITEM

Introduction of Ordinance to repeal Chapter 4.16 of District Code-Approval Letters for Sewer Service

BACKGROUND

Upon the completion of the sewer system in 1986, the District adopted Ordinance 86-49, guidelines for the issuance of approval letters for sewer service. This Ordinance is codified in Chapter 4.16 of the District Code (copy attached). The procedures outlined in Chapter 4.16 are outdated and should be repealed.

The Board of Directors will be considering Item D-10, A RESOLUTION ADOPTING THE POLICY AND GUIDELINES FOR DISTRICT WATER AND SEWER SERVICE, prior to this agenda item. This new policy will supercede Chapter 4.16.

RECOMMENDATION

Staff recommends that your Honorable Board accept the Introduction of Ordinance 2002-94 and set a Public Hearing on December 18, 2002 for adoption.

Board2002\repeal of chapter 4.16.doc

NOTE: ORDINANCE WILL BE SENT TO YOU ON

MONDAY, DECEMBER 2, 2002.

Chapter 4.16

APPROVAL LETTERS FOR SEWER SERVICE

Sections:

- 4.16.010 Issuance.**
4.16.020 Board discretion to provide earlier sewer service.
4.16.040 Tentative and final approval letters.

4.16.010 Issuance.

A. Volunteers. Upon the payment of all sewer system fees for proposed development projects on volunteer property within the district's zone for the sewerage project, the general manager shall issue an approval letter certifying that the district will provide sewer service as soon as the development is completed; provided, however, if the proposed development exceeds by more than ten percent the number of DUE's used by the district for calculations at the design stage of the sewer project, the application for an approval letter for sewer service shall be considered by the board of directors at a public meeting, and the board shall determine which portion of the project is entitled to the sewer service priority granted generally to volunteers.

B. Nonvolunteer Property in the District. Applicants for sewer service for development projects for nonvolunteer property within the district shall be issued approval letters which contain the following condition in capital letters:

THE COMMITMENT TO PROVIDE SEWER SERVICE HEREIN IS IRREVOCABLE SO LONG AS THE DE-

VELOPMENT OR PROJECT IS RECOGNIZED AS VIABLE BY THE COUNTY OF SAN LUIS OBISPO: HOWEVER, THE OBLIGATION OF THE DISTRICT TO PROVIDE SEWER SERVICE SHALL BEGIN TWELVE (12) MONTHS AFTER THE DISTRICT HAS RECEIVED FULL PAYMENT OF ALL SEWER SYSTEM FEES.

C. Property Requesting Annexation to the District. All property annexed to the district shall comply with all requirements of the district's annexation policy, dated February 2, 1983, set out following Title 4 of this code, including, without limitation, the requirement that all sewer system fees be paid prior to the completion of annexation.

Applicants for sewer service for property outside the district (all of which is nonvolunteer property) shall be issued approval letters which contain the following condition in capital letters:

THE COMMITMENT TO PROVIDE SEWER SERVICE HEREIN IS IRREVOCABLE SO LONG AS THE DEVELOPMENT OR PROJECT IS RECOGNIZED AS VIABLE BY THE COUNTY OF SAN LUIS OBISPO: HOWEVER, THE OBLIGATION OF THE DISTRICT TO PROVIDE SEWER SERVICE SHALL BEGIN TWELVE (12) MONTHS AFTER THE ANNEXATION BECOMES FINAL.

(Ord. 86-49 § 1, 1986)

- 4.16.020 Board discretion to provide earlier sewer service.**

Nothing in this chapter shall be construed

or applied at any time to prevent the district from providing sewer service to nonvolunteered or annexed property earlier than the expiration of the twelve-month period if the district's board of directors adopts a resolution at a public meeting finding that the connection rights of volunteers are adequately protected, and that the public health, safety and welfare is not endangered. The consideration or adoption of such a resolution shall be at the sole discretion of the board, and there shall be no legal right to require or demand that the board consider or adopt any such resolution prior to the expiration of the twelve-month period specified in an approval letter. All other things being equal, the board shall give priority to the applicants: (1) with property in the district, and (2) with the earliest payment date for all sewer system fees. (Ord. 86-49 § 2, 1986)

4.16.040 Tentative and final approval letters.

A. Tentative Approvals. The district's tentative consideration of any project will be based upon the review of project plans prepared in sufficient detail to allow the evaluation of service requirements, determination of impacts upon district facilities and an estimate of the total value of the improvements which will be required. After the completion of the district's evaluation of the proposed project, tentative letters of approval may be issued as follows:

1. Volunteers. The general manager shall issue a tentative letter of approval.

2. Nonvolunteers. After evaluation of the proposal at a public meeting, the board of directors may grant a tentative letter of approval, but only after finding that there is now, or will reasonably be in the future,

sufficient sewerage system capacity available to serve the project for which approval is being sought without jeopardizing the capacity which the board reserves for voluntary project participants.

