



**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

D. 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 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.*

D-1) APPROVE WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL]  
Approve Minutes of April 25, 2007 Meeting

D-3) APPROVE ENGINEER'S REPORT FOR FY07-08 LANDSCAPE MAINTENANCE DISTRICT #1 ASSESSMENTS [RECOMMEND ADOPTION]

D-4) AUTHORIZE CIRCULATION OF PARKS FUNDING DISTRICT FORMATION REQUEST FOR PROPOSAL [RECOMMEND ADOPTION]

D-5) RECEIVE REPORT ON CLEAN-UP WEEK RESULTS [NO ACTION REQUESTED]

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER STAFF PROPOSAL TO ADDRESS GRAFFITI REMOVAL AND TO SEEK ACTIVATION OF GAFFITI REMOVAL AUTHORITY [RECOMMEND ADOPTION]

E-2) CONSIDER EUCALYPTUS GARDENS INTENT-TO-SERVE APPLICATION FOR 81 UNIT MULTI-FAMILY COMPLEX AT 680 HILL STREET [RECOMMEND APPROVAL]

E-3) CONSIDER BUTTERFLY LANE INTENT-TO-SERVE APPLICATION FOR 8-UNIT MULTI-FAMILY COMPLEX AT 365 BUTTERFLY LANE [RECOMMEND APPROVAL]

E-4) CONSIDER CHESTNUT VILLAS INTENT-TO-SERVE APPLICATION FOR MIXED USE COMPLEX AT 166 & 186 NO. THOMPSON AVENUE [RECOMMEND APPROVAL]

E-5) DISCUSS STATE OF CALIFORNIA PHASE II PROPOSITION 50 GRANT COMPETITION [PROVIDE POLICY DIRECTION]

E-6) INITIATE FORMATION OF PARKS CITIZENS ADVISORY SUB-COMMITTEE [RECOMMEND APPROVAL]

E-7) RECEIVE REQUEST FROM DIRECTOR HARRISON TO REVIEW MEETING ROOM USE POLICY AND DETERMINE WILLINGNESS TO SET ITEM [PROVIDE POLICY GUIDANCE]



**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

F. MANAGER'S REPORT

G. COMMITTEE REPORTS

1. April 18, 2007 Finance Audit & Personnel Committee Meeting
2. April 30, 2007 Parks Committee Meeting
3. May 2, 2007 Finance, Audit & Personnel Committee Meeting

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMWCD VS NCSA SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSA CASE NO. CV 040877, MARIA VISTA VS. NCSA CASE NO. CV 061079, AND MARIA VISTA VS. LINDA VISTA FARMS, NCSA ET AL CASE NO. CV 040150;
3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; NCSA VS. SLO COUNTY (CASE NO. CV 070066)
4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; MARIA VISTA ESTATES V. NCSA ET AL (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHERN DIVISION

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

K. ADJOURN TO CLOSED SESSION

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN

➤ **THE FOLLOWING REGULAR BOARD MEETING IS MAY 23, 2007.**

**TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- Adopt Personnel Policy Amendments
- Receive Black Lake Pond #3 Liner Replacement Design
- Receive SAIC's 2007 Nipomo Mesa Ground Water Update

➤ **THE FOLLOWING SPECIAL BOARD MEETING IS MAY 16, 2007.**

**TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- Receive Presentation regarding Desalination Technology
- Review Status of Southland WWTF Discharge
- Consider Scoping Southland WWTF Upgrade Project

TO: BOARD OF DIRECTORS  
FROM: BRUCE BUEL *BBB*  
DATE: MAY 4, 2007



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.**

- D-1) APPROVE WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL]  
Approve Minutes of April 25, 2007 Meeting
- D-3) APPROVE ENGINEER'S REPORT FOR FY07-08 LANDSCAPE MAINTENANCE  
DISTRICT #1 ASSESSMENTS [RECOMMEND ADOPTION]
- D-4) AUTHORIZE CIRCULATION OF PARKS FUNDING DISTRICT FORMATION  
REQUEST FOR PROPOSAL [RECOMMEND ADOPTION]
- D-5) RECEIVE REPORT ON CLEAN-UP WEEK RESULTS [NO ACTION REQUESTED]

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2007\CONSENT AGENDA\CONSENT 05-09-07.DOC



TO: BOARD OF DIRECTORS  
 FROM: BRUCE BUEL  
 DATE: MAY 4, 2007

**AGENDA ITEM**  
**D-1**  
**MAY 9, 2007**

**HAND WRITTEN CHECKS**

04-19-07	18975	CREEK ENVIRONMENTAL	1,324.00
04-19-07	18976	COMPUTER NETWORK SERVICES	1,087.75
04-25-07	18977	CALIF WATER ENVIRONMENTAL	505.00
04-25-07	18978	CALIF WATER ENVIRONMENTAL	205.00
04-25-07	18979	MSB PETTY CASH	175.54
04-30-07	18980	M WINN	50.00
04-30-07	18980	J HARRISON	50.00
05-02-07	18982	L VIERHEILIG	50.00
05-02-07	18983	C TROTTER	50.00
05-03-07	18984	C TROTTER	100.00
05-03-07	18985	J HARRISON	100.00
05-03-07	18986	L VIERHEILIG	100.00
05-03-07	18987	E EBY	100.00

