

NIPOMO COMMUNITY SERVICES DISTRICT

AGENDA

MARCH 19, 2003

REGULAR MEETING 9:00 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

MICHAEL WINN, PRESIDENT
JUDITH WIRSING, VICE PRESIDENT
ROBERT BLAIR, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
LARRY VIERHEILIG, DIRECTOR

STAFF

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

John S
3/20/03
6:20/03
1/17/0

NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson. Consistent with the Americans with Disabilities Act, NCSD Board agendas and other writings will be made available to disabled persons in an appropriate alternate format. (If assistance is needed, please contact the District office at least one day before the meeting.)

A. CALL TO ORDER AND FLAG SALUTE

NEXT RESOLUTION 2003-857

B. ROLL CALL

NEXT ORDINANCE 2003-97

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) DISTRICT ANNEXATION POLICY

Review draft of the proposed revisions to the District's Annexation Policy

D-2) CITY INCORPORATION FEASIBILITY PROPOSALS

Review consultants' proposals to do the city feasibility study

D-3) SEWER HOOKUP OF EXISTING RESIDENTIAL PROPERTIES WITHIN PROHIBITION ZONE

Regional Water Quality Control Board has requested homes to be connected to the sewer system

D-4) CONSTRUCTION OF 16-INCH WATERLINE REQUEST FOR BIDS

Request bids to complete 16" waterline across Haystack Creek & water & sewer services

E. OTHER BUSINESS

E-1) LAFCO TOUR OF PROPOSED NCSD SPHERE OF INFLUENCE

The LAFCO Commission tour of proposed Sphere of Influence on March 20, 2003

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 March 5, 2003, Regular Board meeting

F-3) ANNEXATION NO. 22 - PROPERTY TAX EXCHANGE [RECOMMEND APPROVAL]

Approval of property tax exchange between NCSD & SLO County for Annexation No. 22

F-4) MONTECITO VERDE II SEWER CONNECTION PROJECT [RECOMMEND APPROVAL]

Filing the Notice of Completion

G. MANAGER'S REPORT

G-1) BOARD MEETING SCHEDULE FOR THE MONTH OF APRIL

Possible Board of Directors meeting schedule change from April 2 to April 9 and April 16 to 23, 2003

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 CASE NO. CV 020181

C. WATER LINE EASEMENT ACROSS COUNTY PARK - DISTRICT NEGOTIATOR - DOUG JONES, CONFERENCE WITH NEGOTIATOR GC§54956.8 COUNTY NEGOTIATOR - PETE JENNY, REGARDING TERMS & PRICE.

D. ANTICIPATED/INITIATE LITIGATION, ONE CASE

ADJOURN

The regular Board Meetings of April 2, 2003 may be canceled and rescheduled to April 9, 2003, at 9:00 a.m.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MARCH 19, 2003

AGENDA ITEM

D1

MARCH 19, 2003

DISTRICT ANNEXATION POLICY

ITEM

Draft of proposed revision to the District's Annexation Policy

BACKGROUND

Your Honorable Board has been reviewing the District's Annexation Policy. The Annexation Committee (Directors Winn and Wirsing) and staff have reviewed the policy and made recommendations for amendments. District Legal Counsel has prepared an outline of the committee's recommendations for your review and consideration.

RECOMMENDATION

After your Honorable Board has reviewed the proposed changes to the District Annexation Policy, you may direct staff to put the policy in final form for approval at the next regular Board meeting.

Board 2003/Annex Policy

MEMORANDUM

TO: BOARD OF DIRECTORS
NIPOMO COMMUNITY SERVICES DISTRICT

RE: RECOMMENDED REVISIONS TO DISTRICT ANNEXATION
POLICIES RELATED TO SUPPLEMENTAL WATER SUPPLY

FROM: MIKE WINN AND JUDITH WIRSING – AD HOC COMMITTEE

DATE: March 13, 2003

I. CONSIDERATIONS: ANNEXATION AND SUPPLEMENTAL WATER

- A. The District receives most of its water from the Nipomo Mesa Hydraulic Sub-Area (“HSA”).
- B. The HSA is part of the Greater Santa Maria Groundwater Basin. Both the HSA and the Santa Maria Groundwater Basin along with agricultural users, private parties and local water agencies (including the District) are subject to a general Groundwater Adjudication.
- C. Many of the Applicants who seek annexation to the District are parties to the Groundwater Adjudication, whose interests may be adverse to the District and whose water entitlements are the subject of future Court Judgments.
- D. The Court may impose restrictions on the District’s ability to pump groundwater from the HSA to serve District residents.
- E. District acknowledges a number of engineering reports indicating that HSA is in a state of overdraft.
- F. The District desires to maintain a water supply for its existing users and potential users within the District boundaries.
- G. It is the District goal to provide its current residents with low cost, dependable water, sewage and other authorized services within the District.
- H. The District recognizes the need for conservation of natural and environmental resources, including local resources, their availability and quality, consistent with the South County General Plan of the San Luis Obispo County.

- I. Proposed annexations must provide identifiable benefits to:
 1. The residents and property owners currently within the Nipomo Community Services District; and
 2. The future residents and property owners within the area of the proposed annexation.
- J. The District recognizes two (2) general classes of proposed annexations as follows:
 - 1, Those areas of proposed annexation that overlie the HSA and have sufficient water resources to serve the proposed area of annexation; and
 2. Those areas of proposed annexation that do not overlie a sufficient source of groundwater to serve the area of proposed annexation.

II. THE BOARD OF DIRECTORS INTENT

Annexations shall provide and pay for supplemental water for the area of annexation as a condition of District approval.

III. DRAFT POLICIES - SUPPLEMENTAL WATER - AREAS OVERLYING sufficient groundwater resources** **See dispute resolution – Section G below**

A. Dedications and Covenants:

1. Proponents shall dedicate groundwater rights, if any, to the District;
2. Proponents shall covenant not to pump from the HSA for non-agricultural uses.
3. Properties may continue to pump from the HSA for agricultural uses subject to any limitations imposed by Court or other agency with jurisdiction.

B. Up Front Financial Obligations:

At the time of entering into the Annexation Agreement make deposit for District administrative, consultant and legal costs in processing the annexation (per existing Policy);

C. Financial Obligations Prior to LAFCO Approval:

1. Deposit with the District ten thousand dollars (\$10,000) per water connection to be applied to District administrative and consultant costs in acquiring supplemental water and to offset costs of supplemental water*.
2. Pay District water capacity charges reduced by that portion attributed to well production*.

* Returned if LAFCO does not approve annexation. Further, to the extent the supplemental water deposit exceeds District's costs, as prorated among other applicants for annexation, the remainder will be used to reduce Section D water charges. District to enact Ordinance related to water charges.

D. Payment of Monthly Supplemental Water Charge:

Proponents shall agree to establish a zone of benefit with a rate covenant wherein those residents within the zone will pay eighty percent (80%) * of the actual costs of supplemental water for the area of proposed annexation plus one hundred percent (100%) of the reserve that may be required to obtain supplemental water.

*Equitable adjustment to reflect Paragraph E below.