No tentative approval shall be issued by the district prior to payment in full of the estimated plan check and inspection fees as determined by the general manager.

B. Final Approvals. The board of directors shall grant a final letter of approval upon the recommendation of the general manager, and after review of final plans at a public meeting. All appropriate fees, including, without limitation, sewer capacity charges, annexation fees, water system fees, plan check and inspection fees, shall be paid in full before the board grants final approval. (Ord. 95-82 § 19, 1995; Ord. 86-49 § 4, 1986)

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: DECEMBER 4, 2002

AGENDA ITEM
11
DECEMBER 4, 2002

NOMINATION FOR ELECTION TO LAFCO

ITEM

Consider nominations to the Local Agency Formation Commission

BACKGROUND

The District received correspondence from Bruce Buel, Los Osos Community Services District, presently administrating SLO County Special District's Chapter. Your Honorable Board may nominate any Special District elected official within the SLO County for consideration as an alternate member to the Local Agency Formation Commission. All nominees will be considered at the SLO County Special District's Chapter Association election.

RECOMMENDATION

If your Honorable Board wishes to recommend a nominee to the LAFCO Board, they may direct staff and it will be forwarded to Bruce Buel.

Board 2002/LAFCO Nomination.DOC

Memo


To: Managers of San Luis Obispo County Special Districts
From: Bruce Buel
CC: File, Jon Seitz @ Shipsey & Seitz, Paul Hood @ LAFCO
Date: 11/1/02
Re: Call for Nominations for Election of LAFCO Alternate & Notice of Election

Chapter President Rosemary Bowker has set an election date for SLO County Special Districts to vote on selecting a replacement member on SLO County LAFCO to replace Helen May from Cambria who chose not to run for re-election on 11/5/02 to the CCSD Board of Directors. Please be advised that the election will be held at noon on Saturday January 11, 2003 at the Templeton Community Center, located at 601 South Main Street, Templeton.

This notice is both a call for nominations for Directors interested in serving as and alternate on LAFCO and a request that your Board President or an elected member of your board authorized by your Board to vote for your District participate in the election. Please note that the election will be held during the lunch for the Chapter's Board Member Training Seminar (See invitation to Seminar mailed under separate cover).

For this election to be valid, qualified voters from more than 50% of the Special Districts in SLO County must participate. Therefore, we request that you RSVP with the name of your designated voter no later than January 3, 2003. You may also submit the names of candidates nominated by your Board of Directors to LOCSO prior to the election or from the floor at the meeting.

Feel free to call me at 805-528-9370 or e-mail me at bbuel@losososcso.org. LOCSO's mailing address is P. O. Box 6064, Los Osos, CA 93412

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

AGENDA ITEM
E2
DECEMBER 4, 2002

MARINE SANCTUARY
FORMATION OF EXPANSION COMMITTEE

ITEM

Formation of Marine Sanctuary Expansion Committee

BACKGROUND

The attached correspondence from the City of Morro Bay is self explanatory.

RECOMMENDATION

Staff needs direction if your Honorable Board wishes to comment on this item.

Board 2002/Marine Sanctuary.DOC



City of Morro Bay

Morro Bay, CA 93442

(805) 772-6200

November 13, 2002

San Luis Obispo County Board of Supervisors
County Government Center Room 370
San Luis Obispo CA 93408

RE: FORMATION OF A MARINE SANCTUARY EXPANSION COMMITTEE

On October 31, 2002 we sent you the attached letter requesting the Board of Supervisors join the City of Morro Bay in a position supporting creation of a separate central coast marine sanctuary with local control and opposed to expansion of the Monterey Bay National Marine Sanctuary (MBNMS) to the San Luis Obispo coast.

On November 7, 2002 Supervisor Bianchi facilitated a meeting purportedly to decide if the community desired to form a committee to study the sanctuary expansion/creation issue. Prior to that meeting, applications for committee membership were printed up and ECOSLO obtained a \$10,000.00 grant from the World Wildlife Fund to support the committee. At the meeting of November 7, 2002 a series of pro-sanctuary presentations were made and at the end of the meeting, it was announced that the committee was formed and applications for membership would be taken with a submittal deadline of November 22, 2002.

Where was the public input and local agency participation in this process? We strongly object to the formation of such a committee before the Board of Supervisors and other involved local agencies review and or take a position on this issue, which is so important to coastal communities and the unincorporated coastal areas of the county.