**TOTAL COMPUTER CHECKS**  
**\$ 249,068.05**

**VOIDED CHECKS**

NONE

**COMPUTER GENERATED CHECKS**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
13491	05/04/07	EMP01	EMPLOYMENT DEVELOP DEPT	644.63	.00	644.63	A70430	STATE INCOME TAX
13492	05/04/07	MID01	MIDSTATE BANK-PR TAX DEP	2509.81	.00	2509.81	A70430	FEDERAL INCOME TAX
				200.64	.00	200.64	1A70430	FICA
				641.68	.00	641.68	2A70430	MEDICARE (FICA)
			Check Total.....:	3352.13	.00	3352.13		
13493	05/04/07	MID02	MIDSTATE BANK - DIRECT DP	18752.86	.00	18752.86	A70430	NET PAY
13494	05/04/07	PER01	PERS RETIREMENT	5659.44	.00	5659.44	A70430	PERS PAYROLL REMITTANCE
13495	05/04/07	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A70430	WAGE ASSIGNMENT
13496	05/04/07	STA01	STATE STREET GLOBAL	1105.00	.00	1105.00	A70430	457 DEFERRED COMP
013497	05/09/07	ABA01	ABALONE COAST BACTERIOLOG	20.00	.00	20.00	1199	BL WWTP LAB
				176.00	.00	176.00	1207	BL WWTF LAB
				20.00	.00	20.00	1208	BLTF LAB
				20.00	.00	20.00	1216	BLTF LAB
				20.00	.00	20.00	1224	BL WWTF LAB
				20.00	.00	20.00	1239	BL WWTP LAB
				20.00	.00	20.00	1245	BL WWTP LAB
				20.00	.00	20.00	1256	BL WWTP LAB
				20.00	.00	20.00	1260	BL WWTP LAB
			Check Total.....:	336.00	.00	336.00		
013498	05/09/07	ADV01	ADVANTAGE ANSWERING PLUS	92.95	.00	92.95	84931	ANSWERING SERVICE
013499	05/09/07	ALX01	ALEXANDER'S CONTRACT SERV	2833.84	.00	2833.84	40012	APRIL METER READS
013500	05/09/07	AME03	AMERI PRIDE	74.01	.00	74.01	F164085	UNIFORMS ETC.
				69.24	.00	69.24	F169854	UNIFORMS ETC
			Check Total.....:	143.25	.00	143.25		
013501	05/09/07	AQU01	AQUA-METRIC SALES CO.	3265.76	.00	3265.76	16809	METERS
013502	05/09/07	BOG01	BOGNUDA, LISA	75.17	.00	75.17	050307	TRAVEL TO CALPERS SEMINAR
013503	05/09/07	BOY01	BOYLE ENGINEERING CORP	6742.98	.00	6742.98	42345	SOUTHLAND WWTF MASTER PLA
				3993.30	.00	3993.30	42578	SOUTHLAND WWTF GROUNDWATE
				557.82	.00	557.82	42579	PCI TR 2689
				145.80	.00	145.80	42580	PCI TR APN 092-130-043/4
				153.90	.00	153.90	42581	HETRICK WATERLILNE
				291.60	.00	291.60	42582	BLACK LAKE COMPARATIVE AN
				7257.60	.00	7257.60	42583	BL INTERCONNECTION
				291.60	.00	291.60	42585	PCI CO 05-0176
				17990.10	.00	17990.10	19996.32	ALTERNATIVE WATER SUPPLY
			Check Total.....:	37424.70	.00	37424.70		
013504	05/09/07	BRE02	BRENNTAG PACIFIC INC.	462.85	.00	462.85	422869	CHLORINE
				649.58	.00	649.58	422870	CHLORINE
			Check Total.....:	1112.43	.00	1112.43		

**NIPOMO COMMUNITY SERVICES DISTRICT  
WARRANTS MAY 4, 2007**

**AGENDA ITEM  
D-1  
MAY 9, 2007  
PAGE TWO**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
013505	05/09/07	BUE01	BUEL, BRUCE	620.28	.00	620.28	042007	TRAVEL EXPENSES TO AWWA C
013506	05/09/07	CAL03	CALIFORNIA ELECTRIC SUPPL	116.58	.00	116.58	686359	SOUTHLAND WWTF PARTS
013507	05/09/07	CAN02	CANNON ASSOCIATES	20435.10	.00	20435.10	40940	WATER & SEWER MASTER PLAN
013508	05/09/07	COR01	CORBIN WILLITS SYSTEMS	65.00 710.80	.00 .00	65.00 710.80	A70415 A704151	COMPUPTER SUPPORT COMPUTER SUPPORT
			Check Total.....:	775.80	.00	775.80		
013509	05/09/07	COU01	COURIER SYSTEMS	226.20	.00	226.20	050107	DELIVERY TO LABS
013510	05/09/07	CRE01	CREEK ENVIRONMENTAL LABS	200.00 256.00 160.00 256.00 256.00	.00 .00 .00 .00 .00	200.00 256.00 160.00 256.00 256.00	01922 02030 02170 02171 02295	TOWN WWTP LAB WATER SAMPLES WATER SAMPLES WATER SAMPLES WATER SAMPLES
			Check Total.....:	1128.00	.00	1128.00		
013511	05/09/07	CSD01	CALIF SPECIAL DIST ASSOC	195.00	.00	195.00	051407	SEMINAR
013512	05/09/07	CUE01	CUESTA EQUIPMENT	254.27	.00	254.27	163532+	MISC SUPPLIES
013513	05/09/07	CUL02	CULLIGAN WATER CONDITION	34.27	.00	34.27	043007	DELIVERY
013514	05/09/07	DEW01	J B DEWAR INC	23.49 616.89	.00 .00	23.49 616.89	363210 363283	DIESEL OIL OIL FOR SUNDALE WELL
			Check Total.....:	640.38	.00	640.38		
013515	05/09/07	EBY01	EBY, ED	100.00	.00	100.00	050907	REG BD MEETING 050907
013516	05/09/07	FAR01	FARM SUPPLY COMPANY	24.65 38.33 41.91	.00 .00 .00	24.65 38.33 41.91	302798 311323 318542	SUPPLIES SUPPLIES SUPPLIES
			Check Total.....:	104.89	.00	104.89		
013517	05/09/07	FAR02	FAR WEST EXPRESS	26.50	.00	26.50	8062&81	MAIL BILLS
013518	05/09/07	FGL01	FGL ENVIRONMENTAL	187.00 137.00 347.00 137.00 112.00 212.00	.00 .00 .00 .00 .00 .00	187.00 137.00 347.00 137.00 112.00 212.00	703572A 703589A 703889A 703890A 704147A 704148A	TOWN WWTF LAB BL WWTP LAB BL WWTP LAB BL WWTP LAB BL WWTP LAB TOWN WWTF LAB
			Check Total.....:	1132.00	.00	1132.00		
013519	05/09/07	GIL01	GLM, INC.	300.00 100.00	.00 .00	300.00 100.00	043007A 043007B	OFFICE LANDSCAPING BL LANDSCAPING
			Check Total.....:	400.00	.00	400.00		
013520	05/09/07	GRO01	GROENIGER & CO	3296.81 2161.19 78.51 2853.84 124.27 -5102.96	.00 .00 .00 .00 .00 .00	3296.81 2161.19 78.51 2853.84 124.27 -5102.96	678327SM 678562SM 679642SM 679951SM 680735SM CM330377SC	MISC SUPPLIES MISC SUPPLIES SUPPLIES SUPPLIES SUPPLIES FOR BL WELL #4 RETURNED ON TAG 72377
			Check Total.....:	3411.66	.00	3411.66		
013521	05/09/07	GWA01	GWA INC	28.00	.00	28.00	70400640	FIRE ALARM
013522	05/09/07	HAR02	HARRISON, JAMES	100.00	.00	100.00	050907	REG BD MEETING 050907
013523	05/09/07	HAY01	HAYES & SONS	2000.00 6000.00	.00 .00	2000.00 6000.00	501251 501252	PATCH ASPHALT VAR LOCATIO DISPOSE OF CONCRETE, ASPH
			Check Total.....:	8000.00	.00	8000.00		
013524	05/09/07	IMP02	IMPAC GOVERNMENT SERVICES	300.00 83.67 143.64	.00 .00 .00	300.00 83.67 143.64	042007 042007A 042007B	SEMINAR UCLA TRAVEL EXPENSES MISC OFFICE EXPENSES
			Check Total.....:	527.31	.00	527.31		
013525	05/09/07	IND02	INDEPENDENT ELEC SUPPLY	113.14	.00	113.14	22187	BULBS FOR OFFICES
013526	05/09/07	JOH01	JOHNSON, DONNA	34.84	.00	34.84	050107	REIMB FOR SUPPLIES
013527	05/09/07	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	37826	TRACT 2409 LMD



