

NIPOMO COMMUNITY SERVICES DISTRICT

AGENDA

AUGUST 13, 2003

REGULAR MEETING 8:00 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

DOUG JONES, GENERAL MANAGER
DONNA JOHNSON, BOARD SECRETARY
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, 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
 - B. ROLL CALL
 - C. PUBLIC COMMENTS PERIOD
- NEXT RESOLUTION 2003-875
NEXT ORDINANCE 2003-98

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.

CLOSED SESSION 8:00 a.m.

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9

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

OPEN SESSION -- Estimated time 9:00 a.m.

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

- D-1) TEFFT STREET LIFT STATION IMPROVEMENTS
Review/Approve Change Order No. 1
- D-2) MANDATORY GARBAGE SERVICE
Consider establishing mandatory garbage collection
- D-3) REQUEST FOR SERVICE – PARCEL MAP CO 00-0086 (KESHTGAR)
Request for renewal of an Intent-to-Serve for project on S. Frontage Rd.
- D-4) REQUEST FOR SERVICE – TRACT 2441 (GRAY TRUST)
Request for renewal of an Intent-to-Serve for 38-lot project at Blume and Grande

E. OTHER BUSINESS

- E-1) SOUTHLAND WASTEWATER TREATMENT PLANT IMPROVEMENTS
Consider an agreement with Quantum Consultants for the installation of equipment
- E-2) CITY INCORPORATION QUESTIONNAIRE
Draft questionnaire for review/approval

- 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 brackets.*

- F-1) WARRANTS [RECOMMEND APPROVAL]
- F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Minutes of July 23, 2003, Regular Board meeting
- F-3) FOURTH QUARTER FINANCIAL REPORT [RECEIVE AND FILE]
- F-4) NOTICE OF COMPLETION -CONSTRUCTION OF WATER STORAGE FACILITY [RECOMMEND APPROVAL]
- F-5) GENERAL MANAGER CONTRACT AMENDMENT [RECOMMEND APPROVAL]

G. MANAGER'S REPORT

- G-1) NOTICE OF ENVIRONMENTAL REVIEW FOR MARIA VISTA SEWER FORCE MAIN
Consider Public Hearing to be set for September 10, 2003
- G-2) INCORPORATION FEASIBILITY STUDY
Status report from Davis & Company

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

ADJOURN

The next regular Board meeting will be August 27, 2003.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: AUGUST 13, 2003

AGENDA ITEM
1
AUGUST 13, 2003

TEFFT STREET LIFT STATION IMPROVEMENTS

ITEM

Review/approve Change Order No. 1 - addition of new wet well

BACKGROUND

The District received bids to construct improvements to the Tefft Street Lift Station to meet existing and future capacities of the area being served by this lift station. The bid was awarded to R. Baker, Inc. in the amount of \$204,360.00. The original bid consisted of installing two higher-capacity pumps in the existing wet well. After discussion with staff, it was decided that a new wet well would be needed to have a greater holding capacity for peak wastewater flows. A boring sample was performed to determine the extent of shoring needed to construct a wet well approximately 20 feet deep. With the addition of the new wet well and shoring plus credits for a valve pit and existing generator, the resulting change order would cost \$80,641.00. The new contract total would be \$285,001.00.

Staff feels that the new wet well is warranted due to the increased detention time between emergencies and power outages to respond to get a lift station back on service without having raw sewage spills.

RECOMMENDATION

Staff recommends that your Honorable Board approve change Order No. 1 with R. Baker, Inc. for the Tefft Street Lift Station improvements with the new contract amount of \$285,001.00.

CONTRACT CHANGE ORDER NO. 1

GTA Work Order No.: ND 02-061

Job Description: **TEFFT STREET LIFT STATION UPGRADE PROJECT
NIPOMO COMMUNITY SERVICES DISTRICT
NIPOMO, CALIFORNIA**

To: R. Baker, Inc.- Contractor

Attn: Greg Sherer

You are hereby directed to make the herein described changes to the plans and specifications. This change order is effective on the date of approval signatures.

DESCRIPTION OF WORK TO BE DONE OR DELETED, ESTIMATE OF QUANTITIES AND PRICES TO BE PAID:

Original Contract Amount	\$204,360.00
Revision: Add 8' x 29' deep Wet Well and 5'x 8' valve pit	\$91,611.00
Add special deep shoring	\$14,230.00
Delete circular valve pit	<\$ 4,200.00>
Credit for use of existing generator	<\$ 21,000.00>
New Contract Total	\$ 285,001.00

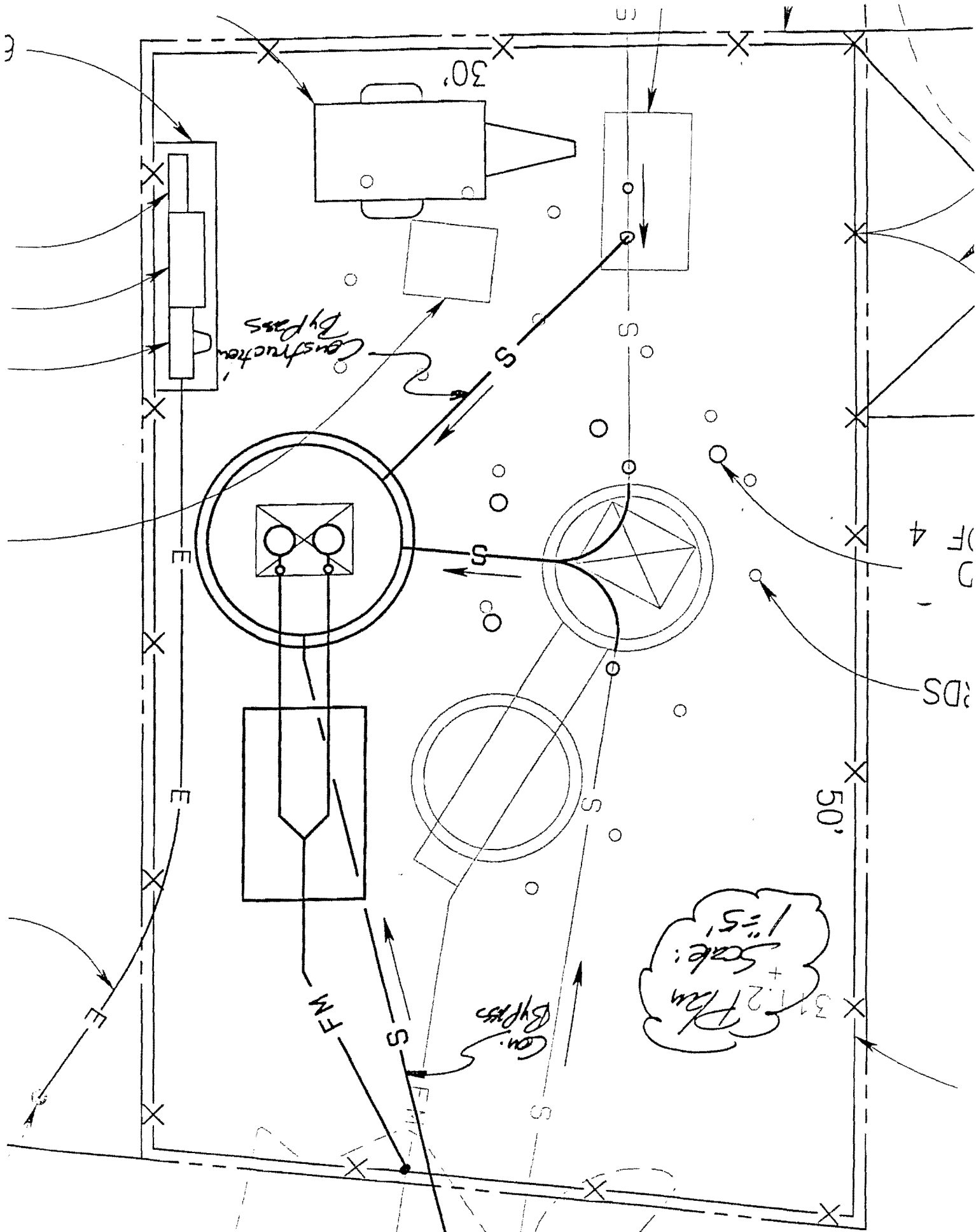
By reason of this order, the time of Completion will be adjusted as follows: -30- days.

Submitted by: Gearing, Taylor & Assoc., Inc. Date 31 July 03
Approval Recommended: E. James Gearing Date 31 July 03
Approved: _____ Date _____

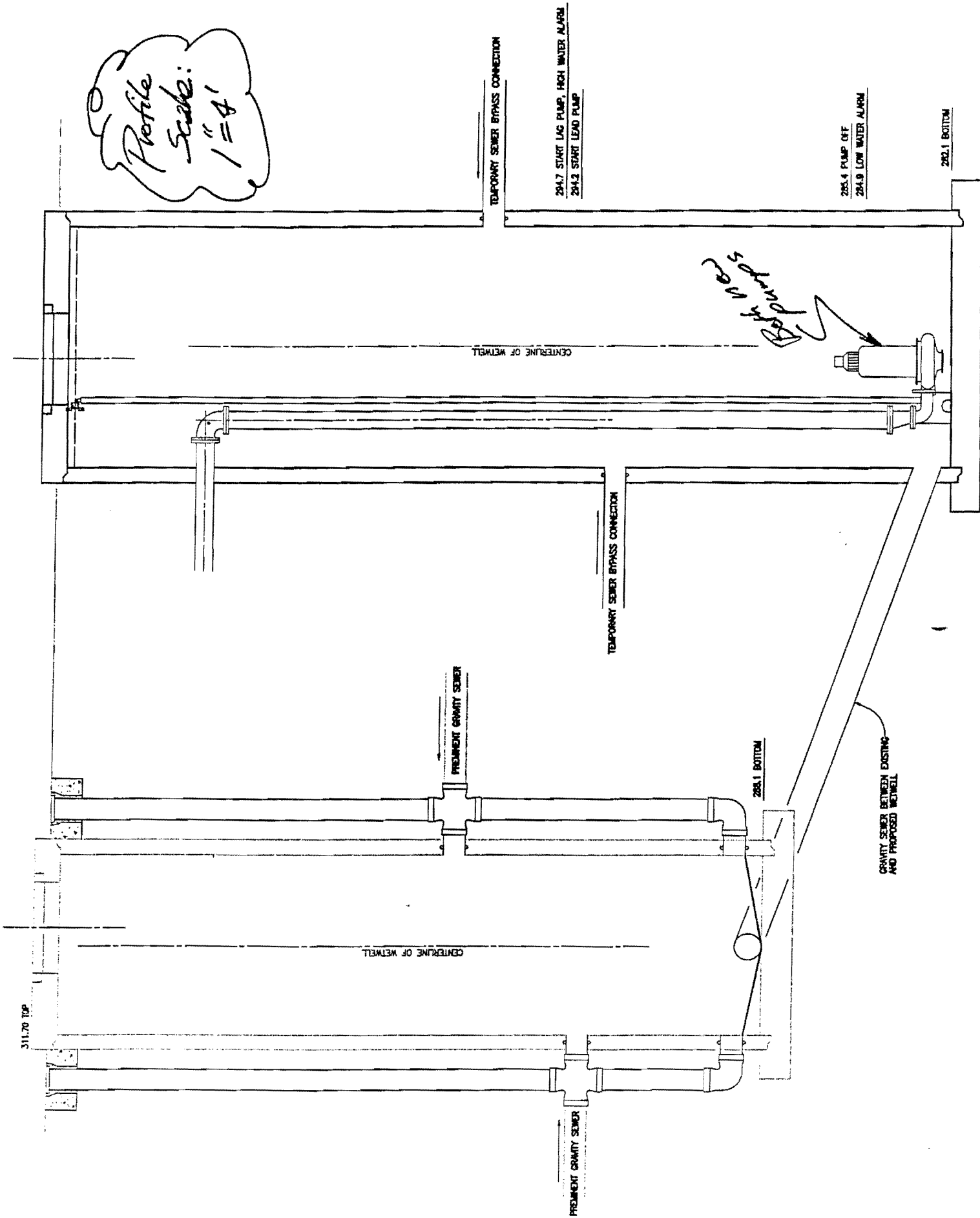
We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefor, the prices shown above.


Accepted: R. Baker, Inc.. Date 8-1-03
By: Ji Quirk Title: Vice President

If the contractor does not sign the acceptance of this order, his attention is directed to the requirements of the specifications as to filing a written protest within the time therein specified.



Profile
Scale:
1" = 4'



TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: AUGUST 13, 2003

AGENDA ITEM
AUGUST 13, 2003

MANDATORY GARBAGE SERVICE

ITEM

Consider establish mandatory garbage collection with the District boundary

BACKGROUND

The District has acquired the franchise from the County to supply garbage collection services within the District boundary. Presently, the garbage service is voluntary. Each property owner can decide whether or not to receive solid waste service. If properties that are not presently receiving service were included, there would be a rate adjustment (as shown on the attached correspondence). The proposed rates exempt parcels of 2½ acres or greater within District boundary.

RECOMMENDATION

If your Honorable Board wishes to proceed with the mandatory garbage collection, you may direct staff accordingly.

Board 2003/Mandatory garbage service

Doug Jones
148 South Wilson
Nipomo, CA 93444

7-15-2003

Dear Doug,

Based on the NCSD water meter count of 3,726 I have determined that there would be an additional 372 customers added if the District were to make garbage service mandatory for all homes in the district with the exception of large parcels.

If the District enacts the tax lien method for collection of overdue bills the decrease in rates would be 4.93%. That would result in a \$0.67 reduction for the one can customers.

If the District enacts mandatory without a lien collection method the decrease in rates will be 3.95%. That will result in a \$0.54 reduction for one can customers.

I can make myself available for a study session with the board if you let me know the date.