E. Customers of the District:

1. Upon annexation, residents within the area of the proposed annexation shall become "regular customers" of the District with no greater entitlements to water service than any other District customer.
2. Subject to compliance with the Annexation Agreement, LAFCO conditions, District Public Facilities Extension Agreement and availability of water, District agrees to provide water to the area of annexation upon LAFCO final approval.

F. Cluster Developments:

1. Dedicate open space to District for an identified purpose approved by District and which may be operated by District. *.

2. If the District accepts responsibility for the open space then applicant shall form an Assessment District or other Special Tax District for the purposes of the operation and maintenance of the open space.
3. Create a Homeowners Association for the purposes of assuming obligations in Subparagraph 2 above in the event the District is required to abandon the Assessment District or Special Tax.

* May require exercise of Latent Power.

G. Dispute Resolution:

If applicant disputes District determination that the area of proposed annexation does not overlie a sufficient groundwater resource, then applicant, at applicant's sole cost, may request District to perform a pump test to the District Engineer's standards. The Board of Director's determination of the sufficiency of the groundwater supply shall be final.

IV. DRAFT POLICIES – SUPPLEMENTAL WATER - AREAS OF ANNEXATION THAT DO NOT OVERLIE A SUFFICIENT GROUNDWATER RESOURCES

- A. The proponents will comply with all conditions set forth in Section III for proposed annexations that overlie the groundwater basin;
- B. Pay one hundred percent (100%) of the monthly supplemental water charge (see III D above); and
- C. District will not deliver water to the area of annexation until:
 1. A sufficient supplemental water is under contract; and
 2. CEQA review, including challenges, are completed; and
 3. The Board determines that there is sufficient water to serve the proposed area of annexation during the construction phase.

V. STATE WATER

The Board will not acquire State Water as a supplemental water supply without first obtaining the approval of the District voters.*

*Note the Court may have jurisdiction to order State Water as part of the Adjudication Resolution.

VI. ALL OTHER DISTRICT ANNEXATION POLICIES TO APPLY.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MARCH 19, 2003

AGENDA ITEM
12
MARCH 19, 2003

CITY INCORPORATION FEASIBILITY PROPOSALS

ITEM

Review/select a consultant to do the city feasibility study

BACKGROUND

At the regular Board meeting held on February 5, 2003, the Board directed staff to request proposals for a feasibility study for the community of Nipomo. Staff prepared a "Request for Proposal" and sent it to several agencies or consultants. The following proposals have been received.

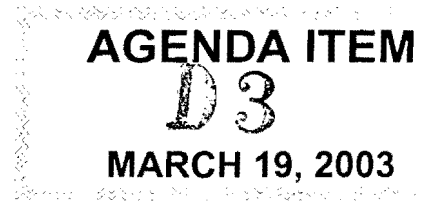
CONSULTANT	TIME TO COMPLETE	COST
Economic & Planning Sys	12 weeks	\$23,500
Management Partners Inc.	12 weeks	\$22,500-27,990
The Davis Co.	12 weeks	\$15,000 + 3,000 = \$18,000
The Natelson Co. Inc.	12 weeks	\$28,900

The Board may wish to establish a committee to review the proposals and bring a recommendation back to the full Board.

RECOMMENDATION

Staff recommends that your Honorable Board review the proposals and make a recommendation to the Board or establish a committee to make a recommendation to the full Board.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MARCH 19, 2003



SEWER HOOK-UP OF EXISTING RESIDENTIAL PROPERTIES

ITEM

Regional Water Quality Control Board letter requesting all homes within the Prohibition Zone be connected to the sewer system

BACKGROUND

In the mid eighties, the District received an 87½% grant to construct the District's area-wide sewer collector and wastewater treatment facility. Part of the conditions of the grant program was that all homes within the Prohibition Zone (where sewer lines are available) would be connected to the sewer system within a ten (10) year period. There was some confusion in the inventory of the number of homes to connect. It was determined that one thousand (1000) homes connected would satisfy the grant program. At the end of the tenth year, the District satisfied the 1000 connections to the sewer system. In a recent inventory, it was discovered that approximately 70 to 80 homes have not connected to the sewer system.

The Regional Water Quality Control Board has sent a letter to the District that the District comply with the intent of the original grant and that all homes should be connected to the sewer system. The homes that are not connected are primarily east of Highway 101.

The following may be considered to comply with the request from the Regional Water Quality Control Board:

- *Send a letter to property owners giving a period of time to connect to the sewer system.*
- *Those property owners, who may have a financial hardship to connect, may be able to receive assistance through Farmer's Home Administration Financial Programs or create a "Zone of Benefit"*
- *The property owners who have not connected their property to the sewer system, after a period of time would be reported to the RWQCB for appropriate enforcement action.*

RECOMMENDATION

Staff is asking for direction from your Honorable Board how you wish to proceed.



California Regional Water Quality Control Board Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

March 6, 2003

Doug Jones, General Manager
Nipomo Community Services District
P. O. Box 326
Nipomo, CA 93444

MAR 07 2003

Dear Mr. Jones:

NIPOMO COMMUNITY SERVICES DISTRICT – FULL HOOKUP REQUEST, SAN LUIS OBISPO COUNTY.

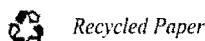
We are in receipt of a letter dated November 5, 2002 prepared by Shipsey & Seitz, a law firm that represents the Nipomo Community Service District. In the letter you request: “the Regional Water Quality Control Board to commence action to connect the referenced properties to the wastewater treatment system consistent with Resolution 78-02”.

As noted above, in 1978, Resolution No. 78-02 was adopted by the Regional Water Quality Control Board in response to health threats in and around the downtown Nipomo area. The threats encountered were due to surfacing leachfield effluent from failing systems and water quality and public health impacts (pathogens) detected in nearby water supply wells. That resolution established a prohibition zone banning individual wastewater treatment systems in the more densely populated sections of Nipomo (Attachment A). The original grant conditions, which provided the funding for the treatment plant, required 100% hookup within a ten-year period for all homes in the prohibition zone. That 10-year period ended in April of 1997, yet a significant number of homes within the established prohibition zone are still not connected to the Nipomo Community Services District (NCS D) wastewater treatment facility. These unconnected homes not only continue to present a threat to water quality and human health, but they also create an inequitable situation for those residents who did comply with the requirements in a timely manner. Of the homes (80 downtown and approximately 70 within the Galaxy Park development) that have still not connected to the collection system, no requests for exemption or explanations for non-compliance were received by the Regional Board. Furthermore, no explanation has been provided to us why the NCS D has not proceeded in notifying and making preparations to hookup these remaining homes.

It has been five years since the hookup deadline and we must now actively pursue the compliance of those remaining homes and developments within the Nipomo prohibition zone. As the public entity formed for the purpose of supplying acceptable quality water supply and wastewater disposal to the community of Nipomo the NCS D has the responsibility to make an active effort to notify and inform those residents of the requirement to connect to the NCS D collection system and cease discharges in violation of this Regional Board's Basin Plan Prohibition. In addition, the NCS D is responsible for preparing design plans, ensuring that the proper environmental, financing, and permitting documents are in place to complete the project.