**NIPOMO COMMUNITY SERVICES DISTRICT  
WARRANTS MAY 4, 2007**

**AGENDA ITEM  
D-1  
MAY 9, 2007  
PAGE THREE**

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
013528	05/09/07	MCD01	McDONOUGH HOLLAND & ALLEN	11890.35	.00	11890.35	188273	LEGAL SERVICES
013529	05/09/07	MOR02	MORE OFFICE SOLUTIONS	389.22	.00	389.22	357109	COPIER MAINT
013530	05/09/07	NEW04	NEW PIG CORPORATION	35.08 77.57	.00 .00	35.08 77.57	3755355 4362448	SUPPLIES SUPPLIES
Check Total.....:				112.65	.00	112.65		
013531	05/09/07	NEX01	NEXTEL COMMUNICATIONS	308.01	.00	308.01	87314-065	CELL PHONES
013532	05/09/07	NIP01	NIPOMO ACE HARDWARE INC	374.19	.00	374.19	63234+	SUPPLIES
013533	05/09/07	NIP09	NIPOMO MARKET PLACE	2268.61	.00	2268.61	0074	GASOLINE FOR APRIL
013534	05/09/07	NUT01	NU TECH PEST MGMT	265.00 49.00	.00 .00	265.00 49.00	61502 61503	PEST CONTROL PEST CONTROL
Check Total.....:				314.00	.00	314.00		
013535	05/09/07	OFF01	OFFICE DEPOT	126.50	.00	126.50	383414484	SUPPLIES
013536	05/09/07	PAP01	PAPICH CONSTRUCTION CO IN	13636.40	.00	13636.40	238-RET	RETENTION BILLING-HTRICK
013537	05/09/07	PRE01	PRECISION JANITORIAL	275.00	.00	275.00	161	JANITORIAL SERVICE FOR AP
013538	05/09/07	PUL01	PULITZER CENTRAL COAST NP	236.83	.00	236.83	00277328	AD FOR DISTRICT ENG
013539	05/09/07	PWM01	PW MANN ELECTRIC INC	17886.90 2463.19 9109.37	.00 .00 .00	17886.90 2463.19 9109.37	7036 7037 7038	TOWN WWTP LIGHT STANDARDS BL WELL #4 BL BOOSTER UPGRADE
Check Total.....:				29459.46	.00	29459.46		
013540	05/09/07	QUI03	QUINN RENTAL SERVICES	688.93	.00	688.93	2080402	PUMPING EQUIP FOR WWTP
013541	05/09/07	RBA01	R BAKER, INC	2633.55	.00	2633.55	07031860	POT HOLE FOR CREEK CROSSI
013542	05/09/07	RIC01	RICHARDS, WATSON, GERSHON	7007.75 135.00	.00 .00	7007.75 135.00	152085 152086	WATER RIGHTS ADJUDICATION COASTKEEPER LEGAL FEES
Check Total.....:				7142.75	.00	7142.75		
013543	05/09/07	SAI01	SAIC	626.25	.00	626.25	922809	HYDROLOGIC MONITORING
013544	05/09/07	SHI01	SHIPSEY & SEITZ, INC	17739.00	.00	17739.00	041507	LEGAL FEES
013545	05/09/07	SOU01	SOUTH COUNTY SANITARY	165.80 34.24	.00 .00	165.80 34.24	1791647 1799339	TRASH COLLECTION OLDE TOW TRASH COLLECTION OFFICE
Check Total.....:				200.04	.00	200.04		
013546	05/09/07	SPA01	SPANGO VOICE COMM	87.50	.00	87.50	5931	TELEPHONE MAINT
013547	05/09/07	SPM01	SP MAINTENANCE SERVICES	1828.00	.00	1828.00	18527	STREET SWEEPING SERVICES
013548	05/09/07	STA05	STATE WATER RESOURCES CB	95.00	.00	95.00	MOTLEY07	GRADE I OPER CERT RENEWAL
013549	05/09/07	STA07	SRF ACCOUNTING OFFICE	42180.25	.00	42180.25	8819-550	STATE REVOLVING FUND LOAN
013550	05/09/07	THE01	THE GAS COMPANY	96.70 98.01	.00 .00	96.70 98.01	042007 042507	OFFICE HEAT GAS ENGINE
Check Total.....:				194.71	.00	194.71		
013551	05/09/07	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	050907	REG BD MEETING 050907
013552	05/09/07	UND01	UNDERGROUND SERVICE ALERT	108.00	.00	108.00	40051	UNDERGROUND NOTIFICATION
013553	05/09/07	USA01	USA BLUEBOOK	217.92	.00	217.92	358077	SUPPLIES
013554	05/09/07	VAL01	VALLEY SEPTIC SERVICE	1614.60 385.50	.00 .00	1614.60 385.50	4090 4095	JETTING AT BLACK LAKE JETTING AT BLACK LAKE
Check Total.....:				2000.10	.00	2000.10		
013555	05/09/07	VER01	VERIZON	34.27 34.18	.00 .00	34.27 34.18	041907A 041907B	BL PHONE BL PHONE
Check Total.....:				68.45	.00	68.45		
013556	05/09/07	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	050907	REG BD MEETING 050907
013557	05/09/07	WIN01	WINN, MICHAEL	100.00	.00	100.00	050907	REG BD MEETING 050907



# NIPOMO COMMUNITY SERVICES DISTRICT

D2

*Celebrating 42 - Years of Service 1965 - 2007*

## MINUTES

**APRIL 25, 2007 9:00 A. M.**

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

### BOARD of DIRECTORS

MICHAEL WINN, **PRESIDENT**  
LARRY VIERHEILIG, **VICE PRESIDENT**  
CLIFFORD TROTTER, **DIRECTOR**  
ED EBY, **DIRECTOR**  
JAMES HARRISON, **DIRECTOR**

### PRINCIPAL STAFF

BRUCE BUEL, **GENERAL MANAGER**  
LISA BOGNUDA, **ASSIST. ADMINISTRATOR**  
DONNA JOHNSON, **BOARD SECRETARY**  
JON SEITZ, **GENERAL COUNSEL**  
DAN MIGLIAZZO, **UTILITY SUPERVISOR**

Mission Statement: The Nipomo Community Services District's mission is to provide the community with reliable, quality and cost-effective services.

Vision Statement: The Nipomo Community Services District's vision is to manage the resources and future growth of the community.

00:00:00

#### A. CALL TO ORDER AND FLAG SALUTE

President Winn called the meeting to order at 9:02 a.m. and led the flag salute.

#### B. ROLL CALL

At Roll Call, all Directors were present.

#### C. PRESENTATIONS AND PUBLIC COMMENT

For Administrative Professional's Day, President Winn presented flowers to Kathy, Lisa, Donna and Faith and thanked them for their work in the office.

President Winn announced that the Board will recess at approximately 11:45am and reconvene at 2:00 pm to attend the Chamber lunch at Black Lake to hear speaker Supervisor Achadjian.