Sincerely,

Tom Martin, General Manager

ADDITIONAL REVENUE	\$	60,800	372 NEW CUSTOMERS
COST OF GREY CARTS	\$	(2,604)	372 NEW GREY CARTS
INCREASED LANDFILL	\$	(12,160)	
WITH LIEN BAD DEBTS	\$	-	

	\$	<u>46,036</u>
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NEW GROSS	\$	934,500
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DECREASE		-4.930%
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**NIPOMO COMMUNITY SERVICES DISTRICT
ORDINANCE 2003-96
AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING FEES AND CHARGES FOR
SOLID WASTE SERVICE
EXHIBIT "A"**

4.21%

ALL COMMERCIAL RATES EFFECTIVE 4-1-2003
ALL RESIDENTIAL RATES EFFECTIVE 4-1-2003

COMMERCIAL GARBAGE CANS (PER MONTH)						
Number of cans	COLLECTIONS PER WEEK					
	1	2	3	4	5	6
1	\$14.58	\$24.40	\$29.34	\$35.75	\$42.01	\$50.09
2	\$29.16	\$48.79	\$58.67	\$71.52	\$84.01	\$100.20

Maximum volume and weight per garbage can: 33 gallons and 80 pounds

Extra bags or cans above service level

\$3.57

 Each
Commercial waste wheeler rent

\$1.04

 per month

COMMERCIAL DUMPSTER CONTAINERS (PER MONTH)							
Size of container (cubic yards)	COLLECTIONS PER WEEK						
	1	2	3	4	5	6	7
1	\$50.57	\$72.77	\$96.15	\$118.34	\$142.98	\$166.41	\$221.87
1.5	\$60.39	\$92.40	\$124.53	\$173.79	\$211.99	\$252.69	\$334.09
2	\$65.33	\$107.22	\$152.79	\$223.12	\$273.70	\$326.65	\$447.43
3	\$77.65	\$145.41	\$203.37	\$362.35	\$430.18	\$502.89	\$692.68
4	\$112.15	\$168.91	\$242.81	\$380.91	\$472.06	\$536.20	\$833.22

The rates shown above include the monthly container rental fee and are the same for bins and garwoods, when volume is identical.

UNSCHEDULED EXTRA COLLECTIONS FOR COMMERCIAL CUSTOMERS PER YARD

\$7.58

SUNDAY SERVICE (IN ADDITION TO THE GARBAGE SERVICE LEVEL)

\$45.81


SINGLE FAMILY AND MULTI-UNIT RESIDENTIAL (4 UNITS OR LESS) VOLUME-BASED RATES INCLUDES WASTE WHEELER(S) FOR GARBAGE, ORANGE BIN FOR RECYCLING GREENWASTE CUSTOMERS USE THEIR OWN CANS FOR GREENWASTE				
one can	32 gallon	WASTE WHEELERS	\$13.62	PER MONTH
two can	64 gallon	WASTE WHEELERS	\$19.52	PER MONTH
three can	96 gallon	WASTE WHEELERS	\$25.58	PER MONTH
four can	two-64 gallon	WASTE WHEELERS	\$30.46	PER MONTH
five can	one 64 & one 96 gallon	WASTE WHEELERS	\$35.34	PER MONTH
six can	two-96 gallon	WASTE WHEELERS	\$40.23	PER MONTH
DRIVE-IN CHARGE (SEE CRITERIA) EACH ADDITIONAL CAN			\$8.95	PER MONTH
GARBAGE EXTRAS PER BAG/CAN			\$3.50	PER MONTH
			\$3.57	EACH

Size of container (cubic yards)	RECYCLING DUMPSTER CONTAINERS (PER MONTH) COLLECTIONS PER WEEK						
	1	2	3	4	5	6	7
1/2	\$20.38	\$26.58	\$33.89	\$31.44	\$36.98		
1	\$25.29	\$36.39	\$48.08	\$59.17	\$71.49		
1.5	\$30.20	\$46.20	\$62.27	\$86.90	\$106.00	\$126.35	\$167.05
2	\$32.67	\$53.61	\$76.40	\$111.56	\$136.85	\$163.33	\$223.72
3	\$38.83	\$72.71	\$101.69	\$181.18	\$215.09	\$251.45	\$346.34
4	\$56.08	\$84.46	\$121.41	\$190.46	\$236.03	\$268.10	\$416.61

The rates shown above include the monthly container rental fee and are the same for bins and garwoods, when volume is identical.

UNSCHEDULED EXTRA COLLECTIONS FOR COMMERCIAL CUSTOMERS PER YARD

\$3.79

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: AUGUST 13, 2003

AGENDA ITEM

AUGUST 13, 2003

REQUEST FOR SERVICE
COMMERCIAL/SELF STORAGE
APN 092-381-016/020
PARCEL MAP CO 000-0086
KESHTAR

ITEM

Request to renew an Intent-to-Serve letter for water and sewer service for a commercial/self storage development at S. Frontage Road and Division Street

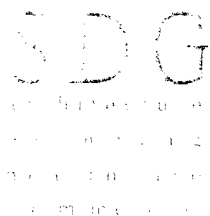
BACKGROUND

The District has received a request from David Brannon to renew an Intent-to-Serve letter (originally issued August 15, 2001) for water and sewer service to a commercial/self storage retail development at the intersection of S. Frontage Road and Division Street. Your Honorable Board may renew the Intent-to-Serve letter for APN 092-381-016/020, with the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit improvement plans showing appropriate looping 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 improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

Staff recommends that your Honorable Board renew an Intent-to-Serve for Parcel Map CO 00-0086 with conditions as mentioned above.



July 21, 2003

Nipomo Community Services District
148 S. Wilson Ave.
Nipomo, CA 93444

Attn: Doug Newman

Re: Frontage Self Storage
Corner Frontage Rd and Division St.
Case: PMT2002-10673
Bldg. Permit: B001853
MUP: D000086P

Dear M. Newman,

I have previously mailed you two sets of improvement plans for your review in order to issue final will serve letters, but neglected to include the enclosed application and the filing fee. Please proceed with the plan review and the processing of our extension of the preliminary will serve letters.

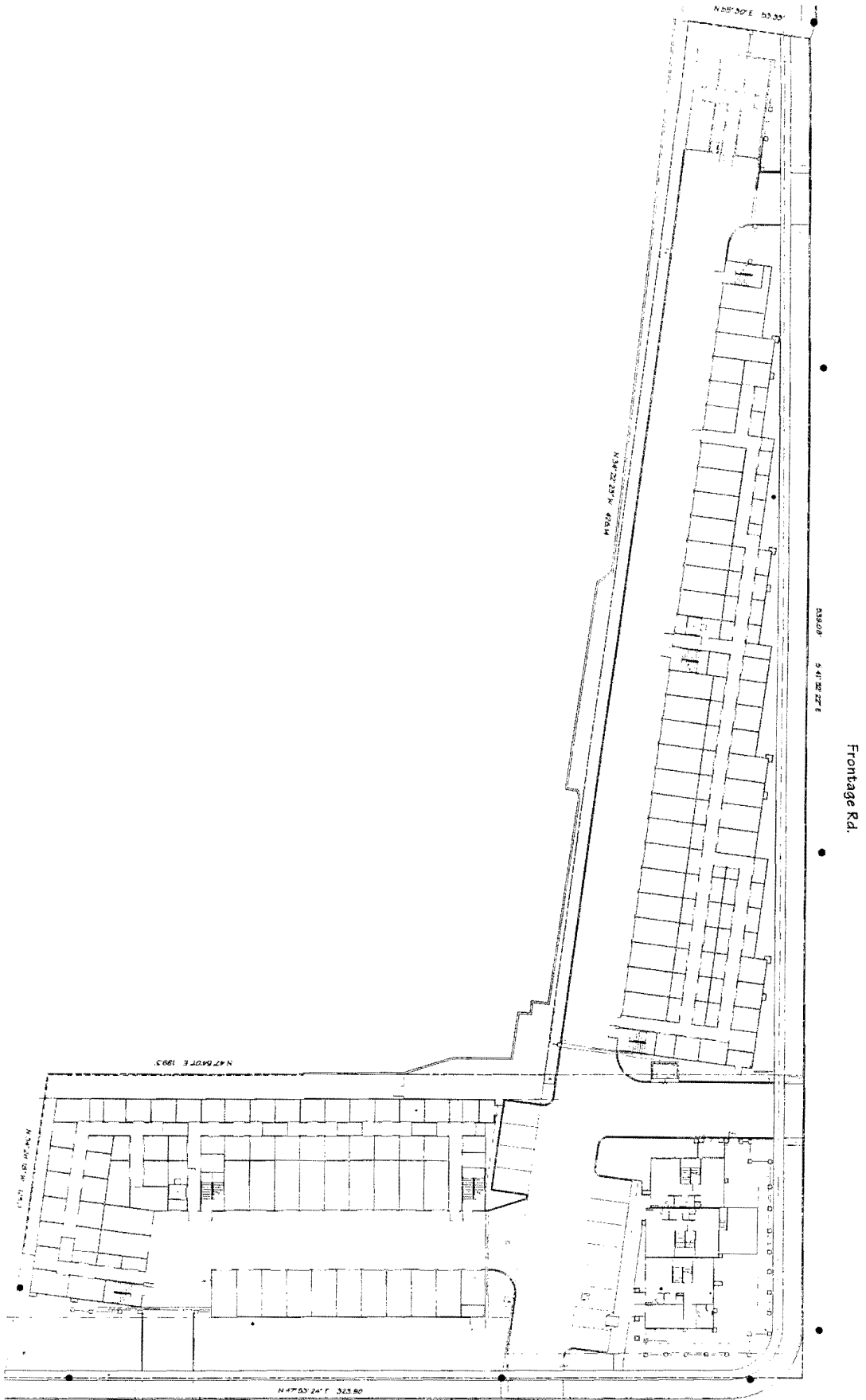
We are requesting an extension for the Tentative will serve letters through the completion of the plan check process. The tentative will serve letters were issued in August of 2001 in conjunction with the minor use permit application, and are scheduled to expire in August 2003.

I apologize for the last minute nature of this request for extension, but I was unaware of the expiration date or the plan check requirement by the service district. If you have any questions or require additional information, please call me.

Sincerely
Studio Design Group

A handwritten signature in black ink, appearing to read "David Brannon".

David Brannon



Division St.

DATE _____

NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER

- 1. SLO County Planning Department/Tract or Development No.: PMT2002-10673
- 2. Project's Location: Corner Frontage Rd & Division St.
- 3. Assessor's Parcel Number(APN) of lot(s) to be served: 092-381-016/020
- 4. Total Number of Residential Units: 3
- 5. Owner Name: Hamid Keshfgar
- 6. Business Address: _____
- 7. Mailing Address: 781 Lilac Dr. Los Osos, CA 93402
- 8. Phone Number: 459-3359
- 9. Agent's Name(Architect or Engineer): David Brannon - Studio design Group
- 10. Mailing Address: 641 Higuera St. SLO 93401
- 11. Phone Number: 541-3848 Ext 203
- 12. Type of Use:
 - Single Family Residence Duplex Triplex Multi-Family
 - Subdivision
 - Commercial? Yes Type Self Storage
 - Remodel: (Project Description) _____

13. Applications for 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. A reduced copy of the site plan (8½" x 11")
- c. The number of plumbing fixture units — TOTAL 58 Fixture units
- d. An engineer or architect's estimate of monthly water and sewer and demand (in gallons per month) for the project.

4,500 Gallons per month

NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER
PAGE TWO


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.....\$ 50.00
(Non-refundable payment attached to this application)

Date 7/21/03


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

David Brannon
Print name

FOR DISTRICT OFFICE USE:

AMOUNT PAID _____ DATE: _____ RECEIPT # _____

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: AUGUST 13, 2003

AGENDA ITEM

AUGUST 13, 2003

REQUEST FOR SERVICE TRACT 2441 GRAY TRUST

ITEM

Request for renewal of an Intent-to-Serve letter for a 38-lot project at Blume and Grande

BACKGROUND

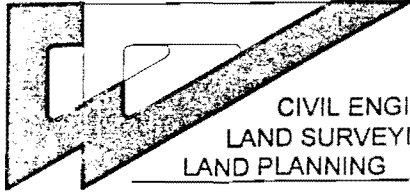
The District received a request from Westland Engineering to renew an Intent-to-Serve letter for water and sewer service to a 38-lot development at Blume and Grande (Tract 2441). The original Intent-to-Serve letter was issued August 16, 2001. Your Honorable Board may renew the Intent-to-Serve letter Tract 2441 with the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit improvement plans showing appropriate looping 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 improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

Staff recommends that your Honorable Board renew the Intent-to-Serve letter for Tract 2441 with the above 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

July 30, 2003

Doug Jones
N.C.S.D.
148 Wilson Street
Nipomo, CA 93444

Re: Intent-to-Serve Renewal for Tract 2441

Dear Mr. Jones,

We respectfully request a renewal of the intent-to-serve for the above-mentioned tract. I have attached a copy of the original intent-to-serve for your reference along with a check for the renewal fee of \$50. Please note that this project has not changed from our original submittal. If you have any questions, please contact me at 805/541-2394.