Please provide by **June 30, 2003**, a report listing actions taken, timeline for hookup, and progress made toward completing this project.

California Environmental Protection Agency



If you have any questions about this request, please contact Scott Phillips at 805-549-3550 or Gerhardt Hubner at 805-542-4647.

Sincerely,


for Roger W. Briggs
Executive Officer

Attachment – RWQCB Resolution No. 78-02

Cc: John Seitz
Shipsey & Seitz, Inc.
P.O. Box 953
San Luis Obispo, CA 93406


Noel King
San Luis Obispo County Engineering Dept.
CSA 1
County Government Cntr., Room 207
San Luis Obispo, CA 93408

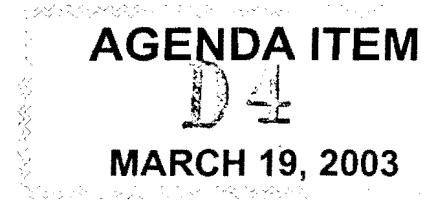
S:\WB\Coastal Watershed\Staff\Scott\Nipomo\NCSO Hookup request.ltr.doc
Task: 121-01
File: NCSO

California Environmental Protection Agency



Recycled Paper

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: MARCH 19, 2003



CONSTRUCTION OF 16-INCH WATERLINE
REQUEST FOR BIDS

ITEM

Request bids to complete 16" waterline across Haystack Creek in Tefft Street and install water and sewer services to the parcels along Tefft Street in Olde Towne Nipomo to be funded by a County grant

BACKGROUND

The District has had a 16-inch waterline constructed from Dana Elementary School to Thompson Avenue, except for a section across Haystack Creek. The County is planning to construct a new culvert across that section in conjunction with the Olde Towne Nipomo improvements. After the new concrete diversion channel has been constructed, the existing channel will be filled in. After this work is completed, the District will have the 16" waterline construction across this area.

The installation of the water and sewer services in Olde Towne Nipomo may be made in conjunction with the District's 16" waterline completion project, using the same contractor.

Bids will include the following:

- Completion of the 16-inch waterline
- Installation of water and sewer services to individual properties in conjunction with grant funding from SLO County
- Possible installation of fire line services

The District would front the installation cost of the services until the grant funding is received this fall. The grant, in the amount of \$186,300, will be remitted to the District to cover the cost of the installations. Staff would recommend not proceeding with the installations of the water and sewer services until the grant agreement has been reviewed and approved by your Honorable Board.

RECOMMENDATION

It is recommended that your Honorable Board direct staff to request bids for the completion of the 16-inch waterline and installation of water and sewer services to properties along Tefft Street in the Olde Towne section of Nipomo conditional on approving the grant agreement.

At the request and expense of the Contractor, surety equivalent to the retention may be deposited with the State Treasurer or a State or Federally chartered bank as the escrow agent, who shall pay such surety to the Contractor upon satisfactory completion of the contract.

Surety eligible for investment shall include that listed in Section 16430 of the STATE GOVERNMENT CODE or bank or savings and loan certificates of deposit.

Any escrow agreement entered into shall contain the following provisions:

- (a) *The amount of surety to be deposited;*
- (b) *The terms and conditions of conversion to cash in case of default of the Contractor, and*
- (c) *The termination of the escrow upon completion of the contract.*

Nipomo Community Services District
STATE OF CALIFORNIA

Date:

13 Mar. 03



R. James Garing, P.E.
DISTRICT ENGINEER

TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: MARCH 19, 2003

AGENDA ITEM

MARCH 19, 2003

LAFCO TOUR OF PROPOSED NCSD SPHERE OF INFLUENCE

ITEM

LAFCO has scheduled March 20, 2003, to tour the NCSD's proposed Sphere of Influence.

BACKGROUND

The Local Agency Formation Commission (LAFCO) is commissioned to review and update spheres of influence to cities and special districts on a 5-year cycle. The District has proposed a revised sphere of influence and is being reviewed by LAFCO. The LAFCO Commission is reviewing the District's Sphere of Influence and will be taking a tour of the proposed sphere area on March 20th 2003. It is anticipated that the Commission will meet in San Luis Obispo at 9:00 a.m., take care of some business, adjourn and reconvene at the District office mid-morning to go on the tour. If three or more members of your Honorable Board wish to go on the tour, the Board meeting of March 19, 2003, may be adjourned or continued to March 20, 2003, at approx. 10:00 a.m.

RECOMMENDATION

If appropriate, continue this meeting to March 20, 2003, at 10:00 a.m. to attend the LAFCO tour.

Board 2003/LAFCO tour

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

TO: MEMBERS, FORMATION COMMISSION
FROM: PAUL L. HOOD, EXECUTIVE OFFICER
DATE: MARCH 20, 2003

COMMISSIONERS

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

SUBJECT: NIPOMO COMMUNITY SERVICES DISTRICT SPHERE OF INFLUENCE AND MUNICIPAL SERVICE REVIEW STATUS REPORT AND TOUR OF THE SOI STUDY AREAS

ALTERNATES

- VITCHO ACHADJIAN
County Member
- STAN GUSTAFSON
Special District Member
- TOM MURRAY
Public Member
- ALLEN SETTLE
City Member

STAFF

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

Recommendation: It is respectfully recommended that the Commission review this status report and adjourn the meeting to complete a tour of the Sphere of Influence Study Areas.

Discussion: This status report is to bring the Commission up-to-date with regard to the Sphere of Influence Update and Municipal Service Review being prepared for the Nipomo Community Services District.

Staff continues to meet with representatives of the County Planning Department and with the General Manager of the Nipomo Community Services District to discuss the study areas. Also, a meeting between the County Public Works Department and the NCSO staff to discuss the consolidation of CSA 1 was facilitated by LAFCO.