00:04:10

#### C-1) NCSD UTILITY SUPERVISOR DAN MIGLIAZZO RE UTILITY OPERATIONS

Dan Migliazzo presented an update on field operations.

- o Flushing of water lines is almost complete. They have been trying to be finished before the peak-hour electricity costs begin May 1<sup>st</sup>. There have been just a few problems. There was no flushing in Black Lake.
- o All operators have filled out applications for collections certification testing.
- o Valve and hydrant replacements have been progressing along with the flushing.
- o Sundale Well is back on line after rebuild. Paperwork is being mailed for a rebate for labor at Sundale and the Black Lake Wells and booster retrofit.
- o Southland Wastewater Treatment Facility – Basin 2 is almost drained and Basin 3 is pumped down to dry out.
- o Crew is out replacing services today.

00:12:00

#### C-2) NCSD ASSISTANT ADMINISTRATOR LISA BOGNUDA RE: FINANCIAL STATUS

Lisa Bognuda gave a presentation concerning the Third Quarter Financial Report that is in the Consent Agenda. The Financial Report through March 31, 2007, which is 75% of the fiscal year. She explained that some of the items are over the 75% expenditures but some are less. The new budget will be discussed at the May 30<sup>th</sup> meeting. There was no public comment.

**MINUTES SUBJECT TO BOARD APPROVAL**



**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

00:17:30

C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST

The directors presented the following information of public interest.

Director Vierheilig

- Nipomo Chamber of Commerce Mixer – Wednesday, May 2, 2007, 5:30–7:00 pm
- Coastside Smart Growth Leadership Event – May 19, 2007, Pismo Beach Veteran's Hall, 780 Bello Street, 9:00 am to 1:00 pm. Contact Richard Rojas at 781-5190 to make reservations. Sponsored by APCD, SLO County and others.
- Thanks to NCS D Board for allowing Nipomo Native Gardens Board to meet in the Board room.

Director Eby

- SCAC voted unanimously to recommend that the Board of Supervisors certify a Level of Severity III. Someone from SCAC will be going to the Planning Commission and also to the Board of Supervisors.

Director Harrison

- SCAC voted for the LOS III
- Golf Tournament, May 11, 2007 – Rotary Club
- Incorporation Committee Workshop to meet here May 12, 2007, 9-11 a.m.
- Central Coast Greenhouse Growers Association will be holding its open house April 28<sup>th</sup>.

Director Winn

- TDC committee meeting April 26, 2007, 3:00 p.m. at SLO County new government building.
- CCGGA April 28, 2007 Annual Open House 9 am to 3 pm.
- WRAC meeting May, 2, 2007 – Mr. Seitz and Mr. Snyder will be speaking, giving different perspectives on the groundwater.
- May 3, 2007, the District Board will be touring the Biolac® lab. The Agenda is available on the NCS D web site.
- SLOCOG will be having an event April 26, 2007:  
*(California Transportation Commission (CTC) meeting, to be held in SLO. It was televised live on [www.slo-span.org](http://www.slo-span.org).)*
- Clean Up Week - April 23-27

C-4) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There was no public comment.

00:25:22

D. CONSENT AGENDA

- D-1) APPROVE WARRANTS
- D-2) APPROVE BOARD MEETING MINUTES  
Approve Minutes of April 11, 2007 Meeting
- D-3) RECEIVE THIRD QUARTER FINANCIAL REPORT
- D-4) RECEIVE FIRST QUARTER INVESTMENT REPORT

The Directors made a few corrections to the Minutes (C-3, C-4, and D). Upon motion of Director Vierheilig and seconded by Director Eby, the Board unanimously approved the Consent Agenda, as amended. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Eby, Trotter, Harrison, and Winn	None	None



Nipomo Community Services District  
REGULAR MEETING  
MINUTES

00:33:25 E. ADMINISTRATIVE ITEMS

E-1) DETERMINE DIVISION OF SOUTHLAND WWTF UPGRADE COSTS BETWEEN CURRENT CUSTOMERS AND FUTURE CUSTOMERS

Bruce Buel, General Manager, explained that for the Reed Group to complete the Town Sewer Rate Study, the Board needs to approve the division of the costs of the upgrade between the current users and future users.

Jon Seitz, District Legal Counsel, explained that a financial analysis needed to be performed to determine how much the existing customers are paying for replacing existing facilities and that the new customers will pay for some of the upgrade. The Regional Water Quality Control Board is requiring higher standards.

Mike Nunley, Boyle Engineering's Project Manager for the Southland Wastewater Treatment Facility Master Plan – explained some of the evaluation to the Board and answered questions from the Board.

The Board discussed how the money would be funded. Some methods could include Certificates of Participation and/or Community Finance District.

Upon motion of Director Eby and seconded by Director Harrison, the Board unanimously approved the recommended cost division for the Southland WWTF Upgrade of 47% for current sewer users and 53% for future users and directed staff to forward that division to the Reed Group for incorporation into the rate study. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Eby, Harrison, Vierheilig, Trotter, and Winn	None	None

The Board of Directors took a break at 10:06 a.m. and resumed the meeting at 10:13 a.m.

01:04:45 E-2) ADOPT SANITARY SEWER OVERFLOW PROGRAM TIMELINE AND SUBMIT TO STATE OF CALIFORNIA

Bruce Buel, General Manager, discussed the Sanitary Sewer Overflow Program Timeline and the need to submit the proposed timeline to the State of California, as mandated by the State Water Resources Control Board (SWRCB).

There was no public comment.

Upon motion of Director Harrison and seconded by Director Trotter, the Board unanimously adopted the Sanitary Sewer Overflow Program Timeline, as presented in the Board letter, and directed staff to submit the timeline to the SWRCB. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Trotter, Harrison, Vierheilig, Eby, and Winn	None	None

01:10:20 E-3) INTRODUCE ORDINANCE AMENDING NCSD WATER ALLOCATION PROGRAM AND SET HEARING FOR ADOPTION

Bruce Buel, General Manager, explained the process of introducing an ordinance amending the NCSD Water Allocation Program. One letter was received in protest of the proposed ordinance. Jon Seitz, District Legal Counsel, explained the letter from the San Luis Obispo County Housing Trust Fund. The Board discussed the matter and suggested several changes. There was no public comment.

Upon motion of Director Vierheilig and seconded by Director Trotter, the Board unanimously agreed to direct staff to file the Notice of Exemption, which triggers a 35-day filing window for interested parties to challenge the exemption. There was no public comment. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Trotter, Harrison, Eby, and Winn	None	None



**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

E-3) INTRODUCE ORDINANCE AMENDING NCSD WATER ALLOCATION PROGRAM AND SET HEARING FOR ADOPTION (continued)

Upon motion of Director Vierheilig and seconded by Director Harrison, the Board unanimously agreed to read the ordinance by title only. There was no public comment. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Harrison, Eby, Trotter, and Winn	None	None

Jon Seitz, District Legal Counsel, read the title of the proposed ordinance.