We urge you once again to take this issue up as an agenda item and join the City of Morro Bay in supporting creation of a separate central coast sanctuary with local control and opposed to expansion of the MBNMS. Further, we request you refer this matter to other involved local agencies with coastal interest and take a leadership role in this process. We should not support ECOSLO's and the MBNMS efforts to formalize a sanctuary committee until this process has had a full opportunity for public input and local agency review.

Thanks, for your time and consideration.

Rodger Anderson
Mayor

RECEIVED
NOV 14 2002
SANTA BARBARA COUNTY

FINANCE
595 Harbor Street

ADMINISTRATION
595 Harbor Street

FIRE DEPARTMENT
715 Harbor Street

PUBLIC SERVICES
590 Morro Bay Boulevard

HARBOR DEPARTMENT
1275 Embarcadero Road

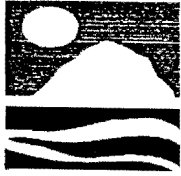
POLICE DEPARTMENT
870 Morro Bay Boulevard

RECREATION & PARKS
1001 Kennedy Way

November 14, 2002

Page 2

cc: City Manager
City Council
San Luis Obispo County Administrative Officer
City of Arroyo Grande
City of Grover Beach
City of Pismo Beach
Port San Luis Harbor Commission
Avilla Valley Advisory Council
Cambria CSD
Los Osos CSD
Nipomo CSD
Oceano CSD



City of Morro Bay

Morro Bay, CA 93442

(805) 772-6200

October 31, 2002

San Luis Obispo County Board of Supervisors
County Government Center Room 370
San Luis Obispo CA 93408-2040


RE: REQUEST THAT THE BOARD OF SUPERVISORS TAKE A POSITION IN SUPPORT OF CREATION OF A SEPARATE CENTRAL COAST MARINE SANCTUARY STRUCTURED TO HAVE LOCAL CONTROL

In January of this year, your Board declined to support a staff recommendation to request consideration of expansion of the Monterey Bay National Marine Sanctuary (MBNMS) to the San Luis Obispo coast. We very much appreciated you taking that position as this is an issue that the City of Morro Bay City Council has wrestled with in many public hearings and become very familiar with.

Subsequent to your action, the City of Morro Bay City Council formally adopted a position in opposition to expansion of the MBNMS to the San Luis Obispo coast. The discussion has continued through the MBNMS management plan update and on September 9, 2002 the Morro Bay City Council voted to send the attached correspondence to our Congressperson requesting introduction of legislation to create a new central coast Sanctuary in our area structured to have local control.

The City of Morro Bay is opposed to expansion of the MBNMS. I am requesting that your Board join the City of Morro Bay in supporting a separate Central Coast marine sanctuary with local control on the San Luis Obispo coast.

Thanks in advance for your consideration and please, contact me if you have any questions or would like any additional information.



Rodger Anderson
Mayor

cc: City Manager
City Council

FINANCE
595 Harbor Street

ADMINISTRATION
595 Harbor Street

FIRE DEPARTMENT
715 Harbor Street

PUBLIC SERVICES
590 Morro Bay Boulevard

HARBOR DEPARTMENT
1275 Embarcadero Road

POLICE DEPARTMENT
870 Morro Bay Boulevard

RECREATION & PARKS
1001 Kennedy Way

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

**AGENDA ITEM
F
DECEMBER 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 November 20, 2002, Regular Board meeting
Minutes of November 22, 2002, Special Board meeting
- F-3) ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS [RECOMMEND APPROVAL]
Accept improvement for Tract 2412 (Nipomo Business Center, LLC)