Sincerely,

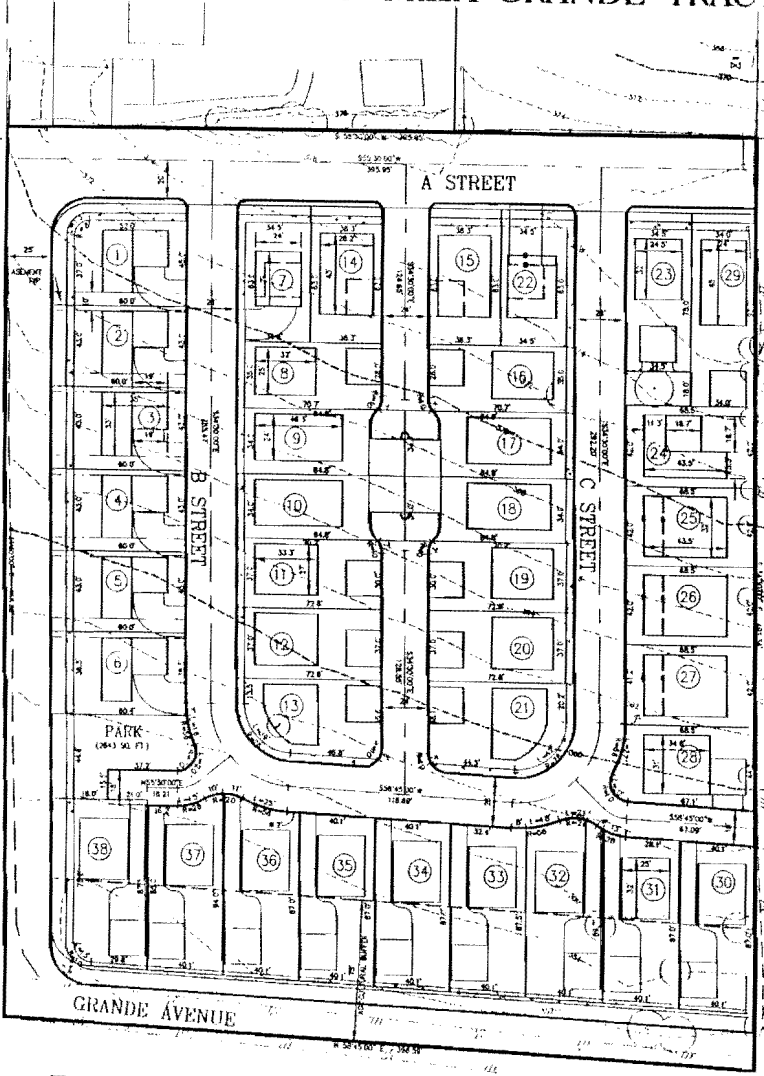
A handwritten signature in cursive script that reads "Jessica George". The signature is written in dark ink and is positioned above the typed name.

Jessica George
Assistant Planner

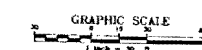
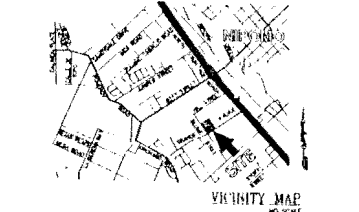
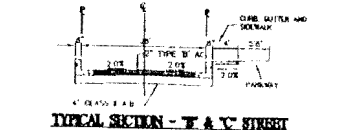
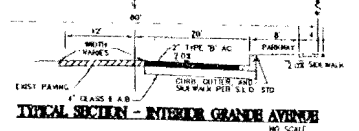
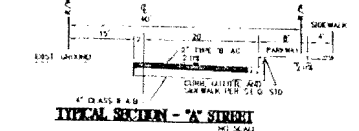
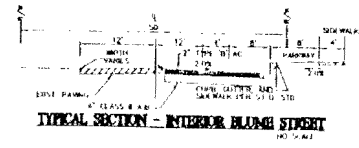
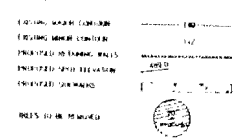
CONCEPTUAL PLAN LOT 15 MESA GRANDE TRACT

GRADING NOTES

1. GRADING SHALL CONFORM TO APPLICABLE COUNTY ORDINANCES CHAPTER 15 OF THE UNIFORM BUILDING CODE AND OTHER APPLICABLE CODES.
2. BEFORE THE OWNER OR HIS ENGINEER OR WHO HAS THE PHYSICAL SAFETY OF THE WORK IN CHARGE, THE CONTRACTOR SHALL DESIGN, CONSTRUCT AND MAINTAIN ALL SAFETY FENCES, AND SHALL BE HELD RESPONSIBLE FOR COMPLYING TO ALL LOCAL, STATE AND FEDERAL SAFETY AND HEALTH STANDARDS, LAWS AND REGULATIONS.
3. ALL FILL AREAS AND TRENCH BACKFILLS SHALL BE COMPACTED TO AT LEAST 95%.
4. ALL LOCATION AND ELEVATION OF IMPROVEMENTS TO BE SET BY WORK TO BE DONE SHALL BE CONFIRMED BY FIELD MEASUREMENTS PRIOR TO CONSTRUCTION BY THE CONTRACTOR.
5. (A) CONTRACTOR SHALL MAKE EXPLANATION (ELEVATIONS AND LOCATE EXISTING UNDERGROUND FACILITIES, SURFACE TO BE AHEAD OF CONSTRUCTION AND REMOVE EXISTING TO PROVIDE A MINIMUM OF 6" CLEARANCE BEHIND OF ACTUAL LOCATION OF EXISTING FACILITIES.
- (B) BEFORE EXCAVATING FOR THIS CONTRACT, THE LOCATION OF ALL UNDERGROUND UTILITIES, THE CONTRACTOR IS REQUIRED TO TAKE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES, DRIVE LINES AND ANY OTHER EXISTING UTILITIES NOT TO BE EXPOSED AND TO BE KEPT OPEN FOR THE PROJECT. CONTRACTOR SHALL CALL U.T.A. (415) 842-2444 BEFORE EXCAVATING.
- (C) BEFORE EXCAVATING FOR THIS CONTRACT, THE LOCATION OF ALL UNDERGROUND UTILITIES, THE CONTRACTOR IS REQUIRED TO TAKE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES, DRIVE LINES AND ANY OTHER EXISTING UTILITIES NOT TO BE EXPOSED AND TO BE KEPT OPEN FOR THE PROJECT. CONTRACTOR SHALL CALL U.T.A. (415) 842-2444 BEFORE EXCAVATING.
6. IN AREAS TO BE GRADED, ALL EXISTING UTILITIES, THE CONTRACTOR SHALL BE RESPONSIBLE TO LOCATE, MARK AND PROTECT. THE CONTRACTOR SHALL BE RESPONSIBLE TO LOCATE, MARK AND PROTECT ALL EXISTING UTILITIES, DRIVE LINES AND ANY OTHER EXISTING UTILITIES NOT TO BE EXPOSED AND TO BE KEPT OPEN FOR THE PROJECT. CONTRACTOR SHALL CALL U.T.A. (415) 842-2444 BEFORE EXCAVATING.
7. ALL EXISTING UTILITIES, DRIVE LINES AND ANY OTHER EXISTING UTILITIES NOT TO BE EXPOSED AND TO BE KEPT OPEN FOR THE PROJECT. CONTRACTOR SHALL CALL U.T.A. (415) 842-2444 BEFORE EXCAVATING.
8. PLACEMENT OF MATERIAL TO BE USED AS TOP SOIL, BUT SHALL NOT BE PLACED UNDER BUILDING FOUNDATIONS, UNDER NEW WALKS, ROADS, OR OTHER UNDESIRABLE MATERIAL SHALL BE REMOVED FROM THE SITE.
9. ALL EXISTING UTILITIES, DRIVE LINES AND ANY OTHER EXISTING UTILITIES NOT TO BE EXPOSED AND TO BE KEPT OPEN FOR THE PROJECT. CONTRACTOR SHALL CALL U.T.A. (415) 842-2444 BEFORE EXCAVATING.
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LEGEND



WESTLAND ENGINEERING, INC.
11500 S. MESA GRANDE TRACT, SUITE 100
DUBLIN, CALIFORNIA 94568
TELEPHONE (916) 835-1100
FAX (916) 835-1101
WWW.WESTLAND-ENG.COM

LOT 15 MESA GRANDE TRACT
CONCEPTUAL PLAN

Project No.	15-001
Date	10/15/2012
Client	Gray Trust
Scale	AS SHOWN
Drawn By	J. Smith
Checked By	M. Jones
Approved By	[Signature]

THOSE NOTES AT END OF 15-001

DATE 7-31-03

NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER

1. SLO County Planning Department/Tract or Development No.: Tract 2441
2. Project's Location: On Corner of Blume & Grande
3. Assessor's Parcel Number (APN) of lot(s) to be served: 092-130-049
4. Total Number of Residential Units: 38 res. 1 open Space
5. Owner Name: Mid-State Properties
6. Business Address: 1320 Archer St., SLO CA 93401
7. Mailing Address: 1320 Archer St., SLO CA 93401
8. Phone Number: 543-1500
9. Agent's Name (Architect or Engineer): Westland Engineering
10. Mailing Address: 75 Zaca Lane SLO CA 93401
11. Phone Number: (805) 541-2394

Please supply this information

12. Type of Use:
 Single Family Residence Duplex Triplex Multi-Family
 Subdivision
 Commercial? _____ Type _____
 Remodel: (Project Description) _____

13. Applications for 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. A reduced copy of the site plan (8 1/2" x 11")

- c. The number of plumbing fixture units Unable to determine at this time.
- d. An engineer or architect's estimate of monthly water and sewer and demand (in gallons per month) for the project. 460,000

TO: BOARD OF DIRECTORS

FROM: DOUG JONES *DJ*

DATE: AUGUST 13, 2003

AGENDA ITEM

AUGUST 13, 2003

SOUTHLAND WASTEWATER TREATMENT PLANT IMPROVEMENTS

ITEM

Consider an agreement with Quantum Consultants for the installation of equipment at the Southland Wastewater Treatment Facility

BACKGROUND

The District has been approached by Quantum Consultants to review the Southland Wastewater Treatment Facility operation with respect to saving power consumption costs. The local utility company (PG&E) has funded programs that reduce energy costs and has acquired services of consultants to review facilities on their behalf to save energy. Quantum Consultants has come up with a concept of insulating the old meters and computer operations to operate the aerators at the most efficient times to reduce power costs. The total cost is paid by grant funds sponsored by PG&E.

RECOMMENDATION

Staff recommends that your Honorable Board

- Approve the agreement with Quantum Consultants for installation of equipment at the Southland Wastewater Treatment Facility for energy conservation
- Direct the general manager to execute the agreement



July 16, 2003

Dan Migliazzo
Nipomo South Land WWTF
148 Wilson Street
P.O. Box 326
Nipomo, CA 93444

RE: Installation Agreement

Dear Mr. Migliazzo

Enclosed for your execution are two (2) Copies of Quantum Consulting's (QC's) Installation Agreement for the work that we will be doing for the Nipomo South Land WWTF. Please sign both copies where indicated and return them to my attention, I will return a fully executed copy to you. Our insurance company will send the required insurance certificate to you within the next week.

Please feel free to contact me at 510-540-7200 should you have any questions.

Regards,

Eileen A. Parker
Contract Administrator

Enclosures

QUANTUM CONSULTING, INC.

INSTALLATION AGREEMENT

CALIFORNIA WASTEWATER PROCESS OPTIMIZATION PROGRAM

The PARTIES:

PROGRAM MANAGER	SUBCONTRACTOR
Derrick Rebello, Ph.D.	BacGen Technologies
Quantum Consulting, Inc. (QC)	421 Beach Drive Southwest
2030 Addison Street, #410	Seattle, WA 98116
Berkeley, CA 94530	(206) 923.2382
(510) 540-7200	

CUSTOMER Name and Business Address	CUSTOMER FACILITY Address
Nipomo South Land WWTF	Nipomo South Land WWTF
148 Wilson Street	148 Wilson Street
P.O. Box 326	P.O. Box 326
Nipomo, CA 93444	Nipomo, CA 93444
(805) 929.1341	(805) 929.1341

This Installation Agreement between Quantum Consulting, (QC), and CUSTOMER, describes the roles and responsibilities of QC, its subcontractors, and CUSTOMER in participating in the California Wastewater Process Optimization Program (CalPOP). The CalPOP Program provides engineering services to identify energy conservation measures in wastewater treatment facilities, and provides rebates to facilities that implement those improvements. CalPOP is a California Public Utilities Commission (CPUC) approved program.

Through this Installation Agreement, the CUSTOMER agrees to participate in the California Wastewater Optimization Program. QC, SUBCONTRACTOR, and CUSTOMER roles and responsibilities in this Program are as follows:

1) QC Project Scope and Work

The following measures will be implemented by SUBCONTRACTOR:

- a) Implementation of Dual Headed Dissolved Oxygen Unit approximately 1/3 of the distance down the two Primary Aeration lagoons.
 - One DO sensor in each lagoon – with a common analyzer and communication panel mounted near source of power noted above
 - Installation of a 480/120v transformer to provide necessary power for DO Unit
 - Trenching across road between Primary Aeration basins (approximately 20 feet at a depth of 18 inches) for low voltage control cable to DO Sensor

- b) Installation of a new remote motor control system panel in the Blower Building complete with:
- Radio communications equipment linking to master SCADA PLC/PC
 - Slave PLC and relays wired into motor starters for all three blowers – allowing for remote motor control
 - Motor current inputs allowing for motor run status display and rudimentary energy consumption calculations.
- c) Installation of a PC-based SCADA control system, located in the facility office, with the following components and capabilities:
- Master PLC for communication with slave motor control panel and remote DO sensor unit.
 - PC-based user interface for display of all incoming signals (i.e. DO levels, motor status) as well as input of motor control parameters (i.e. timer or DO set-point based controls)
 - Battery back-up for short term power failures
 - Telephone switching device for remote access by BacGen programming and process engineering staff.

2) CUSTOMER Obligations:

- a) CUSTOMER agrees to assist Quantum Consulting and its subcontractors by providing a staff person knowledgeable about facility operations during installation visits who will discuss facility systems and equipment, details of their operation and assist in equipment and systems testing.
- b) CUSTOMER will help Quantum Consulting obtain its electric bills and electric load data from Pacific Gas and Electric Company (PG&E) for a period of 24 months. CUSTOMER may elect sign an authorization form for Quantum Consulting to collect this information from PG&E, or may request this information from PG&E and provide it directly to Quantum Consulting.
- c) CUSTOMER agrees to provide references and testimonials and the release of energy savings results data on the Program to Quantum Consulting for the recruitment of other customers. CUSTOMER provides permission for Quantum Consulting to develop a case study brochure from the results of the project for other customer recruitment.

3) Indemnification

Each party agrees to indemnify, defend, and hold harmless the other party and its respective officers, directors, agents, employees, contractors, and assigns from all claims, demands, or suits of any kind, including legal costs and attorneys fees, resulting from any willful or negligent conduct of the other party, its officers, directors, agents, employees, contractors, and assigns in connection

with, or arising out of the performance of such party's obligation under this Memorandum of Understanding.