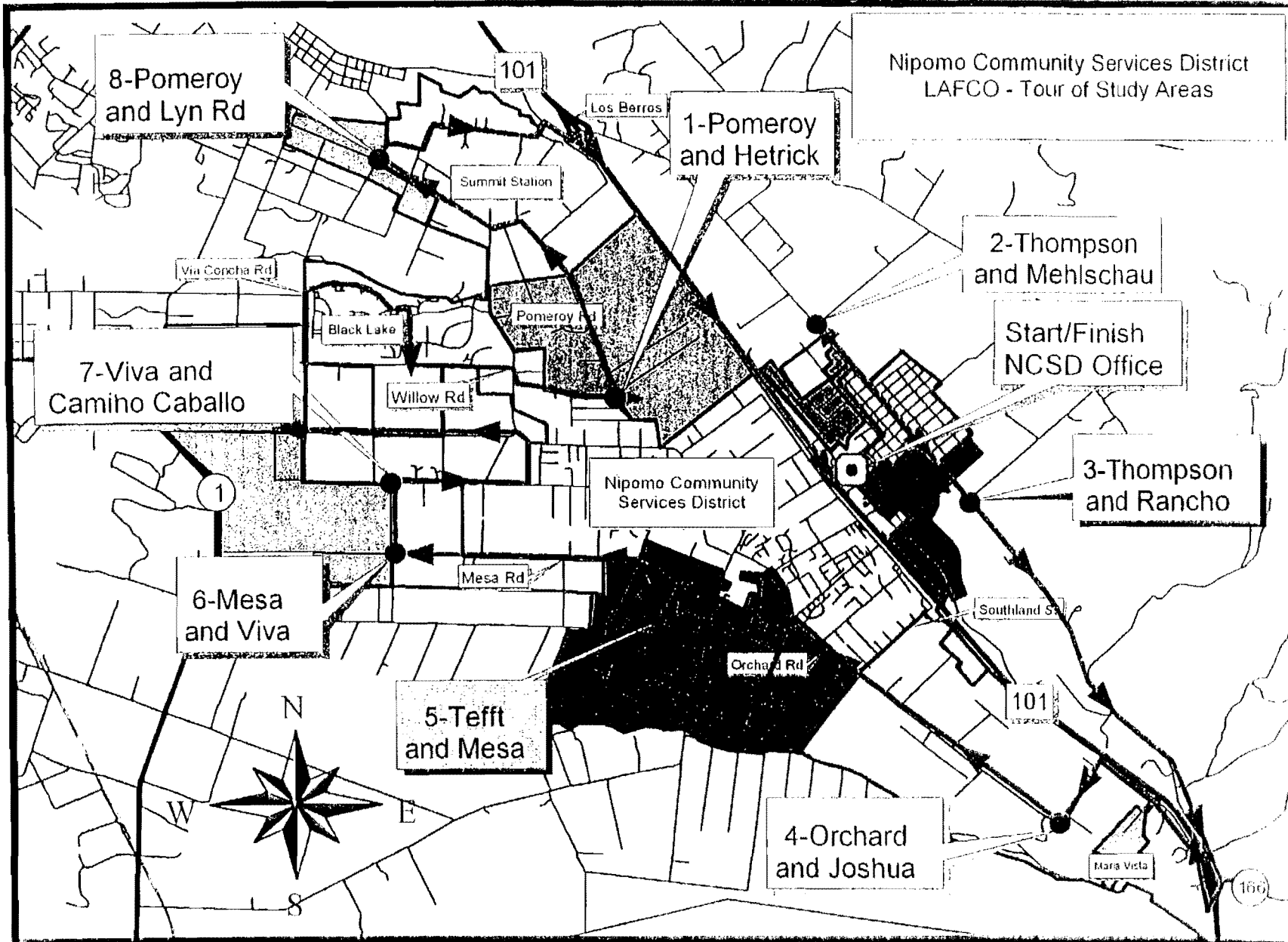
Public Outreach. To obtain information and feedback about the eight study areas, a flyer describing the Sphere of Influence process, the map, and a request for comments form were mailed to various community organizations and interested individuals. The flyer, comment form, and map are also available on the LAFCO website WWW.SLOLAFCO.COM. Comments are due back on March 17, 2003. The Study Area Map has generated a good deal of e-mail discussion regarding the Study Areas and we are gaining valuable insights and information about the areas being considered for inclusion in the SOI. To inform and involve the public and various stakeholders in the SOI/MSR process, LAFCO staff will be making presentations to the Nipomo Community Advisory Committee (March 24, 2003-6:30 p.m.) and the Save the Mesa group (April 5, 2003-2:30).

Tour of the Study Areas. Attached is an itinerary and map that shows the bus tour planned for today's meeting. The meeting will be adjourned to the Tour, which will start with a brief orientation meeting at the NCSO's office. The itinerary shows the *estimated times* we expect to be in certain Study Areas. Every attempt will be made to adhere to the itinerary; however we may be early or late to the study areas. The bus has enough room for 22 people and the public is invited to ride on the bus if space is available. The public may follow the bus or meet us at various sites as space is limited on the bus.

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

SAN LUIS OBISPO LAFCO
 Nipomo Community Services District
 Tour of the Sphere of Influence Study Areas

Study Area	Location	Estimated Arrival Time	Notes
	County Government Center, Board Chambers Monterey and Santa Rosa	9:00 a.m.	Adjourn meeting to the tour of the NCSD Study Areas
	NCSD Board Room, 148 S. Wilson St, Nipomo CA	9:45-10:00 a.m.	Meet the NCSD General Manager and Board of Directors
Start Tour			
#2	High School Site, Agriculture Land Thompson and Pettit Pl.	10:00-10:10 a.m.	Prime Ag Land and Underlying Subdivision
#3	Thompson and Rancho Road	10:10-10:20 a.m.	Site of Proposed Nipomo Hills, 5-acre lot subdivision approved, Dana Adobe
#4	Orchard and Joshua	10:20-10:30 a.m.	Includes Sewer Ponds, Southland Specific Plan, Strawberry Fields
#5	Tefft and Mesa Road	10:35-10:45 a.m.	Served by Cal Cities Water, Consolidate CSA 1, Inside Urban Reserve Line
#6-#7	Mesa and Viva Way	10:45-11:00 a.m.	The Woodlands Project, Greenhouses and Residential Rural zoning
#7	Camino Caballo and Viva Way	11:10-11:20 a.m.	Same as above.
#1	Pomeroy and Hetrick	11:30-11:40 p.m.	Canada Ranch-Specific Plan, Melhschau, Hemrick properties
#8	Pomeroy and Lyn Road	12:00-12:10 p.m.	Robertson GPA, Individual Wells and Septic to develop.
Return/Finish Tour			
	NCSD Board Room, 148 S. Wilson St, Nipomo CA	12:20-12:30 p.m.	Return to NCSD Office or Regional Park for Lunch



LAFCO San Luis Obispo
 2007-08-20
 10:54 AM

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MARCH 19, 2003

**AGENDA ITEM
F
MARCH 19, 2003**

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 March 5, 2003, Regular Board meeting
- F-3) ANNEXATION NO. 22 – PROPERTY TAX EXCHANGE [RECOMMEND APPROVAL]
Approval of property tax exchange between NCSD & SLO County for Annexation No. 22
- F-4) MONTECITO VERDE II SEWER CONNECTION PROJECT [RECOMMEND APPROVAL]
Filing the Notice of Completion

WARRANTS MARCH 19, 2003

**AGENDA ITEM
F-1
MARCH 19, 2003**

HAND WRITTEN CHECKS

18597	03-05-03	NICKSONS MACHINE SHOP	16495.60
18598	03-11-03	U S POSTMASTER	729.35
18599	03-11-03	M WINN	50.00
18601	03-13-03	M WINN	50.00
18602	03-05-03	J WIRSING	50.00
18603-18611	03-14-03	NET PAYROLL	12,796.52