WARRANTS DECEMBER 4, 2002

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

HAND WRITTEN CHECKS

NONE

COMPUTER GENERATED CHECKS

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
7492	11/22/02	EMP01	EMPLOYMENT DEVELOP DEPT	385.44	.00	385.44	A21118	STATE INCOME TAX
7493	11/22/02	MID01	MIDSTATE BANK-PR TAX DEP	1551.80	.00	1551.80	A21118	FEDERAL INCOME TAX
				406.94	.00	406.94	1A21118	MEDICARE (FICA)
			Check Total.....:	1958.74	.00	1958.74		
7494	11/22/02	MID02	MIDSTATE BANK - DIRECT DP	12482.16	.00	12482.16	A21118	NET PAY DEDUCTION
7495	11/22/02	PER01	PERS RETIREMENT	2133.98	.00	2133.98	A21118	PERS PAYROLL REMITTANCE
7496	11/22/02	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A21118	WAGE ASSIGNMENT
7497	11/22/02	STA01	STATE STREET GLOBAL	735.00	.00	735.00	A21118	DEFERRED COMP
7498	11/22/02	BLA01	BLAIR, ROBERT L	100.00	.00	100.00	112202	STUDY SESSION 11/22/02
7499	11/22/02	MOB01	MOBRAATEN, RICHARD	100.00	.00	100.00	112202	STUDY SESSION 11/22/02
7500	11/22/02	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	112202	STUDY SESSION 11/22/02
7501	11/22/02	WIN01	WINN, MICHAEL	100.00	.00	100.00	112202	STUDY SESSION 11/22/02
7502	11/22/02	WIR02	WIRSING, JUDY	100.00	.00	100.00	112202	STUDY SESSION 11/22/02
7503	12/04/02	AME02	AMERICAN INDUSTRIAL SUPPY	114.11	.00	114.11	0112197	PAINT-4 GALLONS
7504	12/04/02	BAS01	BASIC CHEMICAL SOLUTIONS	628.57	.00	628.57	54035	SODIUM HUPOCHLORITE-BLWWT
				296.01	.00	296.01	54039	SODIUM HUPOCHLORITE-WELLS
			Check Total.....:	924.58	.00	924.58		
7505	12/04/02	BLA01	BLAIR, ROBERT L	100.00	.00	100.00	12/4/02	REGULAR BOARD MTG 12/4/02
7506	12/04/02	CHA02	CHARTER COMMUNICATIONS	54.90	.00	54.90	A21126	INTERNET SERVICE
7507	12/04/02	CRE01	CREEK ENVIRONMENTAL LABS	30.00	.00	30.00	J4200	BLWWT LAB TEST
				30.00	.00	30.00	J4280	BLWWT LAB TEST
				30.00	.00	30.00	J4322	BL WWTP LAB TEST
				30.00	.00	30.00	J4424	BL WWTP LAB TEST
				30.00	.00	30.00	J4451	BL WWTP LAB TEST
				75.00	.00	75.00	J4452	COLIFORM TESTS
			Check Total.....:	225.00	.00	225.00		
7508	12/04/02	CUM01	CUMMINS WEST, INC.	750.41	.00	750.41	006-5781	SUNDALE WELL EVALUATION/Q
7509	12/04/02	FGL01	FGL ENVIRONMENTAL	44.80	.00	44.80	211425A	NIPOMO WWTP LAB TEST
				44.80	.00	44.80	211426A	BL WWTP LAB TEST
			Check Total.....:	89.60	.00	89.60		
7510	12/04/02	GRO01	GROENIGER & CO	169.07	.00	169.07	211478T	METER FLANGE/SUPPLIES
				125.39	.00	125.39	211946B	DISC HOLDER/STEM SUPPLIES
			Check Total.....:	294.46	.00	294.46		
7511	12/04/02	GWA01	GWA INC	25.00	.00	25.00	A21126	ALARM MONITORING
7512	12/04/02	IKO01	IKON OFFICE SOLUTIONS	47.20	.00	47.20	16939743	COPIER MAINTENANCE
7513	12/04/02	JOH01	JOHNSON, DONNA	105.65	.00	105.65	A21126	HOTEL-SECRETARY SEMINAR
				50.00	.00	50.00	11/5/02	ELECTIONS-CLOSE BUILDING
			Check Total.....:	155.65	.00	155.65		

COMPUTER GENERATED CHECKS

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
7514	12/04/02	KIN01	KINKO'S	172.94	.00	172.94	271350	BUSINESS CARDS-6 SETS
7515	12/04/02	MOB01	MOBRAATEN, RICHARD	100.00	.00	100.00	120402	REGULAR BOARD MTG 12/4/02
7516	12/04/02	NEU01	NEUMAN, HELMUT	1771.64	.00	1771.64	A21126	REBATE PROGRAM-SUMMIT STA
7517	12/04/02	NEX01	NEXTEL COMMUNICATIONS	175.34	.00	175.34	87314-012	CELL PHONES
7518	12/04/02	NOB01	NOBEL SYSTEMS	300.00	.00	300.00	7901	WALL MAP FOR SHOP
7519	12/04/02	PER01	PERS RETIREMENT	307.60	.00	307.60	59-0033	SURVIVOR BENEFIT-ANNUAL P
7520	12/04/02	PER02	CALIF PUBLIC EMPLOYEES'	3824.49	.00	3824.49	DECEMBER	HEALTH INSURANCE-DECEMBER
7521	12/04/02	SAI01	SAIC	1568.22	.00	1568.22	399445	GROUNDWATER LITIGATION
				7364.52	.00	7364.52	399436A	GROUNDWATER LITIGATION
			Check Total.....:	8932.74	.00	8932.74		
7522	12/04/02	SAN06	SAN JOAQUIN SUPPLY	30.41	.00	30.41	570559	TOWEL CABINET FOR SHOP
7523	12/04/02	STA03	STATEWIDE SAFETY & SIGNS	1085.91	.00	1085.91	27456	75 SIGNS FOR WWTP
7524	12/04/02	THE01	THE GAS COMPANY	57.51	.00	57.51	A21126	OFFICE HEATING
7525	12/04/02	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	120402	REGULAR BOARD MTG 12/4/02
7526	12/04/02	WHI01	WHITAKER CONTRACTORS INC.	1625.00	.00	1625.00	02EQ20A	RIP POND BOTTOMS-SEWER FL
7527	12/04/02	WIN01	WINN, MICHAEL	100.00	.00	100.00	12/4/02	REGULAR BOARD MTG 12/4/02
8	12/04/02	WIR02	WIRSING, JUDY	100.00	.00	100.00	120402	REGULAR BOARD MTG 12/4/02