CUSTOMER further agrees to indemnify, defend, and hold harmless the State of California, the California Public Utilities Commission, and Pacific Gas and Electric Company, and their respective officers, directors, agents employees, contractors, and assigns from all claims, demands, or suits of any kind, including legal costs and attorneys fees, resulting from any willful or negligent conduct of the CUSTOMER, its officers, directors, agents, employees, contractors, and assigns in connection with, or arising out of the performance of the CUSTOMER's obligation under this Memorandum of Understanding, regardless of any negligence or willful misconduct by the indemnified person, whether active or passive.

4) Disputes

In the event of a dispute between the parties, senior representatives of each party shall undertake good faith negotiations and discussion in an effort to resolve the dispute. Disputes not resolved within thirty days, may be submitted by either party for determination through final and binding arbitration in San Francisco, California, in accordance with the commercial arbitration rules of the American Arbitration Association.

5) Applicable Law

The laws of the State of California shall govern the construction, validity, and interpretation of this Memorandum of Understanding.

6) Miscellaneous

(a) Neither party may assign its rights under this Memorandum of Understanding without the prior written consent of the other, and any assignment of such rights hereunder without such consent shall be deemed void.

(b) No waiver, consent or modification of any other provisions of this Memorandum of Understanding shall be binding unless in writing and signed by duly authorized representatives of both parties, and no waiver by any party of any default of the other shall be deemed to be a waiver by such party of any other default.

(c) Each party represents and warrants to the other party that they are duly authorized to execute, deliver and perform their respective obligations under this Memorandum of Understanding.

CPUC-Required Disclosure Statement:

California consumers are not obligated to purchase any full service or other service not funded by this program. California utility ratepayers under the auspices of the California Public Utilities Commission fund this program.

Los consumidores en California no estan obligados a comprar servicios completos o adicionales que no esten cubiertos bajo este programa. Este programa esta financiado por los usuarios de servicios públicos en California bajo la jurisdiccion de la Comisión de

Servicios Públicos de California.


Agreed on this _____ day of _____, 2003.


By: _____
(Signature)

Patrick L. Piette, CFO
Quantum Consulting, Inc.

By: _____
(Signature)

Dan Migliazzo,
Nipomo South Land WWTF

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: AUGUST 13, 2003

AGENDA ITEM

AUGUST 13, 2003

CITY INCORPORATION QUESTIONNAIRE

ITEM

Review a draft questionnaire to be sent to District's ratepayers

BACKGROUND

The District has hired Davis and Company to do a feasibility incorporation study. It has been suggested that a questionnaire be sent out to the ratepayers to get their synopsis of what Nipomo is.

Attached is a questionnaire prepared by Directors Wirsing and Winn for the Board's review.

RECOMMENDATION

This is an information item.

Board 2003/City Incorporation questionnaire

QUESTIONNAIRE re CITYHOOD

The Nipomo Community Services District (NCSD) wants to know your views and opinions about incorporation, which we are studying. The answers will be summarized; none of the samples will be identified personally. Please: Only one form per business or household.

1. To you, what is "Nipomo"?

- From Los Berros Creek to the Santa Maria River
- Everywhere east of 101 to Highway 166; and west of 101 on the Mesa
- East of 101 south of Sheehy Road; and west of 101 on the Mesa south of Blacklake Canyon
- Everywhere in ZIP 93444
- Everywhere served by the NCSD
- Everywhere served by the NCSD or Cal Cities
- Only the downtown centered on Tefft Street and 101, and the adjoining residential neighborhoods
- I have no views on this topic.
- Other: _____

2. Should Nipomo incorporate?

- I strongly support incorporation.
- I'm inclined towards incorporation but would like more information.
- I'm undecided but would like more information.
- I'm not inclined towards incorporation but am open to future information.
- I strongly oppose to incorporation.
- I have no views on this topic.
- Other: _____

3. Who do you want to control future planning in the area where you live?

- A locally elected council
- My neighborhood is fully built out and has no future planning issues.
- San Luis Obispo County
- I have no views on this topic.
- Other: _____

4. Who do you want to control future planning in Nipomo?

- A locally elected council
- San Luis Obispo County
- I have no views on this topic.
- Other: _____

Turn in your answers by Friday, _____, 2003, to any of the following:

East side:
Jocko's, Roy's Barber Shop, Omelets & More,
The Mayor's Place, NCSD

West side:
VONS, Long's, Nipomo Library, Las Placitas
Market, Blacklake Community Building

5. Mark ALL that apply:

- I am a resident of Nipomo.
- I am not a resident of Nipomo.
- I am a resident within the NCSD area.
- I reside outside the NCSD area.
- I am an NCSD customer.
- I am not an NCSD customer.
- I am a Cal Cities customer.
- I have my own well.
- I belong to a mutual water company.
- Other: _____

6. Your household: How many?

- ___ total people ___ adults
- ___ registered voters
- ___ school-age children (5-18)
- ___ children under 5
- ___ persons employed full-time
- ___ persons employed part-time
- ___ persons retired

7. Your home:

- Own home & pay the taxes Yes No
- Rent Yes No
- Other: _____

8. I understand that incorporation will NOT raise my taxes.

- Yes No

9. I believe that incorporation WILL raise my taxes.

- Yes No

10. My residence is located in:
(Choose the best description)

- Rancho Nipomo / Rimrock
- East Nipomo (agricultural)
- East Nipomo (urban)
- South Mesa, off Moss Lane
- West Nipomo south of Tefft (urban), served by NCSD
- West Nipomo north of Tefft (urban), served by NCSD
- South of Tefft, served by Cal Cities
- North of Tefft, served by Cal Cities
- Blacklake Village
- West Nipomo (rural - 93444), between Willow Road & the south Mesa edge
- South of Summit Station, east of Pomeroy, north of Sandydale
- Summit Station / Lyn Road
- West Mesa (rural, not in a village)
- Callender-Garrett area
- Palo Mesa
- Area near Mesa Middle School (not in a village)
- Cypress Ridge
- Los Berros area
- Other: _____

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: AUGUST 13, 2003

**AGENDA ITEM
F
AUGUST 13, 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 brackets.

- F-1) WARRANTS [RECOMMEND APPROVAL]
- F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Minutes of July 23, 2003, Regular Board meeting
- F-3) FOURTH QUARTER FINANCIAL REPORT [RECEIVE AND FILE]
- F-4) NOTICE OF COMPLETION-CONSTRUCTION OF WATER STORAGE FACILITY [RECOMMEND APPROVAL]
- F-5) GENERAL MANAGER CONTRACT AMENDMENT [RECOMMEND APPROVAL]

WARRANTS AUGUST 13, 2003

AGENDA ITEM
F-1
AUGUST 13, 2003

HAND WRITTEN CHECKS

18642	07-23-03	IVERSON MOTORS	\$ 1,973.66
18643	08-04-03	R BLAIR	50.00
18644	08-04-03	L VIERHEILIG	50.00
18645	08-04-03	P BERNHOLDT	17.10
18646	08-04-03	SLO COUNTY CLERK RECORDER	14.00
18647	08-04-03	STATE COMP INSURANCE	2,224.41
18648	08-06-03	POSTMASTER	147.49
18649	08-13-03	PLATINUM PLUS	741.44

COMPUTER GENERATED CHECKS

8418 VOID

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information-Description
9375	08/01/03	EMP01	EMPLOYMENT DEVELOP DEPT	495.54	.00	495.54	A30728	STATE INCOME TAX
9376	08/01/03	MID01	MIDSTATE BANK-PR TAX DEP	1685.14	.00	1685.14	A30728	FEDERAL INCOME TAX
				476.28	.00	476.28	1A30728	MEDICARE (FICA)
			Check Total.....:	2161.42	.00	2161.42		
9377	08/01/03	MID02	MIDSTATE BANK - DIRECT DP	14569.99	.00	14569.99	A30728	NET PAY DEDUCTION
9378	08/01/03	PER01	PERS RETIREMENT	2369.77	.00	2369.77	A30728	PEPS PAYROLL REMITTANCE
				69.03	.00	69.03	1A30728	MILITARY SERVICE CP
			Check Total.....:	2438.80	.00	2438.80		
9379	08/01/03	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A30728	WAGE ASSIGNMENT
9380	08/01/03	STA01	STATE STREET GLOBAL	735.00	.00	735.00	A30728	DEFERRED COMF
93801	08/13/03	ADV01	ADVANTAGE ANSWERING PLUS	102.98	.00	102.98	54315	ANSWERING SERVICE
93802	08/13/03	AME02	AMERICAN INDUSTRIAL SUPPL	290.11	.00	290.11	120749	SIDE BOX FOR TRUCK
93803	08/13/03	AWW01	AWWA BOOKSTORE	159.00	.00	159.00	20540	ADVANCED WATER DISTRIBUTION
				67.50	.00	67.50	30003	SAFETY PRACTICES FOR WATER
			Check Total.....:	226.50	.00	226.50		
93804	08/13/03	BCC01	BASIC CHEMICAL SOLUTIONS	525.29	.00	525.29	S1361348	SODIUM HYPOCHLORITE
				272.09	.00	272.09	S1361352	SODIUM HYPOCHLORITE
				306.33	.00	306.33	S1364264	SODIUM HYPOCHLORITE
				412.15	.00	412.15	S1364267	SODIUM HYPOCHLORITE
			Check Total.....:	1515.86	.00	1515.86		
93805	08/13/03	BLA01	BLAIR, ROBERT D	100.00	.00	100.00	081303	REG BD MEETING CHARGE
93806	08/13/03	BLU01	BLUEPRINT EXPRESSE	14.88	.00	14.88	938-966	PRINTING
93807	08/13/03	CHAS2	CHARTER COMMUNICATIONS	54.90	.00	54.90	072303	INTERNET CONN
93808	08/13/03	COM01	COMPUTER NETWORK SERVICES	92.00	.00	92.00	12820	COMPUTER SUPPORT
93809	08/13/03	COR01	CORBIN WILLITS SYSTEMS	673.90	.00	673.90	A30715	MONTHLY SERVICE AGREEMENT
93810	08/13/03	COU01	COURIER SYSTEMS	100.00	.00	100.00	116079	LAB PICK UP & DELIVER
93811	08/13/03	CRE01	CREEK ENVIRONMENTAL LABS	30.00	.00	30.00	K2724	BL WWTB LAB
				30.00	.00	30.00	K2751	BL WWTB LAB
				30.00	.00	30.00	K2829	BL WWTB LAB
				30.00	.00	30.00	K2849	BL WWTB LAB
				30.00	.00	30.00	K2908	BLWTF LAB TEST
				30.00	.00	30.00	K2932	BLWTF LAB TEST
			Check Total.....:	180.00	.00	180.00		

WARRANTS AUGUST 13, 2003

AGENDA ITEM
F-1
AUGUST 13, 2003
PAGE TWO

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
008392	08/13/03	CUL01	CULLIGAN WATER CONDITION	14.00	.00	14.00	072503	DELIVERY BASIC CHARGE FEE
008393	08/13/03	DAV01	THE DAVIS COMPANY	5596.82	.00	5596.82	8/1/03	PROGRESS BILLING-CITY FEA
008394	08/13/03	DEND1	DENDY & ASSOCIATES	2646.82	.00	2646.82	JUNE 2003	GROUNDWATER LITIGATION
008395	08/13/03	DEW01	D E B DENAR INC	566.53	.00	566.53	343665	DIESEL FUEL FOR GENERATOR
008397	08/13/03	DHI01	DR JOHNSON CONSTRUCTION	3754.44	.00	3754.44	T&M #77	RELOCATE 1" WATER LINE -
				2450.09	.00	2450.09	T&M #78	HYDRANT RELOCATION TEFPT
			Check Total.....	6204.53	.00	6204.53		
008397	08/13/03	FAR01	FARM SUPPLY COMPANY	91.59	.00	91.59	113402	CITRIC ACID BL SEWER
				183.18	.00	183.18	129464	CITRIC ACID BL SEWER
				523.80	.00	523.80	129479	CITRIC ACID BL SEWER
				91.59	.00	91.59	123240 A	CITRIC ACID BL SEWER
				363.77	.00	363.77	123240 B	WEED ABATING SUPPLIES
			Check Total.....	1253.93	.00	1253.93		
008398	08/13/03	FAR02	FAR WEST EXPRESS	13.18	.00	13.18	59290	DELIVERY TO SLO MAILING
008399	08/13/03	FED01	FED EX	17.18	.00	17.18	481483262	DELIVERY TO STRODLING
008400	08/13/03	FER01	FERGUSON ENTERPRISES INC	805.30	.00	805.30	523573	SERVICE REPAIRS AND ABAND
008400	08/13/03	FER01	FERGUSON ENTERPRISES INC	463.32	.00	463.32	524796	SERVICE REPAIRS AND ABAND
				482.63	.00	482.63	526748	TEFFT ST REPAIR 16" LINE
				120.78	.00	120.78	534820	MISC PARTS
			Check Total.....	1872.03	.00	1872.03		
008401	08/13/03	FGL01	FGL ENVIRONMENTAL	44.80	.00	44.80	306861	NIPOMO WWTP LAB
				44.80	.00	44.80	306863	BL WWTP LAB
				44.80	.00	44.80	307144	BL WWTP LAB
				44.80	.00	44.80	307145	NIPOMO WWTP LAB
				210.40	.00	210.40	307440	BL WWTP LAB
				138.40	.00	138.40	307441	NIPOMO WWTP LAAB
			Check Total.....	528.00	.00	528.00		
008402	08/13/03	GAR01	GARING TAYLOR & ASSOC	357.20	.00	357.20	3624	GENERAL DIST ENG
				771.94	.00	771.94	3625	DANA FOOTHILL TANK
				453.00	.00	453.00	3626	TEFFT ST LIFT STN BID
				5344.27	.00	5344.27	3627	TEFFT ST OLDE TOWNE PROJE
				412.00	.00	412.00	3628	WOODLANDS
			Check Total.....	7338.41	.00	7338.41		
008403	08/13/03	GIL01	GLM, INC.	90.00	.00	90.00	073003	BL LANDSCAPE MAINT
				260.00	.00	260.00	073103	OFFICE LANDSCAPE MAINT
			Check Total.....	350.00	.00	350.00		
008404	08/13/03	GWA01	GWA INC	25.00	.00	25.00	072003	ALARM SERVICE
008405	08/13/03	JAC01	JACK'S REPAIR & SALES	244.44	.00	244.44	292831	WEED WHACKER REPAIR
				122.44	.00	122.44	292832	MISC PARTS & SUPPLIES
				102.90	.00	102.90	16227-77	MISC PARTS & SUPPLIES
			Check Total.....	469.78	.00	469.78		
008406	08/13/03	JOH01	JOHNSON, DONNA	9.14	.00	9.14	073103	TAPES FOR BD MEETING
				5.59	.00	5.59	080103	SUPPLIES REIMB
			Check Total.....	14.73	.00	14.73		
008407	08/13/03	KING01	KINKO'S	80.60	.00	80.60	319541	BUS CARDS - WINN
				18.64	.00	18.64	321056	PRINT BL SEWER NOTICES
			Check Total.....	99.24	.00	99.24		
008408	08/13/03	MIS01	MISSION UNIFORM SERVICE	290.52	.00	290.52	073103	UNIFORMS 108886
008409	08/13/03	MJR01	M J ROSS CONSTRUCTION INC	57603.24	.00	57603.24	4704	WATER & SEWER LATERALS TE
008410	08/13/03	NEX01	NEXTEL COMMUNICATIONS	211.96	.00	211.96	87314-020	CELL PHONES
008411	08/13/03	NIC01	NICKSON'S MACHINE SHOP	242.76	.00	242.76	68873	SUNDALE WELL REPAIR
008412	08/13/03	NIP01	NIPOMO ACE HARDWARE INC	195.56	.00	195.56	073103	MISC SUPPLIES INV 389095-
008413	08/13/03	NIP06	NIPOMO AUTO PARTS	36.97	.00	36.97	3081	MISC SUPPLIES
008414	08/13/03	NOB01	NOBEL SYSTEMS	10291.50	.00	10291.50	8079	UPDATING SEWER & WATER DA
008415	08/13/03	SAC01	FACEBELL/WORLDCOM	34.58	.00	34.58	T1564945	PHONE 9290161
				93.50	.00	93.50	T1564947	PHONE 9291133

