

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

- C-6) AUTHORIZE EXECUTION OF AGREEMENT WITH GROUND UP CONSTRUCTION TO PERFORM CONSTRUCTION MANAGEMENT SERVICES FOR BLACK LAKE WWTF LINER REPLACEMENT PROJECT [RECOMMEND ADOPTION]
- C-7) CONTINUE CONSIDERATION OF CHESTNUT VILLAS INTENT-TO-SERVE LETTER APPLICATION FOR MIXED USE COMPLEX AT 166 & 186 NORTH THOMPSON AVENUE TO AUGUST 22, 2007 BOARD MEETING [RECOMMEND ADOPTION]
- C-8) ACCEPT WATER AND SEWER IMPROVEMENTS FOR TRACT 2513 AND TRACT 2514 [RECOMMEND ADOPTION]

D. PRESENTATIONS AND PUBLIC COMMENT

- D-1) DR. BRAD NEWTON OF SAIC
Presentation of 2007 Groundwater Storage Update and Report on Coastal Monitoring Well Water Quality Results
- D-2) SHAYNE MORGAN OF DAVID TAUSSIG & ASSOCIATES
Presentation regarding Community Facilities District Project Funding
- D-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST
Receive Announcements from Directors Items of District & Community Interest
- D-4) PUBLIC COMMENT ON ITEMS NOT ON AGENDA
Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction not on the Board's agenda or pending before the Board.
Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.

E. ADMINISTRATIVE ITEMS

- E-1) RECEIVE BLACK LAKE WWTF POND #3 LINER REPLACEMENT DESIGN AND AUTHORIZE BID SOLICITATION FOR SUBSEQUENT BOARD REVIEW [RECOMMEND ADOPTION]
- E-2) CONSIDER AUTHORIZING EXECUTION OF OUTSIDE USER AGREEMENT FOR VINTAGE HOMES TRACT 2560 PROPERTY AT WILLOW AND VIA CONCHA (FORMERLY GRAIG FAMILY TRUST) [RECOMMEND AUTHORIZING EXECUTION]
- E-3) CONSIDER ADOPTION OF REVISIONS TO PERSONNEL POLICY [RECOMMEND APPROVAL]
- E-4) CONSIDER EUCALYPTUS GARDENS INTENT-TO-SERVE APPLICATION FOR 81-UNIT MULTI-FAMILY COMPLEX AT 680 HILL STREET [RECOMMEND APPROVAL]
- E-5) CONSIDER BUTTERFLY LANE INTENT-TO-SERVE APPLICATION FOR 8-UNIT SUBDIVISION AT 365 BUTTERFLY LANE [RECOMMEND APPROVAL]

F. MANAGER'S REPORT

G. COMMITTEE REPORTS

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

I. CLOSED SESSION ANNOUNCEMENTS

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

K. ADJOURN TO CLOSED SESSION

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN

➤ **THE FOLLOWING REGULAR BOARD MEETING IS JUNE 13, 2007.**

TENTATIVELY SCHEDULED ITEMS INCLUDE:

- Adopt Allocation Ordinance
- FY07-08 Budget Hearing
- FY07-08 Solid Waste Liens
- FY07-08 Black Lake Street Light Assessments
- FY07-08 Landscape Maintenance District #1 Assessments

➤ **THE FOLLOWING SPECIAL BOARD MEETING IS MAY 30, 2007.**

TENTATIVELY SCHEDULED ITEMS INCLUDE:

- FY07-08 Budget Workshop
- Future Water Projects Consideration

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL
DATE: MAY 18, 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.**

- C-1) APPROVE WARRANTS [RECOMMEND APPROVAL]
- C-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Approve Minutes of May 9, 2007, Meeting
- C-3) AUTHORIZE STAFF TO FORWARD DRAFT PARKS MEMORANDUM OF UNDERSTANDING TO SLO COUNTY [RECOMMEND ADOPTION]
- C-4) APPROVE CRAIG ANNEXATION PROPERTY TAX TRANSFER PROPOSAL PROPOSED BY SLO COUNTY [RECOMMEND ADOPTION]
- C-5) AMEND CANNON WATER AND SEWER MASTER PLAN AGREEMENT TO EXTEND TIME AND DELETE INCORPORATION OF SUPPLEMENTAL WATER PROJECT RECOMMENDATIONS [RECOMMEND ADOPTION]
- C-6) AUTHORIZE EXECUTION OF AGREEMENT WITH GROUND UP CONSTRUCTION TO PERFORM CONSTRUCTION MANAGEMENT SERVICES FOR BLACK LAKE WWTF LINER REPLACEMENT PROJECT [RECOMMEND ADOPTION]
- C-7) CONTINUE CONSIDERATION OF CHESTNUT VILLAS INTENT-TO-SERVE LETTER APPLICATION FOR MIXED USE COMPLEX AT 166 & 186 NORTH THOMPSON AVENUE TO AUGUST 22, 2007 BOARD MEETING [RECOMMEND ADOPTION]
- C-8) ACCEPT WATER AND SEWER IMPROVEMENTS FOR TRACT 2513 AND TRACT 2514 [RECOMMEND ADOPTION]