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

NOVEMBER 20, 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 9:02 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:

John Snyder, Outside District –Advised the Board about the Rate Study meeting to be held Nov. 22, 2002.

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

D-1) WATER SERVICE MORATORIUM/RESTRICTION

Review Water Code Section 350 on water shortage emergency and moratorium

Jon Seitz, District Legal Counsel, addressed the Board and the audience. He explained that the District must provide water upon request, under reasonable rules and regulations, except when the District has declared a water shortage emergency pursuant to Water Code §350. He read the following into the record:

“The governing body of a distributor of a public water supply, whether publicly or privately owned and including a mutual water company, may declare a water shortage emergency condition to prevail within the area served by such distributor whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.”

Mr. Seitz told the Board what would be in the reports.

1. Total water demand of water use of existing customers, which include existing Intent-to-Serve letters issued.
2. Analyze total supplies from our existing sources, including groundwater basin.
3. Look at projected demand for water, possibly the Urban Management Plan.
4. Analyze threatened shortages to using existing users
5. If studies concluded that the total water demand of our existing customers met or exceeds our existing supplies
6. If studies concluded that there are existing impediments to our water supply, that there is a threatened limitation and that water needs would not meet our projected demand, the Board could enact conservation measures, rules and regulations regarding how we plan to use our water resources to supply our future demand.

MINUTES SUBJECT TO BOARD APPROVAL

NIPOMO COMMUNITY SERVICES DISTRICT
MINUTES
NOVEMBER 20, 2002
PAGE TWO

D-1) WATER SERVICE MORATORIUM/RESTRICTION The procedures for making that finding:
(Continued)

1. Review the studies
2. Take a position, declaring a water emergency as a shortage or projected shortage
3. Adopt rules and regulations to address those declarations or findings

Director Wirsing asked about the following:

"The regulations and restrictions shall thereafter be and remain in full force and effect during the period of the emergency and until the supply of water available for distribution within such area has been replenished or augmented."

There was no public comment.

Director Trotter made the motion to initiate the study as outlined above by Mr. Seitz. Director Winn seconded the motion with the addition of the staff completing the Urban Water Management Plan. The Board unanimously agreed to direct staff to have study presented by the second meeting in February. Vote 5-0

D-2) REQUEST FOR SERVICE – TRACT 2513 (COOL)

Request for water and sewer service for a 7-unit development on S. Frontage Rd.

Steve Cool, developer – discussed the proposed project (Tract 2513) with the Board.

Director Wirsing made the motion to table all new hook-ups so this Board can aggressively pursue supplemental water. Director Trotter seconded the motion with the addition of tabling Intent-to-Serve until study in February and April release of court orders.

The following members of the public spoke after Director Wirsing's motion:

Jim McGillis, Nipomo surveyor – concerned about projects in process being held up.

Jim Tefft, Outside District – concerned about motion putting everything on hold. Seems to be injustice to those trying to develop.

Greg Nester, developer – Asked the Board for a decision on annexations.

Vote 2-3 with Directors Blair, Winn and Mobraaten voting no. Motion failed.

Director Winn made a motion that after public comment on each of the items, all projects within D-2 through D-9 be approved for Intent-to-Serve letters that they deserve under the law, but that no new applications for Intent-to-Serve permits be accepted. Director Wirsing seconded the motion.

The following members of the public spoke after Director Winn's motion:

Jim McGillis, Nipomo surveyor – asked about a request for water for a single family home will be denied.

Mr. Seitz explained that the Board (1) is not denying Intent-to-Serve letters but deferring until the studies come in and (2) directs staff to come back with a legal analysis and the appropriate findings whether or not they will go forward with the latter concept of deferring Intent-to-Serve letters until studies are in.

Director Winn added Number 3 – to issue Intent-to-Serve letters for Items D-2 through D-9 and those items that are ministerial would continue as usual.

Greg Nester, developer – Asked the motion to consider annexations that might be valid. Our project is adjacent to NCSD boundary on three sides.