WARRANTS AUGUST 13, 2003

AGENDA ITEM
F-1
AUGUST 13, 2003
PAGE THREE

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
1000	08/13/03	FA001	FARBELL, WORLDWIDE	60.97	.00	60.97	71564948	PHONE 4291341
			Check Total.....	189.05	.00	189.05		
1001	08/13/03	PER05	PERFORMANCE METER, INC	7739.70	.00	7739.70	6573	30 3/4" METERS 10 1/2" METE
				1418.70	.00	1418.70	6574	2 PIPE HYDRANT METERS
				707.85	.00	707.85	6576	FIRE HYDRANT METER - 4344
			Check Total.....	9863.25	.00	9863.25		
1007	08/13/03	PG001	P G & E	45262.02	.00	45262.02	072403	ELECTRICITY 444866403-1
				-25.00	.00	-25.00	A307280	DISRUPTION OF SERVICE RE
				3378.17	.00	3378.17	5/2-7/1	CHURCH WELL ELECTRICITY
			Check Total.....	48615.19	.00	48615.19		
10043	08/13/03	PL001	PLATINUM PLUS FOR BUSINES	342.40	.00	342.40	062303	AWWA SEMINAR HOTEL ETC
				-342.40	.00	-342.40	062303u	Ck# 008418 Reversed
				237.04	.00	237.04	071103	MISC SUPPLIES
				-237.04	.00	-237.04	071103u	Ck# 008418 Reversed
				504.40	.00	504.40	071403	CSDA SEMINAR HOTEL ETC
				-504.40	.00	-504.40	071403u	Ck# 008418 Reversed
			Check Total.....	.00	.00	.00		
100419	08/13/03	PRE01	PRECISION JANITORIAL	275.00	.00	275.00	116-03	JULY JANITORIAL SERVICE
100410	08/13/03	QU103	QUINN RENTAL SERVICES	71.96	.00	71.96	2043979	CONCRETE FOR RELOCATION O
				8.41	.00	8.41	2045350	CONCRETE READY MIX
			Check Total.....	80.27	.00	80.27		
100401	08/13/03	SLO02	DIV OF ENVIRON HEALTH	756.00	.00	756.00	26660	LAB TESTS
100400	08/13/03	SLO04	SAN LUIS OBISPO AUDITOR	13249.00	.00	13249.00	LAFCO 2	LAFCO BUDGET ALLOCATIONS
100402	08/13/03	SLO05	SAN LUIS OBISPO ASSESSOR	17.50	.00	17.50	40859	UPDATE MAPS
100404	08/13/03	SOU01	SOUTH COUNTY SANITARY	14.58	.00	14.58	377075	TRASH COLLECTION
100405	08/13/03	SPE02	SPECIAL DISTRICT FINANCI	1500.00	.00	1500.00	3290	ANNUAL ADMIN FEE FOR A/E
100406	08/13/03	SPI01	SPIESS CONSTRUCTION CO.	6867.36	.00	6867.36	073103	DANA FOOTHILL WATER STORA
100412	08/13/03	THE01	THE GAS COMPANY	20.04	.00	20.04	072103	OFFICE HEAT 06235160049
				7930.15	.00	7930.15	073003	SUNDALE WELL 05028175
			Check Total.....	7950.19	.00	7950.19		
100418	08/13/03	THE02	THE TRIBUNE	36.00	.00	36.00	082603	NEWSPAPER DELIVERY
100408	08/13/03	TRI01	TRI-STATE SEMINAR	45.00	.00	45.00	MOTLEY	SEMINAR SEPT 25-27
				45.00	.00	45.00	SIMMONS	SEMINAR SEPT 25-27
			Check Total.....	90.00	.00	90.00		
100417	08/13/03	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	081303	REG BD MEETING 081303
100416	08/13/03	UND01	UNDERGROUND SERVICE ALERT	202.44	.00	202.44	30070644	UNDERGROUND NOTIFICATION
100415	08/13/03	VAL01	VALLEY SEPTIC SERVICE	1318.20	.00	1318.20	1232	JETTING ASHLAND TO DRUM
				960.30	.00	960.30	1236	JETTING HILL, GRANCE, SOU
100414	08/13/03	VAL01	VALLEY SEPTIC SERVICE	1051.20	.00	1051.20	1239	JETTING BL & TOWN
				667.20	.00	667.20	1249	JETTING SOUTHLAND, STOPY,
			Check Total.....	3996.90	.00	3996.90		
100413	08/13/03	VER01	VERIZON	30.37	.00	30.37	071903	BL PHONE 343-2397
				29.32	.00	29.32	071903-2	BL PHONE 343-8061
			Check Total.....	59.69	.00	59.69		
100411	08/13/03	VIC01	VICTOR BACKHOE, INC.	3147.82	.00	3147.82	1323	TEFFT ST WATER MAIN & JEF
100410	08/13/03	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	081303	REG BD MEETING 081303
100409	08/13/03	VIK01	VIKING OFFICE PRODUCTS	109.28	.00	109.28	603487	MISC SUPPLIES
100407	08/13/03	WIN01	WINN, MICHAEL	100.00	.00	100.00	081303	REG BD MEETING 081303
100406	08/13/03	WIR01	WIRSING, JUDY	100.00	.00	100.00	081303	REG BD MEETING 081303
100405	08/13/03	WOO03	W O BEECHAM CORP,	391.33	.00	391.33	000A30701	MQ CUSTOMER REFUND
100404	08/13/03	WOT03	WESTERN COAST TRILLIS,	316.55	.00	316.55	000A30701	MQ CUSTOMER REFUND
100403	08/13/03	WOO02	WRAEBOCH, A PILLOW & JEFF	72.05	.00	72.05	000A30701	MQ CUSTOMER REFUND
100402	08/13/03	WOO01	WIPOMO BUSINESS CENTER,	36.00	.00	36.00	000A30701	MQ CUSTOMER REFUND
100401	08/13/03	WOO00	WILSON EXCAVATING,	224.37	.00	224.37	000A30701	MQ CUSTOMER REFUND

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

JULY 23, 2003

REGULAR MEETING

8:00 A.M.

AND

A SPECIAL MEETING OF

BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT PUBLIC FACILITIES CORPORATION

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

DOUG JONES, GENERAL MANAGER
DONNA JOHNSON, BOARD SECRETARY
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, 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

President Winn called the meeting to order at 8:02 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call, all Board members were present.

CLOSED SESSION

Jon Seitz, District Legal Counsel, announced the need to go into Closed Session to discuss the following. There was no public comment on the Closed Session item. The Board adjourned to the conference room.

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9

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

The Board came back into Open Session at 9:30. Jon Seitz, District Legal Counsel, reported that the Board heard an update on the above case and had no reportable action.

OPEN SESSION

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) REVIEW WATER CODE 350/WATER SHORTAGES

Review report from District Legal Counsel and give direction to staff

Jon Seitz, District Legal Counsel, expounded upon the report presented to the Board regarding Water Code § 350 as it relates to (a) the District's ability to provide existing and future District customer with water and (b) Alternatives if a water shortage is determined to exist. He stated that he did not include the Blacklake Development as that area is at build-out.

The following members of the public spoke:

Ed Eby, NCSD Customer – stated that he objected to the Board hearing this report as it was not available to the public before today and the Board should not take action today.

Eugene Melschau, Nipomo resident – stated that he is a farmer of avocados and a Mutual Water Co member but today he is speaking as a farmer on the east side of Nipomo. He stated that he is concerned with the pumping for the wells on the east side because the farmers have had real challenges for years with fluctuating well levels.

Director Blair stated he would like to know what supplemental water will cost customers.

MINUTES SUBJECT TO BOARD APPROVAL

Homer Fox, NCSD customer – stated that when Mike Hermreck pumped his well hard, he had heard of three wells that in his area dried up.

Bill Morrow, NCSD resident – stated that he was confused by this issue and would like to see an effective, simplified graphics report. He stated that the impact of many more homes here will impact the feasibility study and the water issue.

Guy Murray, NCSD resident – urged the Board to use caution if planning to declare a water shortage.

This was an information item and not for Board action. The Board members discussed the report from Mr. Seitz.

Director Wirsing asked if conservation measures are punishing the ratepayers. [Mr. Seitz replied that tiered rates can be viewed as punitive or responsible.]

Director Trotter stated that this would be a volatile issue if water rates are tiered.

Director Blair stated that growth happens and can support a tiered rate structure but he cannot support a moratorium on water.

Director Vierheilig stated this is a good report but needs some work. Water conservation should be everyone's concern. He could support Mr. Seitz's suggestion of a growth percentage.

Director Wirsing stated that she is against a moratorium but would like to have some restrictions such as the County's 2.3% growth cap.

Director Trotter stated that he too is against moratorium and the answer to some of these water problems is supplemental water.

Director Winn had the following suggestions for a refined report:

- a) Urged Mr. Seitz to use the word connection rather than customer in his report.
- b) Check per parcel potential usage
- c) Difference between production and consumption is about 4.5% [Industry standard is 3% {Mr. Trotter}] *{Normal standard is around 10%}*
- d) Separate parks and schools and possibly use a different tiered rate
- e) East side pumping – need to check possible impacts on agriculture and possibly wait to put Hermreck well on line.
- f) Recommends support of #1 suggestion but no retrofits
- g) Would like to see a water plan created inexpensively
- h) Education to schools possibly not productive
- i) Would like report on Urban Water Management Plan by September 10th meeting

The Board took a short break at 11:05 a.m.

- D-2) NIPOMO HIGH SCHOOL WATER SERVICE
Resolution to approve a time extension to complete a new service agreement

The Board discussed the resolution to extend the termination date of the Agreement from August 14, 2003 to October 17, 2003, in order to complete a new service agreement to provide water and sewer service to the new Nipomo High School.

Diana Larson, Deputy Superintendent of Lucia Mar Unified School District thanked the Board for its cooperation.

The following members of the public spoke:

Dick Mobraaten, NCSD resident – urged the Board to grant the extension.

Donna Mills, Board President of the LMUSD – stated that the number of Intent-to-Serve letters granted by the District impacts the school.

Upon motion of Director Wirsing and seconded by Director Blair, the Board unanimously approved Resolution 2003-872 extending termination date of agreement between NCSD and LUMSD. There was no public comment on this motion. Vote 5-0

**RESOLUTION 2003-872
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
EXTENDING TERMINATION DATE OF AGREEMENT**

- D-3) REQUEST FOR ANNEXATION – ANNEX NO. 23 (NESTER)
Request to annex 18½ acres, an 18-lot development on Pomeroy Rd. at Waypoint

The Board discussed the request for annexation from Greg Nester for 18½ acres on Pomeroy Road at Waypoint.

Director Wirsing asked if this was the correct form approved by the Board.

The following member of the public spoke:

Greg Nester, developer of project – stated that he did not understand the process. He thought the Board approved the annexation in November and was waiting for the new annexation policy before an annexation agreement was drafted. He told the Board that this was a clustered development. Upon motion of Director Vierheilig and seconded by Director Blair, the Board agreed to have an annexation agreement prepared. There was no public comment on this motion. Vote 4-1 with Director Wirsing voting no.

- D-4) REQUEST FOR SERVICE – TRACT 2561 (BURNSED)
Request for water and sewer service for an 8-lot development on S. Frontage Rd

The Board reviewed the request for service. Jon Seitz, District Legal Counsel, suggested added language to the Intent-to-Serve letter.

Tim Crawford Central Coast Engineering, representative for the developer, Dr. Burnsed – requested issuance of an Intent-to-Serve letter.

Upon motion of Director Blair and seconded by Director Vierheilig, the Board approved the Intent-to-Serve letter for Tract 2561 with the conditions as outlined on the Board letter with as well as the following:

6. Other future conditions may be established by the Board of Directors prior to issuance of a final Will-Serve letter.

There was no public comment on this motion. Vote 5-0 with Director Wirsing abstaining.

- D-5) OLDE TOWNE WATER AND SEWER SERVICE FUNDING AGREEMENT
Review/approve an agreement between NCSD & SLO County for funding service connections

The Board discussed the State of California's Jobs Housing Balance Incentive Grant Program funds totaling approximately \$159,000.00.