**ORDINANCE NO. 2007-106  
AN ORDINANCE OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AMENDING THE RULES AND REGULATIONS  
FOR ALLOCATION OF INTENT-TO-SERVE LETTERS  
CHAPTER 3.05 OF THE DISTRICT CODE**

Upon motion of Director Vierheilig and Director Winn, the Board unanimously agreed to introduce the ordinance and to set an adoption hearing for June 13, 2007. There was no public comment. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Winn, Harrison, Eby, and Trotter	None	None

02:04:30

E-5) CONSIDER NOMINATION(S) FOR LAFCO SPECIAL DISTRICT REPRESENTATIVE APPOINTMENT

This item was taken out of order.

Bruce Buel, General Manager, explained that the LAFCO Special District Representative seat held by Barbara Mann is currently open and will either be filled on April 27, 2007, if a quorum of special districts participate in the Chapter's Annual Meeting, or if a quorum is not achieved, by a mail ballot election. In either case, NCSD has standing to nominate one or more nominees for the seat. The Board discussed the matter. Director Harrison nominated Barbara Mann. Director Vierheilig moved to close the nominations. Director Eby seconded the motion. There was no public comment. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Eby, Harrison, Trotter, and Winn	None	None

02:09:45

E-4) INTRODUCE REVISIONS TO PERSONNEL POLICY, SET HEARING FOR ADOPTION, REVISE RECRUITMENT AUTHORIZATION APPROVED AT APRIL 11, 2007 BOARD MEETING, AND AUTHORIZE ADDITIONAL RECRUITMENTS

Bruce Buel, General Manager, reviewed the proposed revisions to the Personnel Policy. The Table of Organization and the Minutes to the Finance, Audit and Personnel Committee were given to the Board. (Copies are available in the District office.) The directors proposed some minor changes. Director Trotter suggested that the Assistant Administrator job title be changed to Assistant General Manager. Upon motion of Director Trotter and seconded by Director Eby, the Board unanimously agreed to the recommendations in the Personnel Policies and Procedures as follows and as amended: Vote 5-0.



**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

E-4) INTRODUCE REVISIONS TO PERSONNEL POLICY, SET HEARING FOR ADOPTION, REVISE RECRUITMENT AUTHORIZATION APPROVED AT APRIL 11, 2007 BOARD MEETING, AND AUTHORIZE ADDITIONAL RECRUITMENTS (continued)

1. Board of Directors introduce and tentatively approve the red-lined modifications, with recommendation #2 below be incorporated, of the Personnel Policies and Procedures Manual and direct Staff to circulate the red-lined modifications to all District employees, including the new title for the Assistant General Manager. The District employees will be given until 4:00 p.m. on May 9, 2007, to submit their written comments to the General Manager. Set the hearing for adoption on May 23, 2007.
2. Board of Directors approve maintaining the existing 1020-Table of Organization and job descriptions for 7040-Utility Supervisor and 7050-Utility Field Foreman until the Utility Superintendent reports to duty. At such time, the new Table of Organization will become effective and job description 7040 and 7050 will be removed from the Personnel Policies and Procedures Manual. In addition, the Board of Directors maintains the Koff & Associates recommendations and the existing Monthly Salary Range approved by Resolution 2006-1000 for all District employees.
3. Authorize recruitment for the Utility Superintendent at Salary Range #47 and not Salary Range #52, per Koff & Associates recommendations. By following Koff & Associates recommendations, fairness and equity amongst all District employees is maintained. Should the Board of Directors not approve this recommendation, Staff would respectfully request the Board of Directors revisit the basis for setting salaries for all employees.
4. Authorize recruitment of the Inspector/Preventative Maintenance Supervisor at Salary Range #42 and not Salary Range of #46 and set the Utility Field Supervisor at Salary Range #42 and not Salary Range #46. Salary Ranges are based on Koff & Associates recommendations. By following Koff & Associates recommendations, fairness and equity amongst all District employees is maintained. Should the Board of Directors not approve this recommendation, Staff would respectfully request the Board of Directors revisit the basis for setting salaries for all employees.
5. Authorize the recruitment of the part-time Secretary/Clerk to report to work three months after the Utility Superintendent reports to work.
6. Postpone the recruitment of a one additional Utility Worker and one Maintenance/Customer Service Worker until July 1, 2008.

YES VOTES	NO VOTES	ABSENT
Directors Trotter, Eby, Vierheilig, Harrison, and Winn	None	None

The Board recessed at 11:45 a.m.

The Board reconvened at 2:03 p.m. There was no public present. Director Trotter left the meeting at 2:00 p.m.

02:35:10

F. **MANAGER'S REPORT**

Bruce Buel, General Manager, presented his report as delivered to the Board. He provided an update on the written material. He stated that of the two candidates interviewed Monday by Dan, Lisa and himself for the District Engineer position neither were qualified. He suggested bringing the matter back to the Board for reconsideration of the position. SB343 was heard in committee and rejected. There seems to be sufficient voting block to impede the bill, as drafted.

Boyle's report on the Wastewater Treatment Facility reveals that the District will need to increase treatment to qualify for existing discharge requirements. It is possible that the Regional Board may not allow the District to use its current discharge site for additional treatment. It is planned to discuss the matter further at the May 16<sup>th</sup> workshop. Boyle will be preparing a white paper on the subject.

The Board asked questions about graffiti and SAIC's Technical Memorandum.



**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

**03:19:04** G. COMMITTEE REPORTS

Director Vierheilig reported that the Finance, Audit and Personnel Committee (Directors Winn and Vierheilig) met on April 18, 2007. They looked at the cost of living, the personnel matters and the draft budget. Minutes of the meeting were given to the Board today (available for viewing in the District office).

The Parks Committee (Directors Winn and Harrison) will meet Monday, April 30, 2007, at 1:00 p.m.

**03:22:21** H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby stated that he will be on the oral board for hiring Pat Beck's replacement. He also asked about the matter of where people would go for emergency water.

Jon Seitz, District Legal Counsel, stated that the Emergency Response Team of San Luis Obispo County would probably have water trucks available. Also, NCSD has its Sundale Well on natural gas to supply water when the electricity is out.

Director Harrison stated that if there were an emergency, call the fire department. OAS has huge water tankers with potable water.

**03:42:06** I. CLOSED SESSION ANNOUNCEMENTS

Jon Seitz, District Legal Counsel, announced the following items to be heard in Closed Session:

1. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS NCSD SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSD CASE NO. CV 040877, MARIA VISTA VS. NCSD CASE NO. CV 061079, AND MARIA VISTA VS. LINDA VISTA FARMS, NCSD ET AL CASE NO. CV 040150.
3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; NCSD VS. SLO COUNTY (CASE NO. CV 070066)
4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; MARIA VISTA ESTATES V. NCSD ET AL (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHERN DIVISION)

## J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public present to comment.

## K. ADJOURN TO CLOSED SESSION

President Winn adjourned to Closed Session at 3:11 p.m.

## L. OPEN SESSION

## ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 3:58 p.m.

Jon Seitz, District Legal Counsel, announced that the Board heard an update on the items listed above. There was no reportable action.