NIPOMO COMMUNITY SERVICES DISTRICT
MINUTES
NOVEMBER 20, 2002
PAGE THREE

D-2) REQUEST FOR SERVICE – TRACT 2513 (COOL) {continued}

Homer Fox, Inside District – Thinks the motion is illegal.

Glen Corbin, Nipomo resident – Confused about single lots or subdivision

Director Winn withdrew the first motion.

Director Winn made a motion to approve Items D-2 through D-9 as one unit. Director Blair seconded the motion.

The following members of the public spoke after Director Winn':

Jim McGillis, Nipomo surveyor – Asked to consider D-9 as Tract 2516 rather than the original tract number of 1755.

Ed Eby, Inside District – Thinks considering all requests for Intent-to-Serve in one motion is inconsistent with scrutiny the Board has given previous cases.

Vote 2-3 with Directors Wirsing, Trotter and Mobraaten voting no. Motion failed.

The Board decided to go through each item separately.

Upon motion of Director Blair and seconded by Director Winn, the Board approved Tract 2513 with conditions as outlined in the Board letter.

There was no further public comment. Vote 4-1 with Director Wirsing voting no.

D-3) REQUEST FOR SERVICE – TRACT 2514 (COOL)

Request for water and sewer service for an 8-unit development on S. Frontage Rd.

Upon motion of Director Blair and seconded by Director Winn, the Board approved Tract 2514 with conditions as outlined in the Board letter.

There was no public comment. Vote 4-1 with Director Wirsing voting no.

D-4) REQUEST FOR SERVICE- NIPOMO VILLAGE PLAZA APN 092-572-16...(NEWMAN)

Request for water & sewer for approx. 300,000+ square feet of comm/ind dev at Juniper and Mary

Mr. George Newman described the proposed project at Juniper and Mary Streets.

The following member of the public spoke:

Glen Corbin, Nipomo resident – Agreed with this planned development

Upon motion of Director Winn and seconded by Director Blair, the Board approved an Intent-to-Serve letter for Nipomo Village Plaza APN 092-572-016.... with the deletion of Section P-6 parcel. Vote 3-2 with Directors Wirsing and Trotter voting no.

D-5) REQUEST FOR SERVICE – TRACT 2508 (SILVA)

Request for water and sewer service for a 5-lot development on Butterfly Lane

The Board discussed a request from EDA, representing Roger Silva, for water and sewer service for a 5-lot development on Butterfly Lane.

There was no public comment.

Upon motion of Director Winn and seconded by Director Blair, the Board approved an Intent-to-Serve letter for Tract 2508. Vote 3-2 with Directors Wirsing & Trotter voting no.

NIPOMO COMMUNITY SERVICES DISTRICT
MINUTES
NOVEMBER 20, 2002
PAGE FOUR

- D-6) REQUEST FOR SERVICE – PARCEL MAP CO 02-0113 (ROBINSON)
Request for water service for a commercial development at N. Frontage at Sandydale
The Board discussed a request from Mr. Bob Robinson of Santa Barbara for water service for a commercial development at N. Frontage and Sandydale.
Bob Robinson, Santa Barbara developer – discussed his project with the Board.
There was no other public comment.
Upon motion of Director Blair and seconded by Director Winn, the Board unanimously approved an Intent-to-Serve letter for Parcel Map CO 02-0113. Vote 5-0
- D-7) REQUEST FOR SERVICE – TRACT 1876 (SANSONE)
Request for water and sewer service for a 22-lot development on South Oakglen Avenue
The Board discussed a request from Mr. Dave Sansone for water and sewer service for a 22-lot development on South Oakglen Avenue.
There was no public comment.
Upon motion of Director Winn and seconded by Director Blair, the Board approved an Intent-to-Serve letter for Tract 1876. Vote 3-2 with Directors Wirsing & Trotter voting no.
- D-8) REQUEST FOR SERVICE – APN 090-135-006 (SPENCER)
Request for water & sewer service for a commercial lot on Tefft Street between Wilson & Mallagh
The Board discussed a request from Mr. Robert Spencer for water and sewer service for a commercial development on Tefft St. between Wilson & Mallagh.
Robert Spencer, developer – described his project
The following members of the public spoke:
Jim Tefft, Nipomo resident – Supports the project
Larry, Vierheilig, Vice Chair of NCAC –NCAC recommended this project for approval.
Upon motion of Director Winn and seconded by Director Blair, the Board approved an Intent-to-Serve letter for APN 090-135-006, a furniture store with apartments above. Vote 4-1 with Director Wirsing voting no.
- D-9) REQUEST FOR SERVICE – TRACT 1755 (WILL)
Request for water & sewer service for a 9 lot development on South Oakglen Avenue
The Board discussed a request from Mr. John Will for water and sewer service for a 9-lot development on Mads Place and South Oakglen Avenue. The tract number has changed from Tract 1755 to Tract 2516.
Jim McGillis described the project to the Board.
There was no public comment.
Upon motion of Director Winn and seconded by Director Blair, the Board unanimously approved an Intent-to-Serve letter for Tract 2516. Vote 5-0