COMPUTER GENERATED CHECKS

<u>VOID</u>	<u>7855</u>	<u>03-14-03</u>	<u>NET PAYROLL</u>	<u>12,796.52</u>			
Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice # Description
7853	03/14/03	EMP01	EMPLOYMENT DEVELOP DEPT	342.43	.00	342.43	A30310 STATE INCOME TAX
7854	03/14/03	MID01	MIDSTATE BANK-PR TAX DEP	1494.92	.00	1494.92	A30310 FEDERAL INCOME TAX
				415.32	.00	415.32	1A30310 MEDICARE (FICA)
			Check Total.....:	1910.24	.00	1910.24	
7855	03/14/03	MID02	MIDSTATE BANK - DIRECT DP	12796.52	.00	12796.52	A30310 NET PAY DEDUCTION
7856	03/14/03	PER01	PERS RETIREMENT	2293.27	.00	2293.27	A30310 PERS PAYROLL REMITTANCE
				69.03	.00	69.03	1A30310 MILITARY SERVICE CR
			Check Total.....:	2362.30	.00	2362.30	
7857	03/14/03	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A30310 WAGE ASSIGNMENT
7858	03/14/03	STA01	STATE STREET GLOBAL	735.00	.00	735.00	A30310 DEFERRED COMP
7859	03/14/03	BLA01	BLAIR, ROBERT L	100.00	.00	100.00	031403 SPECIAL BOARD MTG 3/14/03
007860	03/14/03	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	031403 SPECIAL BOARD MTG 3/14/03
007861	03/14/03	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	031403 SPECIAL BOARD MTG 3/14/03
007862	03/14/03	WIN01	WINN, MICHAEL	100.00	.00	100.00	031403 SPECIAL BOARD MTG 3/14/03
007863	03/14/03	WIR02	WIRSING, JUDY	100.00	.00	100.00	031403 SPECIAL BOARD MTG 3/14/03
007864	03/19/03	ADV01	ADVANTAGE ANSWERING PLUS	82.95	.00	82.95	50915 ANSWERING SERVICE
007865	03/19/03	BAS01	BASIC CHEMICAL SOLUTIONS	305.78	.00	305.78	S1311655 SODIUM HYPOCHLORITE-WELLS
				926.08	.00	926.08	S1311656 SODIUM HPOCHLORITE-BLWWTP
			Check Total.....:	1231.86	.00	1231.86	
007866	03/19/03	BLA01	BLAIR, ROBERT L	100.00	.00	100.00	031903 REGULAR BOARD MTG 3/19/03
007867	03/19/03	BOG01	BOGNUDA, LISA	43.20	.00	43.20	A30313 2 SLO MTGS-MILEAGE
007868	03/19/03	BRA01	BRANDT, DIANE	1992.03	.00	1992.03	A30313 SUMMIT STATION REBATE PRO
007869	03/19/03	CLO01	CLOSE, GARY	1951.55	.00	1951.55	A30313 SUMMIT STATION REBATE PRO
007870	03/19/03	COM02	COMMUNICATION SOLUTIONS	1719.00	.00	1719.00	3133 N OAKGLEN L/S OVERLOAD RE
007871	03/19/03	COU01	COURIER SYSTEMS	76.50	.00	76.50	A30313 COURIER TO LAB
007872	03/19/03	CRE01	CREEK ENVIRONMENTAL LABS	30.00	.00	30.00	K0633 BLWWTP LAB TEST
				75.00	.00	75.00	K0634 BACTI-TRACT 2325
				30.00	.00	30.00	K0657 BLWWTP LAB TEST
				30.00	.00	30.00	K0722 BLWWTP LAB TEST
				30.00	.00	30.00	K0748 BLWWTP LAB TEST
			Check Total.....:	195.00	.00	195.00	
007873	03/19/03	CUL02	CULLIGAN WATER CONDITION	18.45	.00	18.45	A30313 DELIVERY
007874	03/19/03	DIR01	DIRECT SHRED	24.00	.00	24.00	6760 SHRED DOCUMENTS
75	03/19/03	FAR01	FARM SUPPLY COMPANY	170.58	.00	170.58	994044 PIPE SUPPLIES
007876	03/19/03	FED01	FED EX	47.00	.00	47.00	462032353 FEDEX DELIVERY

COMPUTER GENERATED CHECKS

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
007877	03/19/03	FGL01	FGL ENVIRONMENTAL	3122.00	.00	3122.00	300875A	STATE UCMR-WELL TESTS
				44.80	.00	44.80	301596A	BLWWTPLAB TEST
				44.80	.00	44.80	301598A	NIPOMO WWTP LAB TEST
				44.80	.00	44.80	301872A	BLWWTPLAB TEST
				44.80	.00	44.80	301876A	NIPOMO WWTP LAB TEST
			Check Total.....:	3301.20	.00	3301.20		
007878	03/19/03	FLO01	FLOYD V. WELLS, INC.	2565.88	.00	2565.88	0012683	EUREKA WELL REPAIR
007879	03/19/03	GAR01	GARING TAYLOR & ASSOC	144.00	.00	144.00	3284	LANDSCAPE MAIN DIST FORMA
				4043.00	.00	4043.00	3285	TANK #5 DESIGN
				1539.25	.00	1539.25	3286	TEFFT ST L/S UPGRADE
				4119.60	.00	4119.60	3287	MVII CONSTRUCTION MGMT
				77.25	.00	77.25	3288	LYN ROAD ANNEXATION
				180.25	.00	180.25	3284A	GENERAL DIST ENGINEERING
			Check Total.....:	10103.35	.00	10103.35		
007880	03/19/03	GEO01	GEOSOLUTIONS, INC.	1100.00	.00	1100.00	2286	LIFT STATION MONITOR WELL
007881	03/19/03	GIL01	GLM, INC.	90.00	.00	90.00	BLWP	LANDSCAPE MAIN-BLWTP
				323.68	.00	323.68	A30313	LANDSCAPE MAINTENANCE
			Check Total.....:	413.68	.00	413.68		
007882	03/19/03	GOV03	GOVCONNECTION, INC.	2143.93	.00	2143.93	34844494	HPLASERJET 4300TN
007883	03/19/03	GRA01	GRANDEFLOW, INC.	390.13	.00	390.13	68140	LASER REMINDER NOTICES
				672.37	.00	672.37	68141	WINDOW ENVELOPES-LASER BI
				192.66	.00	192.66	68142	RETURN ENVELOPES-LASER BI
			Check Total.....:	1255.16	.00	1255.16		
007884	03/19/03	GRA04	GRAY, JIM	1869.70	.00	1869.70	A30313	SUMMIT STATION REBATE PRO
007885	03/19/03	GRO01	GROENIGER & CO	457.96	.00	457.96	235266T	COUPLING/GATE VALVE
				37.49	.00	37.49	237032B	6" BAND
				118.49	.00	118.49	237132B	HYDRANT SUPPLIES
				335.52	.00	335.52	237133B	BALL VALVE
			Check Total.....:	949.46	.00	949.46		
007886	03/19/03	HAY01	HAYES & SONS	1450.00	.00	1450.00	500958	PAVING PATCHES
007887	03/19/03	KAP01	KAPLANEK, R.J.	2000.00	.00	2000.00	A30313	SUMMIT STATION REBATE PRO
007888	03/19/03	MIS01	MISSION UNIFORM SERVICE	226.48	.00	226.48	A30313	UNIFORM SERVICE
007889	03/19/03	NEW01	R H NEWDOLL CONST INC	1389.30	.00	1389.30	A30313	SEWER REIMBURSEMENT 092-1
007890	03/19/03	NIC01	NICKSON'S MACHINE SHOP	483.75	.00	483.75	1030138	SUNDALE SERVICE
007891	03/19/03	NIP01	NIPOMO ACE HARDWARE INC	168.47	.00	168.47	A30313	SUPPLIES
007892	03/19/03	NIP03	NIPOMO SHELL	724.50	.00	724.50	174667	FUEL-FEBRUARY
007893	03/19/03	NIP06	NIPOMO AUTO PARTS	15.52	.00	15.52	A30313	VEHICLE PARTS
007894	03/19/03	PAC01	PACBELL/WORLDCOM	39.15	.00	39.15	T1124884	TELEPHONE/LONG DISTANCE
				58.71	.00	58.71	T1124886	TELEPHONE/LONG DISTANCE
				41.99	.00	41.99	T1124887	TELEPHONE/LONG DISTANCE
			Check Total.....:	139.85	.00	139.85		
007895	03/19/03	PGE01	P G & E	32351.35	.00	32351.35	A30313	ELECTRICITY
007896	03/19/03	QUI01	QUILL CORPORATION	84.71	.00	84.71	8850088	OFFICE SUPPLIES
007897	03/19/03	QUI03	QUINN RENTAL SERVICES	16.82	.00	16.82	2041165	READYMIX CONCRETE
007898	03/19/03	SAI01	SAIC	2390.25	.00	2390.25	399448	GROUNDWATER LITIGATION
007899	03/19/03	SHI01	SHIPSEY & SEITZ, INC	8256.03	.00	8256.03	A30313	LEGAL SERVICES THRU 2/15/
007900	03/19/03	SOU01	SOUTH COUNTY SANITARY	13.99	.00	13.99	238181	GARBAGE SERVICE
007901	03/19/03	SOU02	SOUTHERN CALIFORNIA WATER	4224.05	.00	4224.05	A30313	PROCESS SERVICE COSTS-PAR
007902	03/19/03	SPI01	SPIESS CONSTRUCTION CO.	33390.22	.00	33390.22	2316-001	PROGRESS BILLING
007903	03/19/03	THE01	THE GAS COMPANY	1623.07	.00	1623.07	A30313	SUNDALE GAS
007904	03/19/03	TIE01	TIERRA CONTRACTING, INC.	129651.75	.00	129651.75	A30314	PROGRESS BILLING #3