ADJOURN

President Winn adjourned the meeting at 3:59 p.m.

TO: BOARD OF DIRECTORS  
FROM: BRUCE BUEL *BB*  
DATE: MAY 4, 2007

**AGENDA ITEM  
D-3  
MAY 9, 2007**

**APPROVAL OF THE ENGINEER'S LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008**

**ITEM**

Approval of resolutions granting approval of the engineer's levy report and declaration of intention to levy annual assessments for the Street Landscape Maintenance District No. 1 for Fiscal Year 2007-2008.

**BACKGROUND**

On April 11 2007, the Board of Directors adopted Resolution 2007-1008 entitled:

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF THE DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

Jim Garing, Registered Engineer, was directed to prepare the annual levy report (attached). Pursuant to Proposition 218 and the Petition Requesting Formation of the Street Landscape Maintenance District, the annual levy may be increased by a percentage equal to the Consumer Price Index (CPI). While the CPI defines the maximum rate for the District may increase the levy each year, the actual amount to be assessed is based on the annual budget and may be less than the maximum rate. Property owners within the assessment district must approve any proposed assessment that exceeds the adjusted maximum rate based on the CPI.

There is no proposed increase in the assessment for Fiscal Year 2007-2008.

Since inception, the annual assessments have been as follows:

Fiscal Year 2003-2004(first year of assessment)	\$345.00
Fiscal Year 2004-2005 (CPI increase)	\$346.96
Fiscal Year 2005-2006 (CPI increase)	\$354.94
Fiscal Year 2006-2007 (CPI increase)	\$365.34
Fiscal Year 2007-2008 (no increase proposed)	\$365.34

**RECOMMENDATION**

Staff recommends approval of two Resolutions-one approving the Engineer's Report and one declaring intention to levy annual assessments.

**ATTACHMENT**

Engineer's Annual Levy Report  
Resolutions (2)



NIPOMO COMMUNITY SERVICES DISTRICT  
ENGINEER'S ANNUAL LEVY REPORT  
STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1  
FISCAL YEAR 2007-2008

=====

Introduction

Nipomo Community Services District ("NCSD") annually levies and collects special assessments to maintain improvements within Street Landscape Maintenance District No. 1 ("District"). The District was formed and annual assessments are established pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "1972 Act").

This Engineer's Annual Report ("Report") describes the District and the proposed assessments for the fiscal year 2007-2008. The assessments are based on the historical and estimated future costs to maintain the improvements that provide a direct and special benefit to properties within the District.

For the purposes of this Report, the word "parcel" refers to an individual property assigned its own Assessor Parcel Number by the San Luis Obispo County Assessor's Office. The San Luis Obispo County Auditor/Controller uses Assessor Parcel Numbers and specific Fund Numbers to identify properties assessed for special district benefit assessments on the tax roll.

Effect of Proposition 218

In November 1996, California voters approved Proposition 218 that established specific requirements for the on going imposition of taxes, assessments and fees. The provisions of the Proposition are now contained in the California Constitutional Articles XIII C and XIII D.

All assessments described in this Report and approved by the Board of Directors are prepared in accordance with the 1972 Act and are in compliance with the provisions of the California Constitution Article XIII D.

The assessments adopted include the District's annual inflationary adjustment to the maximum assessment rate. This annual inflationary adjustment to the maximum assessment rate is provided in this Report.

Description of the District and Services

The District (formed on April 9, 2003) provides and ensures the continued maintenance, servicing, administration and operation of landscaping located within the public rights-of-way and dedicated landscape easements in Tract 2409, a 28 lot subdivision commonly known as Vista Verde Estates, located off of West Tefft across from Dana Elementary School.



NIPOMO COMMUNITY SERVICES DISTRICT  
ENGINEER'S ANNUAL LEVY REPORT  
STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1  
FISCAL YEAR 2007-2008

=====

Improvements within the District include the maintenance and operation and the furnishing of services and materials for landscaping which include trees, shrubs, grasses and other ornamental vegetation, and appurtenant facilities, including irrigation systems.

Method of Apportionment

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of landscaping and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

*"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments of the District therefore reflect the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on the benefits to each parcel.

Benefit Analysis

The associated costs and assessments have been carefully reviewed, identified and allocated based on special benefit pursuant to the provisions of the California Constitution and 1972 Act. The improvements associated with the District have been identified as necessary, required and/or desired for the orderly development of the properties within the District to their full potential, consistent with the proposed development plans. As such, these improvements would be necessary and required of individual property owners for the development of such properties, and the ongoing operation, servicing and maintenance of these improvements would be the financial obligation of those properties. Therefore, the improvements and the annual costs of ensuring the maintenance and operation of the improvements are of direct and special benefit to the properties.

The method of apportionment (method of assessment) is based on the premise that each assessed parcel within the District receive special benefit from the improvements provided by the District. The desirability of properties is enhanced by the presence of local improvements in close proximity to those properties.

The special benefits associated with landscaped improvements are specifically:



NIPOMO COMMUNITY SERVICES DISTRICT  
ENGINEER'S ANNUAL LEVY REPORT  
STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1  
FISCAL YEAR 2007-2008

- 
- Enhanced desirability of properties through association with the improvements.
  - Improved aesthetic appeal of properties providing a positive representation of the area.
  - Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
  - Environmental enhancement through improved erosion resistance, dust and debris control.
  - Increased sense of pride in ownership of property within the District resulting in well-maintained improvements associated with the properties.
  - Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings.

Based on the preceding special benefits, it has been determined that the improvements provided through the District and for which parcels are assessed, contribute to aesthetic value and desirability of those properties. It has further been determined that these improvements, either individually or collectively are provided for the special benefit and enhancement of properties within the District and provide no measurable general benefit to properties outside the District or to the public at large.

Assessment Methodology

The maximum annual assessment that may be levied each fiscal year includes an annual inflationary adjustment to the maximum assessment rate based on the percentage change in the Consumer Price Index for Urban Wage Earners and Clerical Workers in San Francisco/San Jose for February 28 of the current year over the previous year's index on the same date. Although the maximum rate for the District may increase each year, the actual amount to be assessed is based on the annual budget and may be less than the maximum rate. The property owners must approve any proposed assessment that exceeds the adjusted maximum rate before it can be imposed.

The maximum assessment that may be levied in a fiscal year is increased annually by the following formula

<p>(Prior Year's Annual Maximum Assessment x CPI) Plus Prior Year's Annual Maximum Assessment</p>	}	= Current Year's Annual Maximum Assessment
---	---	--

NIPOMO COMMUNITY SERVICES DISTRICT  
ENGINEER'S ANNUAL LEVY REPORT  
STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1  
FISCAL YEAR 2007-2008

=====

The percentage change used is the annual change for the preceding 12 months. The annual inflation factor applied for the fiscal year 2007-2008 is based on the percentage change from February 2007 to February 2006 and has been identified as 3.125% (annual percentage change currently available).