Upon motion of Director Trotter and seconded by Director Vierheilig, the Board unanimously approved the "Agreement Regarding Use of State Jobs Housing Balance Incentive Grant Program for Tefft Street Improvements in the Nipomo Olde Towne Area" subject to minor details to be worked out by staff.

There was no public comment on this motion. Vote 5-0

E. OTHER BUSINESS

- E-1) AGREEMENT TO PURCHASE VINTAGE STREET LIGHTING
Review agreement to purchase street lighting with HCH grant funds

Staff recommends to continue this item until the County Council approves expenditure for the street lights. Upon motion of Director Blair, seconded by Director Vierheilig, the Board agreed to continue the item. There was no public comment on this motion. Vote 5-0.

- E-2) TEFFT STREET WATER AND SEWER PROJECT
Approve Change Order No. 1 – Installation of water and sewer services

The Board discussed the proposed Change Order for installation of water and sewer services. Upon motion of Director Blair and seconded by Director Wirsing, the Board approved the change order in the amount of \$95,031.00. There was no public comment on this motion. Vote 5-0

- E-3) AMENDING TRUST AGREEMENT
Resolution approving amendment to Trust Agreement to allow bond receipts to be invested in LAIF

The Board discussed the amendment to the Trust Agreement to allow bond receipts to be invested in LAIF. Upon motion of Director Blair and seconded by Director Trotter, the Board approved Resolution 2003-873. There was no public comment on this motion. Vote 5-0.

**RESOLUTION NO. 2003-873
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT APPROVING A
FIRST AMENDMENT TO THE TRUST AGREEMENT AND
MAKING CERTAIN OTHER DETERMINATIONS
IN CONNECTION THEREWITH**

ADJOURN TO THE NIPOMO COMMUNITY SERVICES DISTRICT PUBLIC FACILITIES CORPORATION

President Winn adjourned the regular meeting of the Nipomo Community Services District to the Nipomo Community Services District Public Facilities Corporation at 12:23 p.m.

ROLL CALL

At Roll Call, all Board members were present.

Public Comment on Agenda Items

The public has the right to comment on any item on the Special Meeting Agenda. Comments are limited to 3 minutes or otherwise at the discretion of the Chair. There was no public comment.

- A. **AMENDING TRUST AGREEMENT Resolution 2003-04**
Resolution approving amendment to Trust Agreement to allow bond receipts to be invested in LAIF

Upon motion of Director Blair and seconded by Director Vierheilig, the Board unanimously approved Resolution 2004-03 of the Public Facilities Corporation approving a first amendment to the trust agreement. There was no public comment on this motion. Vote 5-0

**RESOLUTION NO. 2003-04
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
PUBLIC FACILITIES CORPORATION APPROVING
A FIRST AMENDMENT TO THE TRUST AGREEMENT AND
MAKING CERTAIN OTHER DETERMINATIONS IN CONNECTION THEREWITH**

ADJOURN TO NIPOMO COMMUNITY SERVICES DISTRICT - REGULAR MEETING

President Winn adjourned the regular meeting of the Nipomo Community Services District Public Facilities Corporation to the Nipomo Community Services District at 12:24 p.m.

President Winn called the regular meeting of NCS D back to order at 12:24 p.m.

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

- F-1) WARRANTS [RECOMMEND APPROVAL]
F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Minutes of July 10, 2003, Regular Board meeting
F-3) DISTRICT INVESTMENT POLICY – QUARTERLY REPORT [RECEIVE AND FILE]
Quarterly investments report as of June 30, 2003
F-4) ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS (STOKES) [REC. APPROVAL]
Resolution accepting water and sewer improvements for CO 03-0026 on Day and Thompson

Director Wirsing asked about F-4 and was told that this project was complete.

Upon motion of Director Vierheilig and seconded by Director Blair, the Board unanimously approved the Consent Agenda. There was no public comment on this motion. Vote 5-0

G. MANAGER'S REPORT

Doug Jones, District General Manager, had no report to give.

H. COMMITTEE REPORTS

There were no Committee Reports.

I. DIRECTORS COMMENTS

Director Trotter read a statement into the record and will refine it to be included in the minutes. (attached)

Director Wirsing asked about the letter from Mr. Benham regarding landscaping for his project. [Mr. Jones explained that he asked Mr. Benham for a more detailed request.]

Director Vierheilig stated that many people have asked him about an automatic payment system. Someone from the Salmon Enhancement Program will be requesting funding of the Nipomo Creek Clean Up Day (Oct 4) which will be more extensive this year. He mentioned a meeting to be held Tuesday, July 29 at the Dunes Center discussing the future of water quality regulations in the Santa Maria Guadalupe. Julia Dyer will be speaking.

Director Blair stated that the County Board of Supervisors approved \$124,000.00 for a Summit Station study.

He also announced that he would be a member on the CSDA Board. He will take office in Sept.

Director Winn mentioned an article in a research brief regarding turnouts at meetings. He will pass on the information to the Incorporation Committee. He has extensive comments to submit. He stated that the last day to comment to LAFCo on the SOI IS July 31, 2003. He stated that at the LAFCo meeting, the Memorandum of Agreement, which our Board approved, is being characterized as a modified agreement. He stated that it is not a modified agreement. He asked LAFCo to assist us in drafting a proposal from the NCSD to the Board of Supervisors. Another meeting will be held next week to discuss the matter. The SLO County Watershed Program is working with the County Farm Bureau, the Salmon Enhancement and others and put together a steering group. He has attended the meetings to make sure Nipomo's interests are being involved. He will not support the Creek Cleanup this year. The Farm Bureau provides two 15-hour courses in ranchland water quality management and farmland water quality management. He would like some empirical data from staff as to where the water goes when it leaves our wastewater treatment plant.

Jon Seitz, District Legal Counsel, announced the need to go into Closed Session to discuss the following items. Mr. Seitz noted that there was no audience to comment on the Closed Session. The Board went into Closed Session at 12:42 p.m.

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. WATER LINE EASEMENT ACROSS COUNTY PARK - DISTRICT NEGOTIATOR - DOUG JONES, CONFERENCE WITH NEGOTIATOR GC\$54956.8 COUNTY NEGOTIATOR - PETE JENNY. REGARDING TERMS & PRICE.
- C. LABOR NEGOTIATIONS/UNREPRESENTED EMPLOYEES
 - GENERAL MANAGER POSITION CONFERENCE WITH DISTRICT'S NEGOTIATOR JON SEITZ GC\$54957.8
 - ADMINISTRATIVE ASSISTANT CONFERENCE WITH NEGOTIATOR DOUG JONES GC\$54957.6

The Board came back into open session and had no reportable action.

ADJOURN

President Winn adjourned the meeting at 1:30 p.m.

The next regular Board meeting will be August 13, 2003.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: AUGUST 13, 2003

AGENDA ITEM

AUGUST 13, 2003

FOURTH QUARTER FINANCIAL STATEMENTS

ITEM

Review and file Fourth Quarter Financial Statements

BACKGROUND

Attached is the summary of revenues and expenses and cash balances for each fund as of June 30, 2003 (Page 1). Also, attached are the Unaudited Consolidated Balance Sheet as of June 30, 2003 (Page 2) and the Unaudited Consolidated Income Statement for the twelve months ended June 30, 2003 (Page 3-4).

The Finance Committee has requested that graphs be presented with the quarterly financial report. On Pages 5-6, the graphs for Combined Revenue and Expenditures are presented. The graphs for each of the major funds (Town Water, Town Sewer, Blacklake Water and Blacklake Sewer) are found on Pages 7-10.

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

The Auditor, Carlos Reynoso, CPA, conducted the audit of the District the week of August 4. Upon completion of this work, he will make a formal presentation to the Board of Directors on the financial status of the District as of June 30, 2003. It is expected that his presentation will be made the first meeting in October.

RECOMMENDATION

It is recommended that your Honorable Board accept and file the fourth quarter financial statements.

SUMMARY OF REVENUES ^b EXPENSES BY FUND
TWELVE MONTHS ENDING JUNE 30, 2003

FUND	FUND #	YTD REVENUES	YTD EXPENSES	FUNDED REPLACEMENT	SUBTOTAL	TRANSFERS TO/FROM	NON CASH DEPREC/AMORT	YTD SURPLUS/ (DEFICIT)
Administration	110	153,623	(155,753)	0	(2,130)	0	(15,390)	(17,520)
Town Water	120	1,475,192	(1,302,658)	(358,050)	(185,516)	400,000	(265,113)	(50,629)
Town Sewer	130	631,136	(339,525)	(255,750)	35,861	0	(204,564)	(168,703)
Blacklake Water	140	211,549	(252,928)	(20,000)	(61,379)	0	(96,489)	(157,868)
Blacklake Sewer	150	150,992	(133,465)	(34,000)	(16,473)	0	(40,434)	(56,907)
Montecito Verde II	160	5,205	(3,635)	0	1,570	0	0	1,570
Blacklake Streetlighting	200	19,410	(20,119)	0	(709)	0	0	(709)
Landscape Maintenance	250	74	0	0	74	0	0	74
Solid Waste	300	79,425	(12,572)	0	66,853	0	0	66,853
Drainage Maintenance	400	11,494	0	0	11,494	(11,508)	0	(14)
Property Taxes	600	309,228	(4,457)	0	304,771	(388,492)	(22,780)	(106,501)
Town Water Capacity Fees	700	56,980	(3,050)	0	53,930	0	(44,890)	9,040
Town Sewer Capacity Fees	710	89,403	(3,050)	0	86,353	0	(65,261)	21,092
Funded Replacement-Town Water	800	23,893	(26,402)	358,050	355,541	0	(757)	354,784
Funded Replacement-Town Sewer	810	34,344	0	255,750	290,094	0	(595)	289,499
Funded Replacement-BL Water	820	11,584	0	20,000	31,584	0	0	31,584
Funded Replacement-BL Sewer	830	2,045	0	34,000	36,045	0	(119)	35,926
TOTAL		3,265,577	(2,257,614)	0	1,007,963	0	(756,392)	251,571

CASH BALANCE OF EACH FUND
AS OF JUNE 30, 2003

FUND	FUND #	CASH BALANCE 06/30/03
Administration	110	33,564
Town Water	120	205,989
Town Sewer	130	665,230
Blacklake Water	140	128,071
Blacklake Sewer	150	43,730
Montecito Verde II	160	43,992
Blacklake Streetlighting	200	53,534
Landscape Maintenance	250	10,303
Solid Waste	300	116,232
Drainage Maintenance	400	5,000
Property Tax	600	978,801
Town Water Capacity Fees	700	2,347,689
Town Sewer Capacity Fees	710	4,308,452
Funded Replacement-Town Water	800	1,241,950
Funded Replacement-Town Sewer	810	1,726,206
Funded Replacement-BL Water	820	552,296
Funded Replacement-BL Sewer	830	115,948
TOTAL		12,576,987

NIPICO COMMUNITY SERVICES DISTRICT
BALANCE SHEET - CONSOLIDATED
AS OF JUNE 30, 2003

ASSETS

Land and Land Equivalents	16,400,223.99
Accounts Receivable - Utility Billing	81,255.18
Unbilled Accounts Receivable	321,000.00
Property, Plant & Equipment	30,168,659.79
Accumulated Depreciation	(8,159,021.72)
Accrued Interest Receivable	57,594.06
Articles Franchise Fees	10,961.90
Receivable - Other	1,484.99
Notes Receivable - MV I	25,762.21
Deposit - W/C Insurance	2,039.00
Loan Fees - SRF Loan	256,834.00
Accumulated Amortization - SRF Loan Fees	(74,210.07)
Revenue COF's Bond Discount	178,100.60
Accumulated Amortization - Bond Discount	(742.08)
Total Assets	39,269,941.85

LIABILITIES

Accounts Payable	270,499.48
Accrued Wages	18,290.42
Refunds Payable	829.85
Construction Meter Deposits	11,000.00
Compensated Absences Payable	55,363.00
Deposits	239,768.14
Payroll Taxes Payable	2,505.89
Retention Payable	41,220.01
Deposit - Bomeroy Rd Water Line	24,170.00
Deferred Revenue	6,300.00
Revenue Bonds - Current Portion	8,000.00
SRF Loan #110 - Current Portion	34,868.35
SRF Loan #120 - Current Portion	42,180.25
Revenue Bonds Payable - Long Term Portion	154,000.00
SRF Loan #110 Payable - Long Term Portion	523,025.25
SRF Loan #120 Payable - Long Term Portion	674,884.00
Revenue COF's - Long Term Portion	4,000,000.00
Total Liabilities	6,106,904.64

FUND EQUITY

Contributed Capital - Assets	7,793,180.72
Contributed Capital - Capacity Fees (CY)	1,687,012.50
Contributed Capital - Capacity Fees (PY)	12,448,756.11
Contributed Capital - Right of Way	70,100.00
Contributed Capital - Assessment Districts	1,461,232.00
Contributed Capital - Grants	3,104,505.00
Retained Earnings-Reserved (Debt Service)	15,600.00
Retained Earnings-Reserved (Emergencies)	50,000.00
Retained Earnings-Reserved (Sewer Grant)	240,000.00
Retained Earnings-Reserved (Funded Replacement)	2,951,601.52
Retained Earnings - Unreserved	3,089,478.66
CURRENT EARNINGS	251,570.70
Total Fund Equity	33,163,037.21
Total Liabilities and Fund Equity	39,269,941.85