COMPUTER GENERATED CHECKS

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
007905	03/19/03	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	031903	REGULAR BOARD MTG 3/19/03
007906	03/19/03	UNI01	UNION ASPHALT, INC.	366.86	.00	366.86	103129	LT WT ROCK DELIVERY
				370.74	.00	370.74	103194	LT WT ROCK DELIVERY
			Check Total.....:	737.60	.00	737.60		
007907	03/19/03	USA01	USA BLUEBOOK	808.42	.00	808.42	644599	MULTIMETER
007908	03/19/03	VAL01	VALLEY SEPTIC SERVICE	7274.30	.00	7274.30	A30313	JETTING/CLEANING SEWER SY
007909	03/19/03	VER01	VERIZON	28.39	.00	28.39	031403	BL TELEPHONE
				28.91	.00	28.91	A30313	BL TELEPHONE
			Check Total.....:	57.30	.00	57.30		
007910	03/19/03	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	031903	REGULAR BOARD MTG 3/19/03
007911	03/19/03	WAY01	WAYNE COOPER AG SERVICES	1000.00	.00	1000.00	71	ENERGY EFFICIENCY PUMP TE
007912	03/19/03	WHI01	WHITAKER CONTRACTORS INC.	8364.00	.00	8364.00	0302-01	LIFT STATION REFURBISHMEN
007913	03/19/03	WIN01	WINN, MICHAEL	100.00	.00	100.00	031903	REGULAR BOARD MTG 3/19/03
007914	03/19/03	WIR02	WIRSING, JUDY	100.00	.00	100.00	031903	REGULAR BOARD MTG 3/19/03
007915	03/19/03	ZIE01	ZIELKE, LAWRENCE	2000.00	.00	2000.00	A30313	SUMMIT STATION REBATE PRO
007916	03/19/03	\N003	NCSD-TIERRA CONSTRUCTION,	500.00	.00	500.00	000A30301	MQ CUSTOMER REFUND

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

MARCH 5, 2003

REGULAR MEETING 9:00 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

MICHAEL WINN, PRESIDENT
JUDITH WIRSING, VICE PRESIDENT
ROBERT BLAIR, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
LARRY VIERHEILIG, 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. Consistent with the Americans with Disabilities Act, NCS D Board agendas and other writings will be made available to disabled persons in an appropriate alternate format. (If assistance is needed, please contact the District office at least one day before the meeting.)

A. CALL TO ORDER AND FLAG SALUTE

President Winn called the meeting to order at 9:03 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call, all Board members were present.

C. PUBLIC COMMENTS PERIOD

PUBLIC COMMENTS

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board.

Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

There was no public comment.

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

- D-1) PROPOSED ANNEXATION NO. 24 - LYN ROAD PROPERTIES
Review request for Annexation No. 24 – 11 properties along Lyn Road

The Board reviewed the request for annexation of the Lyn Road properties.

The following members of the public spoke:

Gene Mintz, Lyn Road property owner – Property owners are aware of the costs involved in the annexation.

Director Wirsing made a motion to include the Harwick parcel request for annexation, but later withdrew the motion. It will be addressed at the next meeting.

Upon motion of Director Wirsing and seconded by Director Vierheilig, the Board approved Resolution 2003-854 with the amendment in Section 2-A changing parcels to connections.

There was no public comment on the resolution. Vote 5-0

RESOLUTION NO. 2003-854
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
CONDITIONALLY APPROVING THE ANNEXATION OF APPROXIMATELY
70 ACRES LOCATED AT POMEROY AND LYN ROAD

- D-2) DISTRICT ANNEXATION POLICY [RECOMMEND CONTINUANCE]

Review revised draft of an annexation policy

President Winn and Director Wirsing met in an ad hoc committee meeting to discuss the Annexation Policy. They will continue to consider wording before it is brought to the Board for approval.

The following member of the public spoke:

Ed Eby, NCS D resident – commented on the policy. He gave the Board a list of changes for the committee to consider.

This will be brought back to a future Board meeting. There was no action.

- D-3) REQUEST FOR ANNEXATION – TRACT 2784 – PUDWILL [RECOMMEND CONTINUANCE]

Review request for Annexation No. 22 an 8-lot dev. near Blacklake

The Board discussed the request for annexation of Tract 2784.

The following members of the public spoke:

James Pudwill, Nipomo resident – Would like to see approval today

MINUTES SUBJECT TO BOARD APPROVAL

Rosie Fitzpatrick, NCSD resident and Mr. Pudwill's daughter – Would like to see this annexation go forward.

Greg Nester, Nipomo resident, builder, developer – is anxious to move forward on project.

Upon motion of Director Trotter and seconded by Director Wirsing, the Board agreed to continue this item until the Annexation Policy is approved, which is being pursued on an urgently basis. Vote 5-0 with Director Blair abstaining.