NIPOMO COMMUNITY SERVICES DISTRICT
MINUTES
NOVEMBER 20, 2002
PAGE FIVE

D-10) REQUEST FOR ANNEXATION – TRACT 2499 (LEM)

Request to annex an 18-lot development on 8 acres on Pomeroy Road near Waypoint

The Board discussed a request from Greg Nester, representing Mr. Hoy Lem, for annexation for an 18-lot development on Pomeroy Road near Waypoint Drive.

Greg Nester, developer for Tract 2499, asked the Board for a clear view for annexation or denial.

Director Wirsing made a motion to table the annexation until more information from Santa Maria. Director Trotter seconded the motion. Vote 2-3 with Directors Blair, Winn and Mobraaten voting no.

Director Winn made the motion to instruct staff to prepare an annexation agreement for the applicant. Director Blair seconded the motion. Vote 3-2 with Directors Trotter and Wirsing voting no.

D-11) REQUEST FOR ANNEXATION – TRACT 2384 (PUDWILL)

Request to annex an 8-lot development on 40 acres at Dawn & Sun Dale

The Board discussed a request from Greg Nester, representing Mr. Jim Pudwill, for annexation for an 8-lot development at Dawn and Sun Dale Way. Mr. Greg Nester described the project.

Director Winn made a motion to instruct staff to prepare an annex. agreement for the applicant. Director Blair seconded the motion. Vote 4-1 with Director Wirsing voting no.

D-12) REQUEST FOR ANNEXATION –OAKRIDGE (CANADA RANCH) (NEWMAN)

Request to annex proposed Oakridge development

285 acres north of Sun Dale between Hetrick Rd & Hwy 101

President Mobraaten excused himself from the discussion and vote for possible conflict of interest.

The following members of the public spoke:

George Newman, developer - described the proposed project for the property he is requesting to annex into the District.

Larry Vierheilig, vice chair of the NCAC – NCAC approved project in concept

Ed Eby, Inside the District – read a letter to the Board requesting no more annexation until a reliable supply of low cost water can be assured for current NCSD customers.

Director Blair does not like the project. Not fair that Woodlands was turned down just to approve this project.

Director Trotter feels it is premature for annexation.

Director Winn made the motion to table this annexation request until a comprehensive plan is presented to the District, including a supplemental water supply outside the basin not in the Nipomo Mesa Sub-area.

Director Wirsing seconded the motion. Vote 3-1 with Director Blair voting no.

President Mobraaten called a break at 11:55 a.m. and reconvened at 12:02: p.m.

- D-13) ASHLAND SEWER REIMBURSEMENT – 092-153-044 (JAKUBOWSKI)
Request to connect to Ashland sewer line

A request was received from Mr. Antony Jakubowski for consideration to connect his property to the sewer line on Ashland Lane for a proposed granny unit on his property. There was no public comment.

Upon motion of Director Winn and seconded by Director Trotter, the Board unanimously agreed to allow the connection of the Southland Woods Lane property to the Ashland Lane sewer line with customer to pay the existing reimbursement fees of \$9,625.27 plus \$2,500 Sewer Capacity Fee. Vote 5-0.

E. OTHER BUSINESS

- E-1) PROPOSED ROBERTSON ANNEXATION ENGINEERING STUDY– LYN RD AREA
Consider Engineering Study for the water infrastructure for the proposed annexation

The Board discussed the proposed annexation study requested by several property owners in the Lyn Road area, approx. 60 acres.

The following members of the public spoke:

Ed Eby, Inside District- Is concerned about water supply.

Upon motion of Director Winn and seconded by Director Trotter, the Board approved the proposal from Garing, Taylor and Associates to review the potential water infrastructure for the Robertson proposed annexation. Vote 5-0 with Directors Wirsing and Blair abstaining.

- E-2) INTENT-TO-SERVE -ADMINISTRATIVE APPROVAL OF 4 OR LESS RESIDENTIAL UNITS
Review administrative approval of Intent-to-Serve for 4 or less residential units

The Board discussed the draft Policy and Guidelines for District Water and Sewer Service. Some changes were suggested.

There was no public comment.

The policy, incorporating the proposed changes, will be brought back to a future meeting.

- E-3) INITIATE STREET LANDSCAPING POWER
Consider resolution to establish District street landscaping powers beginning January 1, 2003

The Board discussed a resolution to install, plant and maintain landscaping with public street rights-of way or easements with the Nipomo Community Services District

The following members of the public spoke:

Larry Vierheilig, 950 Waypoint, Inside District – agrees with the concept but asked if property owners would be forced to pay.