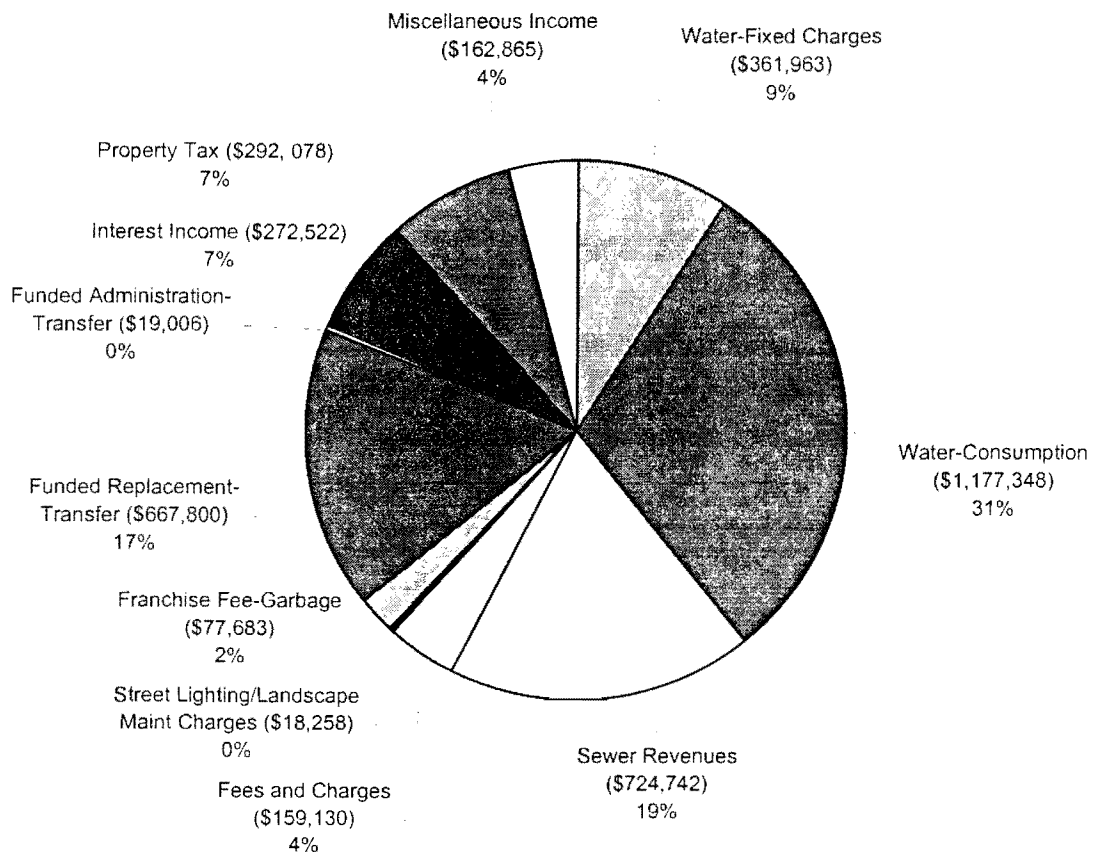
UNAUDITED

NIPOMO COMMUNITY SERVICES DISTRICT
 INCOME STATEMENT - CONSOLIDATED
 FOR THE PERIOD ENDING JUNE 30, 2003

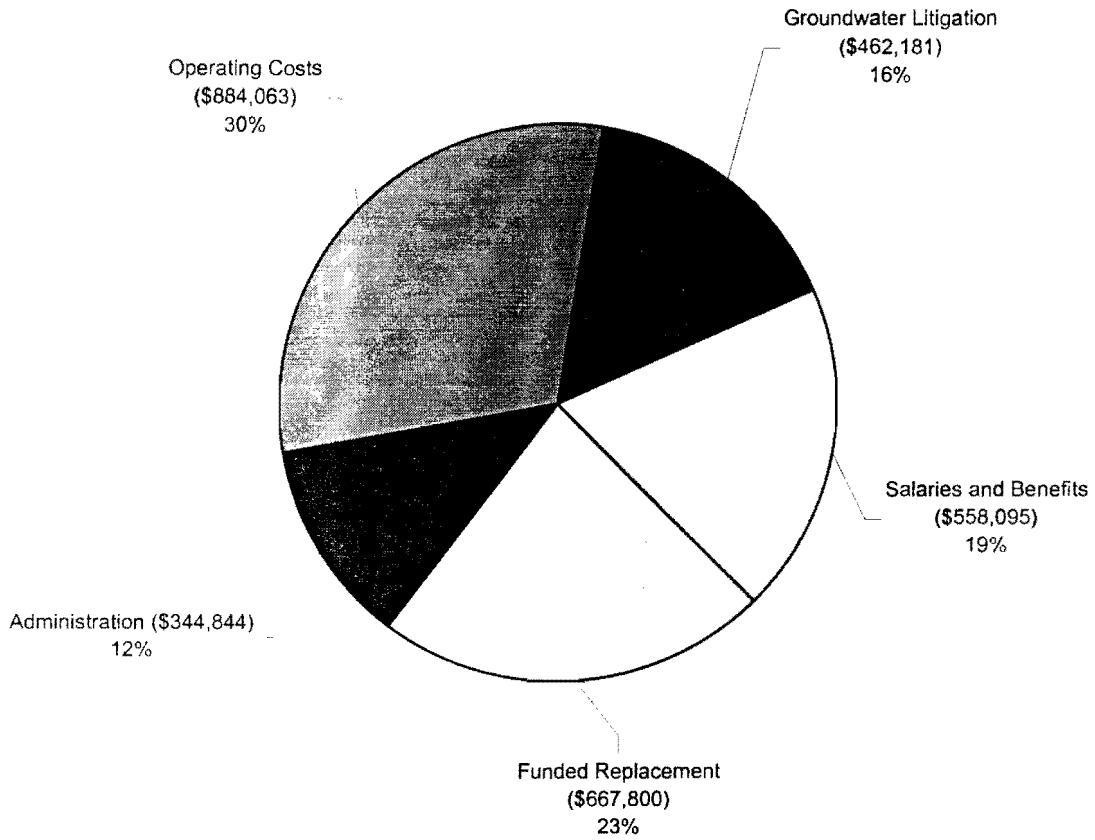
	YTD ACTUAL	ANNUAL BUDGET	% REMAINING
Computer Expense	13,538.58	13,000.00	(4.14)%
Consulting	21,942.76	16,000.00	(37.14)%
Director Fees	17,550.00	17,000.00	(3.24)%
Fees and Subscriptions	7,579.73	5,500.00	(37.81)%
Education and Training	5,943.40	6,800.00	12.60 %
Elections	3,549.86	3,500.00	(1.42)%
Insurance - Disability	22,395.54	24,000.00	6.29 %
Landscaping	15,371.00	17,000.00	9.58 %
Landscape and Manicorial	8,549.07	8,390.00	(1.90)%
Legal - General Counsel	43,795.21	74,000.00	40.82 %
Legal - Water Counsel	462,180.72	300,000.00	(54.06)%
Professional Services-Unanticipated	104,780.75	0	.00 %
Miscellaneous	1,580.29	35,000.00	95.48 %
Newsletters & Mailers	946.05	3,700.00	74.43 %
Office Supplies	6,917.63	5,000.00	(38.35)%
Operating Supplies	3,454.43	7,500.00	53.94 %
Outside Service	3,297.30	2,000.00	(64.87)%
Postage	12,902.67	15,600.00	17.29 %
Public Notices	6,188.70	3,150.00	(96.47)%
Repairs and Maintenance	4,200.98	5,200.00	19.21 %
Property Taxes	650.80	625.00	(4.13)%
Telephone	5,790.44	5,200.00	(11.35)%
Travel and Mileage	6,012.79	8,000.00	24.84 %
Operating Transfer Out - Funded Administration	19,005.96	144,470.00	86.84 %
Subtotal - G & A	1,089,353.39	1,016,205.00	(7.20)%
NON OPERATING INCOME			
Interest Income	272,522.27	353,350.00	22.87 %
Property Tax Revenues	292,077.98	243,200.00	(20.10)%
Subtotal - Non Operating Income	564,600.25	596,550.00	5.36 %
NON OPERATING EXPENSES			
Interest Expense	8,450.00	8,450.00	.00 %
Amortization	21,630.22	0	.00 %
Depreciation Expense (Non Cash)	734,762.00	0	.00 %
Subtotal - Non Operating Expenses	764,842.22	8,450.00	(999.99)%
Net Surplus/(Deficit)	251,570.70	723,529.00	(65.23)%

UNAUDITED

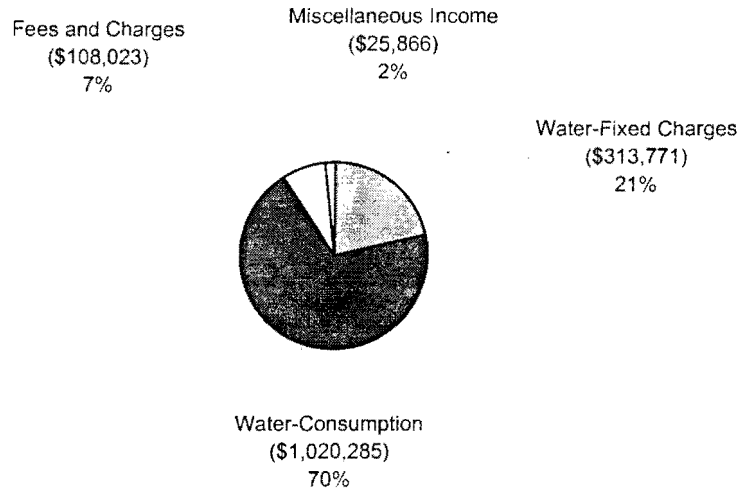
**NIPOMO COMMUNITY SERVICES DISTRICT
COMBINED REVENUE OF ALL FUNDS
JUNE 30, 2003**



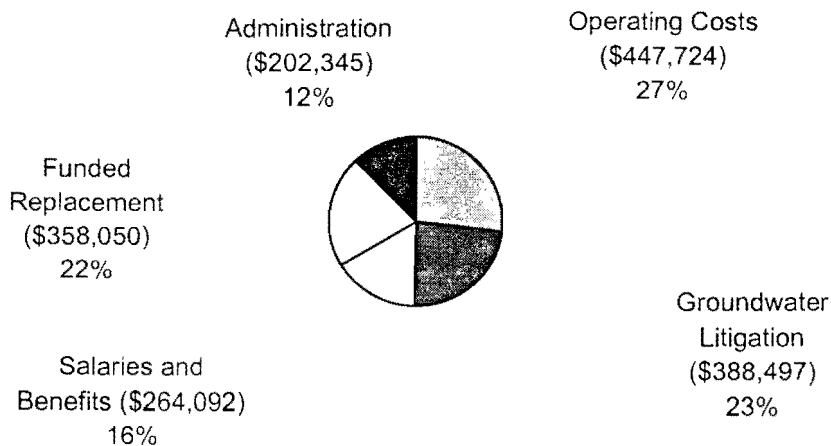
**NIPOMO COMMUNITY SERVICES DISTRICT
COMBINED EXPENDITURES OF ALL FUNDS
JUNE 30, 2003**



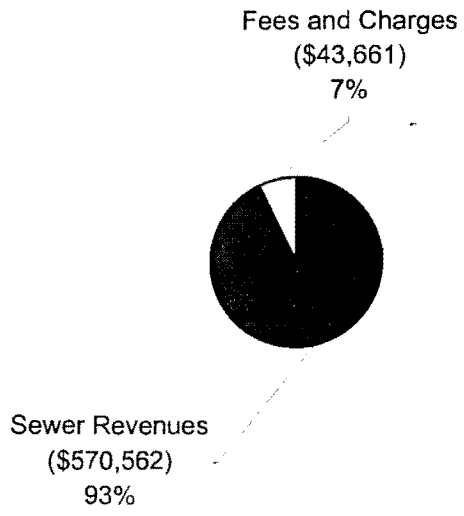
**NIPOMO COMMUNITY SERVICES DISTRICT
TOWN WATER FUND #120
REVENUES-JUNE 30, 2003**



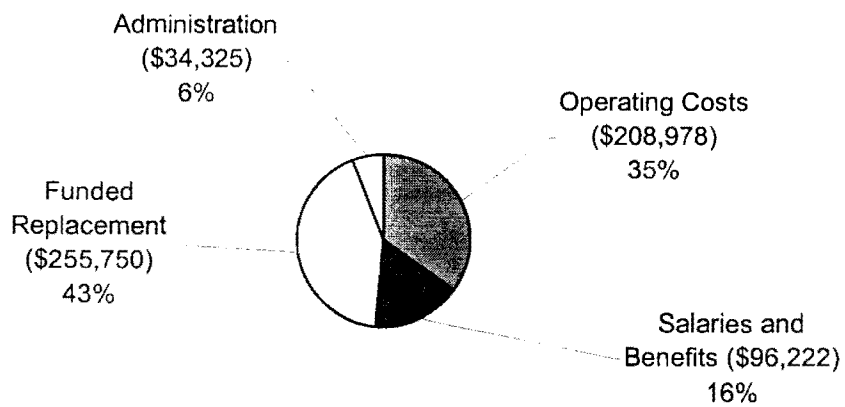
**NIPOMO COMMUNITY SERVICES DISTRICT
TOWN WATER FUND #120
EXPENDITURES-JUNE 30, 2003**



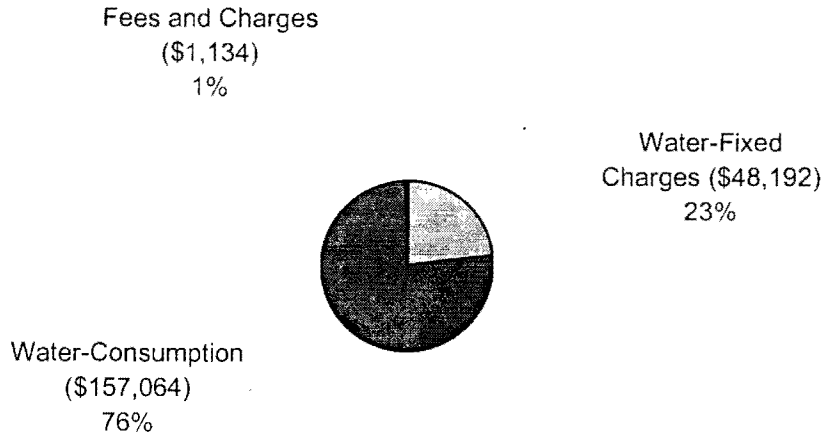
**NIPOMO COMMUNITY SERVICES DISTRICT
TOWN SEWER FUND #130
REVENUES-JUNE 30, 2003**