- D-4) REQUEST FOR ANNEXATION – TRACT 2499 – LEM [RECOMMEND CONTINUANCE]
Review request for Annexation No. 23, an 18-lot dev. on Pomeroy Rd

The Board discussed the request for annexation of Tract 2499.
There was no public comment.

Upon motion of Director Trotter and seconded by Director Winn, the Board agreed to continue this item until the Annexation Policy is approved. Vote 5-0

- D-5) REQUEST FOR ANNEXATION – OAKRIDGE (NEWMAN) [RECOMMEND CONTINUANCE]
Request to annex approx. 285 acres north of Sandydale Rd. & west of Hwy 101

The Board discussed the proposed Newman annexation.

The following member of the public spoke:

George Newman, Nipomo resident/developer of project – Looking for guidance from the Board.

Director Blair made a motion to deny service for this project. Motion died for a lack of a second.

Upon motion of Director Trotter and seconded by Director Wirsing, the Board agreed to table this item until the Annexation Policy is approved and Mr. Newman looks at it, with a commitment of denial or approval from this Board.

- D-6) REQUESTS FOR ANNEXATIONS – TRACT 2336 (McGILLIS)/co 03-0031 (WITT)
Requests for annexations for sewer service – properties are located within Cal Cities Water service area

The Board discussed the request for annexations for sewer service. A letter will be sent to SLO County requesting that no further annexations to be added to CSA-1.

There was no public comment. There was no action.

- D-7) MONTECITO VERDE II SEWER PROJECT
Review the amount and procedures for collecting District sewer capacity fee

The Board discussed the Montecito Verde II sewer project sewer capacity fees.

There was no public comment.

Upon motion of Director Vierheilg and seconded by Director Blair, the Board approved Resolution 2003-853 establishing capacity charges. Vote 5-0

RESOLUTION NO. 2003- 855
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY
SERVICES DISTRICT ESTABLISHING CAPACITY CHARGES FOR CONNECTING
MONTECITO VERDE II TO THE DISTRICT'S SEWER PROJECT

E. OTHER BUSINESS

- E-1) JOBS HOUSING BALANCE INCENTIVE GRANT PROGRAM
Review proposed grant funding to install water and sewer services in Olde Towne Tefft St.

The Board discussed the possibility of receiving grant funding from SLO County to install water and sewer services in Tefft Street. There was no public comment. The Board gave a thumbs-up on the project but no motion was made.

MINUTES SUBJECT TO BOARD APPROVAL

NCSD MINUTES
MARCH 5, 2003
PAGE 3

- E-2) COASTAL COMMISSION
Meeting in SLO on March 4, 2003

Director Vierheilig explained that the Coastal Commission would be in this area during March 4 through 7th. Discussion ensued.

There was no public comment. There was no action taken.

- E-3) LAFCO proposed Sphere of Influence for the District
Review SOI proposed boundaries

LAFCO has provided a comment form concerning the proposed Sphere of Influence.

A tour of the proposed sphere will be taken March 20, 2003.

There was no public comment. There was no action taken.

- 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 February 19, 2003, Regular Board meeting

Upon motion of Director Wirsing and seconded by Director Vierheilig, the Board, the Board unanimously approved the Consent Agenda, as amended in D-2. The well level dropped by 75 feet. Vote 5-0

G. **MANAGER'S REPORT**

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

- G-1) SPECIAL BOARD MEETINGS MARCH 14 & 28, 2003
Bond Counsel discussion on sale of bonds

H. **COMMITTEE REPORTS**

The following member of the public spoke:

Ed Eby, NCSD Resident – NCAC meeting last week encouraged him to attend the incorporation meeting and the Sphere of Influence tour.

I. **DIRECTORS COMMENTS**

Director Wirsing asked when Urban Water Management Plan would be finalized.

Director Blair attended a Smart Growth Conference

President Winn also attended Smart Growth Conf. with Dana Lilley in attendance.

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

There was no public comment on the items to be presented at the Closed Session.

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 CASE NO. CV 020181
- C. ARNETT vs. EEOC/CALPERS
- D. WATER LINE EASEMENT ACROSS COUNTY PARK - DISTRICT NEGOTIATOR - DOUG JONES, CONFERENCE WITH NEGOTIATOR GC§54956.8 COUNTY NEGOTIATOR - PETE JENNY, REGARDING TERMS & PRICE.
- E. ANTICIPATED/INITIATE LITIGATION, ONE CASE

The Board came out of Closed Session and reported the following:

The Board gave direction to legal counsel to settle the Arnett case.


ADJOURN

President Winn adjourned the meeting at 12:23 p.m.

There will be a Special Board meeting March 14, 2003 at 9:00 a.m.

The next regular Board Meeting will be held on March 19, 2003, at 9:00 a.m.

MINUTES SUBJECT TO BOARD APPROVAL

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: MARCH 19, 2003

AGENDA ITEM
MAR 19 2003



PROPERTY TAX EXCHANGE FOR PROPOSED ANNEXATION NO. 22
40 ACRES (SUNDALE AND DAWN ROAD)
PUDWILL

BACKGROUND

The District has received a request to annex Tract 2684, a 40 acre development at Sundale and Dawn Road. This proposed annexation is being processed through LAFCO.

With any proposed annexation to the District, the State Revenue & Taxation Code Section 99 requires the District and the County to negotiate the property tax exchange for the property being annexed into the District. Different areas have a slightly different tax rate percentage with respect to taxation. Therefore, an average of the area around the proposed annexation was taken. The percent of property tax increment that would be transferred to the District for Annexation No. 22 would be 6.05086%.

If the proposed annexation does not proceed, the Resolution approving the property tax exchange becomes null and void.

Attached is Resolution No. 03-tax exchange is presented to your honorable Board for consideration.

RECOMMENDATION

Staff recommends that your honorable Board adopt Resolution No. 03-tax exchange accepting the SLO County/NCSD exchange of property tax revenues and annual tax increments for Annexation No. 22 at 6.05086%.

Board 2003\tax exchange no 22.doc

RESOLUTION 03-tax exchange pudwill
PAGE TWO

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

1. That the recitals set forth above are true, correct and valid.
2. That the Nipomo Community Services District agrees to accept the following negotiated exchange of property tax revenues and annual tax .
 - a. No base property tax revenue shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District.
 - b. Annual tax increment in an amount to be determined by the County Auditor, based upon the following percentage agreed to by the negotiating parties, 6.05086 percent, before the ERAF calculations, shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District in the fiscal year 2003-2004 and each fiscal year thereafter.
3. Upon receipt of a certified copy of this resolution and a copy of the recorded certificate of completion, the County Auditor shall make the appropriate adjustments to property tax revenues and annual tax increment as set forth above.
4. That the Secretary to the Board of Directors is authorized and directed to transmit a certified copy of this resolution to the Executive Officer of the San Luis Obispo Local Agency Formation Commission, who shall then distribute copies thereof in the manner prescribed by law.

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

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 19th day of March 2003.