Fiscal Year 2007-2008 District Budget

DESCRIPTION	2007-2008 BUDGET
Contract Landscape Maintenance (1)	\$2,568
Plant attrition and normal loss	720
Water	1,800
Electricity	120
Reserve (2)	4,000
Administration	1,100
TOTAL COST	\$10,308
COST PER PARCEL	\$368.14

MAXIMUM ALLOWABLE ASSESSMENT PER PARCEL (APPLYING INFLATIONARY ADJUSTMENT)	
2006-2007 Maximum Assessment	(1) \$365.34
X CPI (3.125%)	(2) \$11.41
	-----
Maximum Assessment Allowable	(1) + (2) \$376.75 =====
2007-2008 Annual Assessment-Proposed (remain same as 2006-2007)	\$365.34 =====

An inflationary adjustment for 2007-2008 is not proposed. The assessment for 2007-2008 is proposed to remain the same at \$365.34 per parcel.

(1) NCSD hired a new landscape maintenance contractor beginning January 1, 2007, at a substantially lower monthly fee resulting in an annual savings of approximately \$4,284 per year.

(2) With anticipated increases in water rates and the potential of exchanging current landscaping for more drought resistant landscaping in the future, the budget for reserves has been increased from \$720 in the previous year to \$4,000 this year. This is a one time proposed increase in reserves in order to give the NCSD the opportunity to evaluate the performance of the new landscape maintenance contractor as well as plan for future improvements.



NIPOMO COMMUNITY SERVICES DISTRICT  
ENGINEER'S ANNUAL LEVY REPORT  
STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1  
FISCAL YEAR 2007-2008

=====

Lot Number	Assessor Parcel Number	Annual Assessment
1	092-512-001	\$365.34
2	092-512-002	\$365.34
3	092-512-003	\$365.34
4	092-512-004	\$365.34
5	092-512-005	\$365.34
6	092-512-006	\$365.34
7	092-512-007	\$365.34
8	092-512-008	\$365.34
9	092-512-009	\$365.34
10	092-512-010	\$365.34
11	092-512-011	\$365.34
12	092-512-012	\$365.34
13	092-512-013	\$365.34
14	092-512-014	\$365.34
15	092-512-015	\$365.34
16	092-512-016	\$365.34
17	092-512-017	\$365.34
18	092-512-018	\$365.34
19	092-512-019	\$365.34
20	092-512-020	\$365.34
21	092-512-021	\$365.34
22	092-512-022	\$365.34
23	092-512-023	\$365.34
24	092-512-024	\$365.34
25	092-512-025	\$365.34
26	092-512-026	\$365.34
27	092-512-027	\$365.34
28	092-512-028	\$365.34
	TOTAL	\$10,229.52



  
 R. JAMES GARING  
 ASSESSMENT ENGINEER



**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2007-1008**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR ANNUAL  
LEVY OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR  
FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF  
DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

**WHEREAS**, the Nipomo Community Services District Board of Directors ("NCSD") has, by previous Petition and Resolution, formed the Nipomo Community Services District Street Landscape Maintenance District No. 1 (hereinafter referred to as "Street Landscape Maintenance District No. 1") pursuant to the provisions of Government Code §61601.20 and the Landscaping and Lighting Act of 1772 (hereinafter referred to as the "Act") that provides for the levy and collection of assessments by the County of San Luis Obispo for the Nipomo Community Services District to pay for the installation, planting and maintenance of landscaping within public streets, right of ways or easements within the Nipomo Community Services District; and

**WHEREAS**, Street Landscape Maintenance District No. 1 and the associated assessments are in compliance with the provisions of California Constitution Article XIID; and

**WHEREAS**, the NCSD has appointed Jim Garing, a registered engineer, as assessment engineer for the purpose of assisting with the Annual Levy of the Street Landscape Maintenance District No. 1 and to prepare and file a report in accordance with the Act.

**NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED** by the Board of Directors of the Nipomo Community Services District for the Nipomo Street Landscape Maintenance District No. 1, as follows:

**SECTION 1:** The NCSD hereby initiates proceedings for annual levy of assessments for Street Landscape Maintenance District No. 1 for Fiscal Year 2007-2008 pursuant to the provisions of the Act.

**SECTION 2:** The improvements within Street Landscape Maintenance District No. 1 include: trees, shrubs, grass, and other ornamental vegetation, and appurtenant facilities and including irrigation system within the Street Landscape Maintenance District No. 1. The Board of Directors does not anticipate new improvements or substantial changes in existing improvements.

**SECTION 3: Engineer's Annual Levy Report:** The NCSD Board of Directors hereby orders Jim Garing, a registered engineer, to prepare the Engineer's Annual Levy Report concerning the levy of assessments for Street Landscape Maintenance District No. 1 in accordance with *Chapter 3, Section 22622* of the Act.

**PASSED AND ADOPTED** by the Board of Directors of the Nipomo Community Services District this 11<sup>th</sup> day of April, 2007, by the following vote:


AYES: Directors Eby, Harrison, Trotter, Vierheilig and Winn  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
\_\_\_\_\_  
Michael Winn, President  
Board of Directors  
Nipomo Community Services District

ATTEST:

  
\_\_\_\_\_  
Donna K. Johnson, Board Secretary  
Nipomo Community Services District

APPROVED:

  
\_\_\_\_\_  
Jon S. Seitz, District Legal Counsel  
Nipomo Community Services District



**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2007-levy assmts**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT DECLARING ITS INTENTION TO  
LEVY ANNUAL ASSESSMENTS FOR THE STREET LANDSCAPE AND  
MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008**

**WHEREAS**, the Board of Directors of the Nipomo Community Services District ("NCSD") has, by previous Petition and Resolutions, formed the Nipomo Community Services District Street Landscape Maintenance District No. 1 (hereinafter referred to as "Street Landscape Maintenance District No. 1") and initiated proceedings for Fiscal Year 2006/07 pursuant to the provisions of the Landscaping and Lighting Act of 1972, Streets and Highways Code of California, beginning with Section 22500 (hereinafter referred to as "Act") that provides for the levy and collection of assessments by the County of San Luis Obispo for the Nipomo Community Services District to pay for the maintenance and services of all improvements and facilities related thereto; and

**WHEREAS**, the Street Landscape Maintenance District No. 1 and the associated assessments are in compliance with the provisions of California Constitution Article XIID; and

**WHEREAS**, the NCSD has appointed Jim Garing, Registered Engineer, for the purpose of assisting with the Annual Levy of the District and to prepare and file a Report in accordance with the Act, and that said Report has been prepared, filed, and presented to the Board of Directors.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT, FOR THE STREET LANDSCAPE AND MAINTENANCE DISTRICT NO. 1 PURSUANT TO CHAPTER 3, SECTION 22624 OF THE ACT AS FOLLOWS:**

**SECTION 1** Intention: The NCSD hereby declares that it intends to seek the Annual Levy of the District pursuant to the Act, over and including the land within the Street Landscape Maintenance District No. 1 boundary, and to levy and collect assessments on all such land to pay the costs of the following: the operation, maintenance, and servicing of landscaping and all appurtenant facilities and operations related thereto.