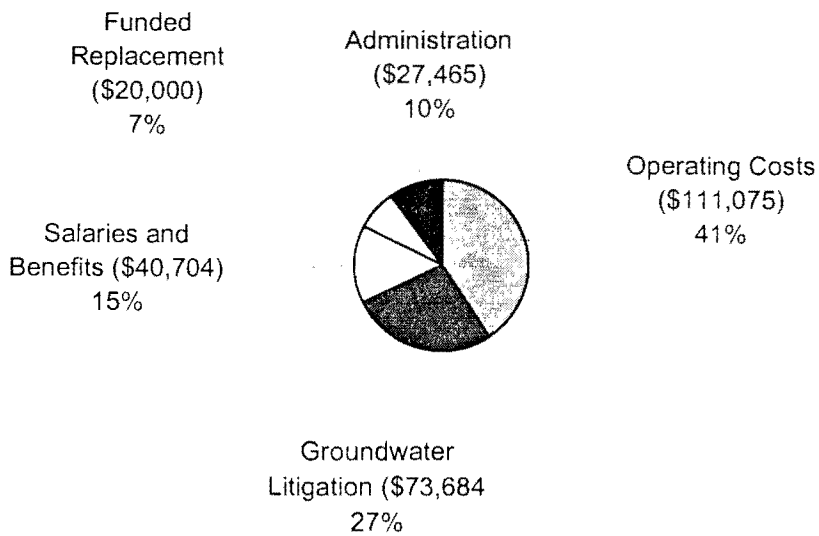
**NIPOMO COMMUNITY SERVICES DISTRICT
TOWN SEWER FUND #130
EXPENDITURES-JUNE 30, 2003**



**NIPOMO COMMUNITY SERVICES DISTRICT
BLACKLAKE WATER FUND #140
REVENUES-JUNE 30, 2003**

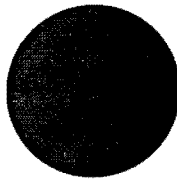


**NIPOMO COMMUNITY SERVICES DISTRICT
BLACKLAKE WATER FUND #140
EXPENDITURES-JUNE 30, 2003**



**NIPOMO COMMUNITY SERVICES DISTRICT
BLACKLAKE SEWER FUND #150
REVENUES-JUNE 30, 2003**

Sewer Revenues
(\$149,699)
100%

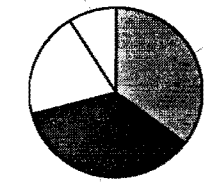


**NIPOMO COMMUNITY SERVICES DISTRICT
BLACKLAKE SEWER FUND #150
EXPENDITURES-JUNE 30, 2003**

Administration
(\$14,694)
9%

Funded
Replacement
(\$34,000)
20%

Operating Costs
(\$59,209)
35%



Salaries and
Benefits (\$59,562)
36%

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: AUGUST 13, 2003

AGENDA ITEM
AUGUST 13, 2003

NOTICE OF COMPLETION
DANA-FOOTHILL WATER STORAGE FACILITY

ITEM

Approve Notice of Completion for the construction of the new Dana-Foothill water storage facility

BACKGROUND

Spiess Construction Company was awarded the contract to construct a new one-million gallon water storage facility at the Dana-Foothill Road site. The work is now completed. Filing a Notice of Completion of the construction work is 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 Dana-Foothill water storage improvements.

Board 2003/Water storage complete



Civil Engineering
Surveying
Project Development

July 25, 2003

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

Dear Doug:

SUBJECT: TANK #5, ONE MILLION GALLON WATER STORAGE FACILITY – WORK
COMPLETION NOTICE

This letter is to serve as notice that Spiess Construction Company, Inc. has completed all construction work on the Tank #5, One Million Gallon Water Storage Facility project. 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.

A handwritten signature in cursive script that reads 'Russell S. Garing'.

Russell S. Garing, Project Inspector

P:\NCSD\ND02-060Tank5\NOC.doc

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
Nipomo Community Services District	P O Box 326, Nipomo, CA 93444

6. A work of improvement on the property hereinafter described was completed on August 13, 2003. The work done was:
Construction of a new water storage facility
7. The name of the contractor, if any, for such work of improvement was SPIESS CONSTRUCTION
P O BOX 2849
SANTA MARIA CA 93457
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: A one-million gallon water storage facility

9. The street address of said property is Dana-Foothill Road at East Tefft Street in Nipomo, California

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 of Nipomo Community Services District the declarant of the foregoing 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)

(Personal signature of the individual who is swearing that the contents of the notice of completion are true.)

To: Board of Directors
From: Jon S. Seitz, District Legal Counsel
Date: July 23, 2003

AGENDA ITEM

August 13, 2003

ITEM

General Manager's Contract Amendment.

The District met with District Legal Counsel as the District's designated representative for the purposes of reviewing the Board's position and instructing its representative relative to contract negotiations with the District General Manager, an unrepresented employee.

The District representative, as referenced in the attached Resolution and Contract Amendment, has successfully negotiated a Contract Amendment with the General Manager at a new salary for the fiscal year 2003-2004 of ninety thousand dollars (\$90,000) per year.

As the District Board of Directors is aware this the General Manager has provided written notice of his retirement effective July 1, 2004. Therefore, this will likely represent the final contract adjustment for the current General Manager.

Recommendation

Approve the attached Resolution establishing a new salary for the General Manager for Fiscal Year 2003-2004 at ninety thousand dollars (\$90,000) per year.

RESOLUTION NO. 2003- _____

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE CONTRACT AMENDMENT
TO THE GENERAL MANAGER'S CONTRACT**

WHEREAS, the Board of Directors acknowledges and accepts the responsibility of the evaluation and supervision of the Nipomo Community Services District (herein "District") General Manager; and

WHEREAS, on or about February 15, 1993 the Board of Directors appointed Douglas Jones to the position of District Manager; and

WHEREAS, said General Managers Employment Agreement provides that the Agreement may not be modified orally or in any manner other than by Agreement in writing signed by all the parties to this Agreement; and

WHEREAS, through the budgetary process the District Board of Directors has authorized a three percent (3%) increase in District employee compensation; and

WHEREAS, based the accomplishments of the last year, the Board of Directors has determined that the General Manager's performance meets the expectations of the Board of Directors and justifies a four percent (3% + 1%) increase in the General Manager's salary.

NOW, THEREFORE, be it resolved, determined and ordered by the Board of Directors of the Nipomo Community Services District as follows:

1. The Contract Amendment attached hereto as Exhibit "A" is hereby approved ("Contract Amendment").
2. The Board of Directors is grateful for the efforts of the General Manager and looks forward to a successful administration of the District's policies during this last year of services by Douglas Jones as District General Manager.

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

AYES:

NOES:

ABSENT:

CONFLICTS;

The foregoing resolution is hereby passed, approved and adopted by the Board of Directors of the Nipomo Community Services District this _____ day of August, 2003.

MICHAEL WINN, President
Nipomo Community Services District
Board of Directors

ATTEST:

Donna K. Johnson,
Secretary to the Board of Directors

Nipomo Community Services District
P.O. Box 326
Nipomo, California 93444

**AMENDMENT TO EMPLOYMENT AGREEMENT
GENERAL MANAGER**

THIS AMENDMENT TO AGREEMENT (herein "Amendment") is made this ____ day of _____, 2003, in San Luis Obispo County, California, by and between Nipomo Community Services District (hereinafter "**DISTRICT**") and **DOUG JONES** with reference to the following recitals:

RECITALS

A. The **DISTRICT** and **DOUG JONES** have entered into an agreement titled General Manager Employment Agreement dated February 15, 1993 (herein, the "Agreement").

B. Section 7.4 of the Agreement states in relevant part:

" . . . may not be modified orally in manner other than by an agreement in writing signed by all parties to this Agreement."

NOW, THEREFORE in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

Section 1

Except as amended by Section 2 below, the Terms and Conditions of the Agreement as amended are incorporated herein by reference.

Section 2

Section 4.1 of the Agreement is amended to read as follows:

4.1 Salary. **DISTRICT** agrees to pay **GENERAL MANAGER** for his services at a base salary of ninety thousand (\$90,000) dollars per annum, payable in installments at the same time as other employees of **DISTRICT** are paid. **DISTRICT** agrees to evaluate the **GENERAL MANAGER'S** compensation as part of the annual budget process.

Section 3

Recitals A and B to this Amendment are incorporated herein by reference.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective on the date first mentioned above.


GENERAL MANAGER

Doug Jones

NIPOMO COMMUNITY SERVICES DISTRICT

By: _____
Michael Winn, President
Board of Directors,
Nipomo Community Services District

Date: _____

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: AUGUST 13, 2003

**AGENDA ITEM
G
AUGUST 13, 2003**

MANAGER'S REPORT

G-1) NOTICE OF ENVIRONMENTAL REVIEW FOR MARIA VISTA SEWER FORCE MAIN

Attached is information for a Public Hearing tentatively set for September 10, 2003, for review of the Maria Vista Sewer Force Main.

G-2) INCORPORATION FEASIBILITY STUDY

Attached is the City Incorporation Feasibility Study status report from Mr. Davis.

NIPOMO COMMUNITY SERVICES DISTRICT

**NOTICE OF INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION**

DRAFT

DRAFT

Project Description: The proposed project involves installation of approximately 13,000 feet of six-inch sewer force main and lift station(s) from Tracts 1802 and 1856, known as the Maria Vista development, to existing wastewater transmission facilities in Southland Street operated by the Nipomo Community Services District (NCS D). The six-inch sewage force main is proposed to be installed originating at a sewage pump station in the Maria Vista development to run within the right-of-way to a possible second pump station to an existing eight-inch gravity pipeline in Southland Avenue leading to the sewage treatment plant. These proposed wastewater collection facilities are sized to accommodate a maximum of 121 residential lots.

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

Review Period Starting and Ending Dates During Which the NCS D Will Receive Comment:
9:00 a.m., August ____, 2003, to 4:30 p.m. September ____, 2003.

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

September 10, 2003, 9:00 a.m., the NCS D Board Regular Meeting, NCS D Board Meeting Room, 148 South Wilson Street, Nipomo, CA. The public is invited to attend. After receipt of public testimony the District may continue its consideration and approval of the Mitigated Negative Declaration to another date.

Substitution of Mitigation Measures: At the hearing, the District may substitute one mitigation measure for another based on a finding that:

- The new measure is equivalent or more effective than the proposed mitigation measure;
and
- The new measure will not cause a significant effect on the environment.

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

Project Approval: The decision to approve or deny the Project as described above will be made separately.

Further Information: For additional information, please call Doug Jones, District General Manager at (805) 929 – 1133.

Pat Zimmerer, 12:21 PM 8/4/03 -, Status Report

Delivered-To: gmailm-nosdadmin@nipomocsd.com
Delivered-To: gmailm-gm@nipomocsd.com
X-Sender: pzimmerer@davisco.org
X-Mailer: QUALCOMM Windows Eudora Version 5.2.1
Date: Mon, 04 Aug 2003 12:21:00 -0700
To: gm@nipomocsd.com
From: Pat Zimmerer <pzimmerer@davisco.org>
Subject: Status Report

Doug,
Per my conversation with you last week, here is a status report on the feasibility project. Please pass in on to your board. I also suggest that a copy of it (either a hard copy or an email version) be sent to Guy Murray.
Thanks,
Mike Davis



Status Report.pdf



MICHAEL DAVIS
JAMES D. WILLIAMS

August 1, 2003

Mike Winn, Chair, and Members of
The Board of Directors
Nipomo Community Services District
148 S. Wilson Street
Nipomo, CA 93444

Re: Incorporation Feasibility

Dear Mr. Winn and Members of the Board:

As of June 25th, my last meeting with your board, we established boundary areas for the evaluation of services, expenses and revenues. This report is to let you know where we stand on completing a draft report on incorporation feasibility.

Revenues: To address the revenue part of the evaluation, we worked with the County Assessor's Office and the Auditor-Controller's Office to convert the study boundary into a list of parcels and tax rate areas. That report was made available to us on July 21 and we are using it to estimate baseline property tax revenue. We are also forecasting future property tax revenue based on both recent and emerging trends. The County is also assisting with sales tax revenue by making sales tax data available from an independent resource. We should have that report within a week, or by about August 8th. Our analysis will also necessarily have to take into account the State's new budgetary actions that will affect local government revenues.

Expenditures: We have identified all services and agencies that would be affected by a Nipomo incorporation. We are now in the process of determining service transfers and are estimating /forecasting annual expenditures for a new City.

Feasibility: As you know, feasibility will be based in part on the relationship of estimated and projected revenues and expenditures. We should have a good feel for these conditions within two weeks, or by August 18 at which time we can prepare a draft report for your consideration.

Timing: Timing related to generating accurate revenue as well as other data, and most importantly due to the fate of certain local government revenues as a result of State budget considerations, has delayed the timing of our work up to three to four weeks. Thus, it will be another three weeks before we can present a draft report. You may want to begin thinking of early September to schedule a presentation of the draft report to the Board.

555 University Avenue, Suite 116, Sacramento, CA 95825 916.567.9510 TEL 916.567.9540 FAX
11150 Santa Monica Blvd., Suite 230, Los Angeles, CA 90025 310.473.1457 TEL 310.575.9739 FAX

Comments Re: Nipomo Cityhood Interests

On July 28th we received an email from Mr. Guy Murray. I believe your Board also received a copy of this email. Our comments on the several issues included in that email are as follows:

1. We look forward to meeting our first obligation to your Board, which is to present a factually based analysis and thus our opinions on the feasibility for future incorporation of Nipomo.
2. In doing so, we will strive to help the Community avoid barriers that can arise by over or under estimating the requirements and benefits of Cityhood.
3. We appreciate the comments and observations made by Mr. Murray. We assured your Board a thorough evaluation and not a cookie cutter analysis and are sticking to that commitment. Thus, we will not be aloof to local interests as we proceed to complete our evaluations. We will offer definitive analysis and findings and will suggest to your Board any strategies that might be warranted by the conclusions.
4. As we proceed forward, and unless directed otherwise by your Board, we will first present a draft report. In this regard, we understand that you may want to hold a series of community meetings on the draft.
5. After the draft has been reviewed to the Board's satisfaction, we will prepare a final report that will include our overall findings and conclusions on incorporation feasibility.

Finally, we remain cognizant of how significant our findings and advice will be on this important question and are responding accordingly.

Thank you. Please call if you have any questions.

Michael Davis