Michael Winn, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

LOCAL AGENCY FORMATION COMMISSION
NOTICE TO COMMENCE NEGOTIATION
FOR TRANSFER OF PROPERTY TAX REVENUE

COPY

Proposed Jurisdictional Change: Annexation No. 22 to the Nipomo CSD (Tract 2499)

LAFCO File No: 9-R-02

Negotiating Agencies:

Nipomo CSD
County of San Luis Obispo

Agenda Date for
Start of Negotiations:

February 11, 2003

Subject Property:

<u>Tax Code Area</u>	<u>Parcel Nos.</u>	<u>Valuation</u>
052-041	091-201-024	\$543,824

Estimated property tax revenue generated within subject property: \$3,300 in fiscal year 2003-2004.

Property Tax attributed to following local agencies:

<u>Agency</u>	<u>Revenue from Proposed Annexation Area</u>
General Fund	\$1,474
Air Pollution Control	\$4
Special Roads	\$36
County Library	\$110
SLO Co Flood Control	\$16
Nacimiento Water Cons	\$17
Lucia Mar Unified	\$2,401
Port San Luis Harbor	\$79
County School Service	\$251
ERAF	\$615
Totals:	\$5,439

Percentage of annual tax increment to be exchanged: 6.05086%,

Negotiation Period: February 11, 2003 to April 11, 2003.

Property Tax Exchange effective fiscal year: 2003-2004.

By: Paul L. Hood
Paul L. Hood, Executive Officer

Date: February 3, 2003

Note: At close of negotiations, each agency shall immediately transmit to the LAFCO Executive Officer a certified copy of the resolution setting forth the amount of property tax revenue to be transferred. For dependent districts, the Clerk of the Board of Supervisors shall transmit a certified copy of the Board's resolution adopted on behalf of both parties. This will allow LAFCO to commence processing of the jurisdictional change.

County of San Luis Obispo

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



TO: BOARD OF SUPERVISORS

FROM: GAIL WILCOX, ASSISTANT ADMINISTRATIVE OFFICER

DAVID EDGE
COUNTY ADMINISTRATOR

DATE: FEBRUARY 11, 2003

SUBJECT: SUBMITTAL OF A NOTICE TO COMMENCE NEGOTIATIONS FOR THE EXCHANGE OF PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT FOR ANNEXATION NO. 22 TO THE NIPOMO COMMUNITY SERVICES DISTRICT (TRACT 2499)

Recommendation

Commence negotiations for the exchange of property tax revenue and annual tax increment for Annexation No. 22 to the Nipomo Community Services District (Tract 2499).

Discussion

As a prerequisite to any jurisdictional change, Revenue and Taxation Code Section 99 requires affected jurisdictions to negotiate an exchange of property tax revenues. A 60-day negotiation period will commence upon approval of this notice. The notice contains information concerning the amount of revenue generated in the annexation area. The County Administrative Office and the Nipomo Community Services District will negotiate on behalf of their respective agencies and present a resolution for adoption within the 60-day time frame.

The proposed annexation consists of 40 acres and is located on Sundale Way, between Willow and Dawn Road, in the community of Nipomo.

Other Agency Involvement/Impact

Nipomo Community Services District is the annexing agency.

Financial Considerations

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

FEB 10 2003

BOARD OF SUPERVISORS

February 11, 2003

Page 2

Results

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

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

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: MARCH 19, 2003

AGENDA ITEM
F4
MARCH 19, 2003

MONTECITO VERDE II SEWER CONNECTION PROJECT
NOTICE OF COMPLETION

ITEM

Filing a Notice of Completion for the Montecito Verde II subdivision sewer connection project.

BACKGROUND

Tierra Contracting, Inc. was awarded the contract to connect the Montecito Verde II subdivision sewer system to the District-wide sewer collector system and abandon the existing septic tank systems. The work has been completed. Filing a "Notice of Completion" of the construction work is now in order.

RECOMMENDATION

Staff recommends that your Honorable Board approve the "Notice of Completion" and authorize the General Manager to file the Notice of Completion for the Montecito Verde II sewer lines construction and septic system abandonment project.

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

NIPOMO COMMUNITY SERVICES DISTRICT
P.O. Box 326
Nipomo, CA 93444

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion.

Notice is hereby given that:

- 1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
- 2. The full name of the owner is Nipomo Community Services District
- 3. The full address of the owner is P O Box 326
Nipomo, CA 93444
- 4. The nature of the interest or estate of the owner is: In fee.

(If other than fee, strike "In fee: and insert, for example, "purchaser under contract of purchase," or "lessee")

- 5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

NAMES	ADDRESSES
None	

- 6. A work of improvement on the property hereinafter described was completed on March 11, 2003. The work done was:
- 7. The name of the contractor, if any, for such work of improvement was Tierra Contracting, Inc., P O Box 400, Goleta, CA 93116
- 8. The property on which said work of improvement was completed is in the city of Nipomo.

County of San Luis Obispo, State of California, and is described as follows: Montecito Verde II Development

- 9. The street address of said property is Story Rd., Meredith Ave. Quito St. & Alegre Ave.

Dated: _____
Verification for Individual Owner

Signature of owner or corporate officer of owner
named in paragraph 2 or his agent

VERIFICATION

I, the undersigned, say: I am the _____ General Manager _____ the declarant of the foregoing
("President of", "Manager of", "A partner of", "Owner of", etc.)

notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 2003, at Nipomo, California.
(Date of signature) (City where signed)



*Civil Engineering
 Surveying
 Project Development*

March 12, 2003

Mr. Doug Jones, General Manager
 Nipomo Community Services District
 148 South Wilson Street
 Nipomo, CA 93444

Dear Doug:

SUBJECT: MONTECITO VERDE II SEWER SYSTEM IMPROVEMENTS PROJECT – WORK COMPLETION NOTICE

This letter is to serve as notice that all construction work on the Montecito Verde II Sewer System Improvements project is now complete.

The last work was completed yesterday, Tuesday, March 11, 2002, which involved installation of the chain-link fence along the back property lines for residents between Meredith and Alegre. As far as can be ascertained by our inspections, all work on the project has been completed satisfactorily and in accordance with the Plans, Contract Special Provisions and District Standards.

Based upon the foregoing, it is our recommendation that the project be formally accepted by the District and that a Notice of Completion be filed with the office of the San Luis Obispo County Recorder.

We are still waiting for a final progress billing and other documentation required to "final" the project. I will forward these to you as soon as I receive them from the Contractor and have had an opportunity to review them for accuracy.


Please let me know if you have any questions or need additional information.

Sincerely,

Garing, Taylor & Associates, Inc.

Russell S. Garing, Project Inspector

ND02-082
 P:\NCSD\WV\II\Completion.doc

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: MARCH 19, 2003

AGENDA ITEM
G
MARCH 19, 2003

MANAGER'S REPORT

G-1) BOARD MEETINGS SCHEDULE FOR THE MONTH OF APRIL

Due to two Board members attending Government Affairs Day in Sacramento on April 2, 2003, your Honorable Board may wish to adjust the Board meetings for the month of April as follows:

REGULAR SCHEDULE	PROPOSED CHANGE
April 2, 2003	April 9, 2003
April 16, 2003	April 23, 2003