Tom Geaslen, Inside District – asked about existing development

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E-4) REVIEW BOARD OF DIRECTORS BY-LAWS

Review Section 5.4 of the District's Board of Directors By-Laws (Consider censure – Dir. Blair)

There was much Board discussion on the censure motion proposed by Director Winn.
The following members of the public spoke:

Larry Vierheilig, 950 Waypoint, Inside District – commented about exercising humility

Ed Eby, Inside District – Asked that the Board vote no on the resolution

Tom Geaslen, Inside District – Free speech

Carlo Alfano, Inside District – Agrees with free speech

Director Winn made a motion to have the suggested censure motion appended to the Minutes. The motion died for a lack of second.

The Board agreed that caution could be exercised.

Upon motion of Director Winn and seconded by Director Blair, the Board unanimously approved Resolution 2002-841. Vote 5-0

RESOLUTION NO. 2002-841

A RESOLUTION OF THE BOARD OF DIRECTORS

OF THE NIPOMO COMMUNITY SERVICES DISTRICT

AUTHORIZING THE DISTRICT TO INSTALL OR PLANT AND MAINTAIN LANDSCAPING WITHIN

PUBLIC STREET RIGHTS-OF-WAY OR EASEMENTS WITHIN THE NIPOMO COMMUNITY

SERVICES DISTRICT

- 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 November 6, 2002, Regular Board meeting

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

G. **MANAGER'S REPORT**

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

G-1) LAFCO NOMINATIONS

G-2) SLO CHAPTER OF CSDA TRAINING SEMINAR

Also informed Board of Montecito Verde II meeting held November 19 in District office.

There were 32 people in attendance.

H. **COMMITTEE REPORTS**

There was no Committee Report.

I. **DIRECTORS COMMENTS**

Director Wirsing asked to agendaize attorney fees.

She spoke to Chuck Stevenson who suggested that Pat Beck attend a January meeting to explain the process of the 2.3% growth cap.

Director Winn reported there would be no Water Forum in December.

WRAC will meet fires Wednesday in December

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

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9

- A. SMVWCD VS NCSD SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
- B. SAVE THE MESA VS. NCSD CV 020181
- C. ANTICIPATED/INITIATE 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§54956.9

The Board came out of Closed Session. The Board gave instruction to the General Manager to negotiate. There was no reportable action.

ADJOURN

President Mobraaten adjourned the meeting at 1:52 p.m.

The next regular Board Meeting will be held on December 4, 2002, at 9:00 a.m.

Special Meeting to be held Nov. 22, 2002 at 9:00 a.m. to review rate study with consultant, Perry Louck, CPA

NIPOMO COMMUNITY SERVICES DISTRICT



MINUTES

SPECIAL MEETING

NOVEMBER 22, 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, **SECRETARY TO THE BOARD**
JON SEITZ, **GENERAL COUNSEL**

ROLL CALL

President Mobraaten called the meeting to order at 9:05 a.m. and led the flag salute. 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.

President Mobraaten asked for public comments.

The following member of the public spoke:

Homer Fox, inside District – He believes there is an inequity in capacity fees between apartment complexes and single-family residents.

ADMINISTRATIVE ITEM

WATER AND SEWER RATE STUDY SESSION

Presentation by Perry Louck, CPA
Draft Water and Sewer Rate Study


Perry Louck, CPA, presented a Water and Sewer Rate Study.

The Board made recommendations and directed Mr. Louck to make changes and present final report on December 18, 2002.

ADJOURN

President Mobraaten adjourned the meeting at 11:00 a.m.

MINUTES SUBJECT TO BOARD APPROVAL

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

**AGENDA ITEM
F-3
DECEMBER 4, 2002**

ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS
TRACT 2412 (NIPOMO BUSINESS CENTER, LLC)

ITEM

Acceptance of water and sewer improvements for Tract 2412, a 14-lot development on S. Frontage Rd.

BACKGROUND

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer (Nipomo Business Center, LLC) for Tract 2412, a 14-lot development on S. Frontage Rd. 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 Resolution 2002-Accept Tr 2412, accepting the water and sewer improvements for Tract 2409.

Board 2002\Accept 2412 Nip Bus Center.DOC

RESOLUTION NO. 2002-Accept 2412

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR TRACT 2412 (NIPOMO BUSINESS CENTER, LLC)**

WHEREAS, the District approved and signed the construction plans on March 22, 2002, for the water and sewer improvements to be constructed; and

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

WHEREAS, on October 28, 2002, 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 2412 (Nipomo Business Center, LLC).

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

That the water and sewer improvements constructed to serve Tract 2412 on South Frontage Road 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 December 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