**SECTION 2** Description of Improvements and Any Substantial Changes Proposed: The improvements within the Street Landscape Maintenance District No. 1 include: the maintenance and operation of and the furnishing of services and materials for landscaping which includes trees, shrubs, grass, and other ornamental vegetation, and appurtenant facilities, including irrigation systems within the Street Landscape Maintenance District No. 1. The Engineer's Annual Levy Report describes all new improvements or substantial changes in existing improvements.

**SECTION 3** Boundaries and Designation: The boundaries of the Street Landscape Maintenance District No. 1 are described as the boundaries previously defined in the formation documents of the original Street Landscape Maintenance District No. 1.



**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2007-levy assmts**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE STREET LANDSCAPE AND  
MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008**

SECTION 4 Increase in Assessments: The assessment is proposed to remain the same as previous year.

SECTION 5 Engineers Report: The Report is on file with the Secretary of NCSD Board of Directors and contains a full and detailed description of the improvements, the boundaries of Street Landscape Maintenance District No. 1, and the proposed assessments upon assessable lots and parcels of land within Street Landscape Maintenance District No. 1.

SECTION 6 Notice: Pursuant to Section 22626 of the 1972 Act and 6061 of the Government Code, the NCSD shall give notice of the time and place of the Public Hearing to all property owners within Street Landscape Maintenance District No. 1 by causing the publishing of this Resolution once in the Times Press Recorder not less than ten (10) days before the date of the public hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the NCSD for the posting of notices.

SECTION 7 Time of Public Hearing: Notice is hereby given that a public hearing will be held by the Board of Directors of the Nipomo Community Services District on June 13, 2007, at 9:00 a.m. in the Regular Meeting Room located within the District Offices located at 148 South Wilson Street, Nipomo. California 93444.

SECTION 8 Incorporation of Recitals: The above Recitals are true and correct and incorporated herein by reference.

SECTION 9 Other Actions: The Board of Directors and such employees of the NCSD as are appropriate are authorized and directed to execute such other documents and take such further action as shall be consistent with the intent and purpose of this Resolution.

**PASSED AND ADOPTED** by the Board of Directors of the Nipomo Community Services District this 9<sup>th</sup> day of May 2007.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

Michael Winn, President  
NIPOMO COMMUNITY SERVICES District

ATTEST:

APPROVED AS TO FORM:

---

Donna K. Johnson, Secretary to the  
Board of Directors  
Nipomo Community Services District

---

Jon S. Seitz, District Legal Counsel  
Nipomo Community Services District

T:\BOARD MATTERS\RESOLUTIONS\RESOLUTIONS 2007\2007- LEVY ASSMTS.DOC



TO: BOARD OF DIRECTORS  
FROM: BRUCE BUEL *BB*  
DATE: MAY 4, 2007

**AGENDA ITEM  
D-4  
MAY 9, 2007**

## PARKS FUNDING EVALUATION

### ITEM

Authorize circulation of Parks Funding District Formation Request for Proposals (RFP) [RECOMMEND ADOPTION].

### BACKGROUND

Attached is a draft RFP prepared by staff to solicit proposals from engineering firms regarding formation of a funding district to generate revenues for the costs associated with construction and operation of a neighborhood park on the proposed one acre site on West Tefft Street. Staff believes that this evaluation is necessary for NCSD to move forward with its LAFCO application to activate Parks Authority and to establish the mechanisms to evaluate more detailed development proposals. Staff sees this evaluation as the preliminary "set up" work that will allow for the more detailed design phase to follow. Staff projects that this work will cost about \$30,000 and proposes that funding come from Property Tax Reserves in the FY07-08 Budget.

The Parks Committee on April 30, 2007 recommended that the Board authorize circulation of this RFP (with the edits incorporated into the attachment). Minutes of the Parks Committee Meeting are attached to Agenda Item G.

### RECOMMENDATION

Staff recommends that your Honorable Board authorize distribution of this RFP to local engineering firms so that the resulting proposals can be reviewed by the Parks Committee and your Board at subsequent meetings.

### ATTACHMENT

- FUNDING DISTRICT EVALUATION RFP

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2007\Parks Funding Evaluation.DOC

SCOPE OF WORK – INITIAL PHASE SERVICES  
NCSD NEIGHBORHOOD PARK FUNDING DISTRICT FORMATION (May 2007)

- I. INITIATION
  - A. Review Proposed “Miller Park” Concepts Plans
  - B. Review Olde Towne Nipomo Design & Circulation Plan
  - C. Review Tefft Street Development Plans (Including Specifications)
  - D. Review Listing of NCSD Assumptions
  - E. Participate in “kick-off” meeting
  
- II. CONFIRM PROPOSITION 218 PROCESS
  - A. Research Process and Options for Funding Capital & Operations
  - B. Submit Letter Report summarizing findings
  
- III. INITIAL CAPITAL AND OPERATIONS COST ALLOWANCES
  - A. Develop Cost Allowance Range for Construction
  - B. Develop Initial Cost Allowance for Annual Operations
  - C. Submit Letter Report summarizing findings
  
- IV. DEVELOPMENT OF DATA BASE FOR FUNDING DISTRICT
  - A. Plot Perimeter of Proposed Funding District (FD)
  - B. Prepare listing of properties, owners, & land use within Proposed FD
  - C. Create Data Base
  
- V. COMPUTATION OF PRELIMINARY ASSESSMENT/TAX RANGES
  - A. Propose One or More Zones of Benefit by Distance and/or Use
  - B. Propose Range of Assessment/Tax for capital
  - C. Propose Range of Assessment/Tax for operations
  - D. Submit Letter Report summarizing findings
  
- VI. OUTREACH
  - A. Attend NCSD Parks Committee Meeting
  - B. Attend Community Workshop
  - C. Attend NCSD Board Meeting
  
- VII. NEXT PHASE PREPARATION
  - A. Submit Proposal for Phase II



TO: BOARD OF DIRECTORS  
FROM: BRUCE BUEL *BBD*  
DATE: May 4, 2007



RECEIVE REPORT ON CLEAN-UP WEEK RESULTS

**ITEM**

RECEIVE REPORT ON CLEAN-UP WEEK RESULTS [NO ACTION REQUESTED]

**BACKGROUND**

South County Sanitary holds a semi-annual clean up week in Nipomo. The Spring Clean Up Week was held April 23 – 27, 2007, in Nipomo. Tom Martin of South County Sanitary has provided NCSD with the following statistics from last week's clean up efforts:

1. Garbage – picked up 350,300 pounds more than the average week (175.15 tons)
2. Recycling – picked up 26,340 pounds more than the average week (13.17 tons)
3. Green waste – picked up 52,000 pounds more than the average week (26.00 tons)
4. Special – picked up 87,660 pounds of appliances, couches, etc (43.83 tons or 250 pieces that wouldn't fit in a garbage truck) (items had to be picked up with a trailer)

**RECOMMENDATION**

Receive report on Clean Up Week results.

**ATTACHMENTS**

None

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2007\clean up week results.DOC