TO: BOARD OF DIRECTORS
 FROM: BRUCE BUEL
 DATE: MAY 18, 2007

AGENDA ITEM
C-1
MAY 23, 2007

HAND WRITTEN CHECKS

05-09-07 18988 PG&E 35,849.59
 05-23-07 18989 LOMA VISTA 8,384.00

TOTAL COMPUTER CHECKS
\$ 189,748.93

VOIDED CHECKS

13551

COMPUTER GENERATED CHECKS

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
13558	05/18/07	EMP01	EMPLOYMENT DEVELOP DEPT	606.78	.00	606.78	A70514	STATE INCOME TAX
13559	05/18/07	MID01	MIDSTATE BANK-PR TAX DEP	2418.88 198.70 621.90	.00 .00 .00	2418.88 198.70 621.90	A70514 1A70514 2A70514	FEDERAL INCOME TAX FICA MEDICARE (FICA)
Check Total.....:				3239.48	.00	3239.48		
13560	05/18/07	MID02	MIDSTATE BANK - DIRECT DP	18329.17	.00	18329.17	A70514	NET PAY
13561	05/18/07	PER01	PERS RETIREMENT	5659.44	.00	5659.44	A70514	PERS PAYROLL REMITTANCE
13562	05/18/07	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A70514	WAGE ASSIGNMENT
13563	05/18/07	STA01	STATE STREET GLOBAL	1105.00	.00	1105.00	A70514	457 DEFERRED COMP
013564	05/16/07	EBY01	EBY, ED	100.00	.00	100.00	051607	SPEC BD MEETING 051607
013565	05/16/07	HAR02	HARRISON, JAMES	100.00	.00	100.00	051607	SPEC BD MEETING 051607
013566	05/16/07	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	051607	SPEC BD MEETING 051607
013567	05/16/07	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	051607	SPEC BD MEETING 051607
013568	05/16/07	WIN01	WINN, MICHAEL	100.00	.00	100.00	051607	SPEC BD MEETING 051607
013569	05/23/07	ABA01	ABALONE COAST BACTERIOLOG	20.00 20.00 20.00 20.00 14.40 20.00 176.00 20.00 20.00	.00 .00 .00 .00 .00 .00 .00 .00 .00	20.00 20.00 20.00 20.00 14.40 20.00 176.00 20.00 20.00	1275 1280 1285 1290 1291 1304 1311 1312 1331	BLWWTP LAB BLWWTP LAB BLWWTP LAB BLWWTP LAB BL WELL #4 BLWWTP LAB TOWN WWTF LAB BLWWTP LAB BLWWTP LAB
Check Total.....:				330.40	.00	330.40		
013570	05/23/07	AME03	AMERI PRIDE	74.01 69.24	.00 .00	74.01 69.24	F175572 F181347	UNIFORMS ETC UNIFORMS ETC
Check Total.....:				143.25	.00	143.25		
013571	05/23/07	ATT01	AT&T/MCI	34.64 142.65 124.07	.00 .00 .00	34.64 142.65 124.07	T6423914 T6423916 T6423917	PHONE 9290161 PHONE 9291133 PHONE 9291341
Check Total.....:				301.36	.00	301.36		
013572	05/23/07	BEE01	BEE SAFE LOCK & KEY	143.00	.00	143.00	69015	REPAIR LOCKS
013573	05/23/07	BOY01	BOYLE ENGINEERING CORP	2602.80 3061.80 291.60 241.38 4182.42 24580.80 205.20 595.08 405.00 1618.65 488.70 270.00 707.40 302.40 10.00	.00 .00 .00 .00 .00 .00 .00 .00 .00 .00 .00 .00 .00 .00 .00	2602.80 3061.80 291.60 241.38 4182.42 24580.80 205.20 595.08 405.00 1618.65 488.70 270.00 707.40 302.40 10.00	43445 43447 43448 043335 043336 043337 043338 043443 043444 043450 043451 043452 043469 043470 043740	GENERAL SERVICES PCI APN 092 130 043/4 PCI APN 090 371 013 SOUTHLAND WWTF MASTER PLA WATERLINE INTERTIE ALTERNATIVE WATER SUPPLY SOUTHLAND WWTF PCI CO 04-0186 PCI TR 2689 PCI CO 06-0037 PCI TR 2732 PCI CO 05-0176 PCI TR 2715 PCI CO 06-0082 PCI TR 2558
Check Total.....:				40363.23	.00	40363.23		

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS MAY 18, 2007**

**AGENDA ITEM
C-1
MAY 23, 2007
PAGE TWO**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
013574	05/23/07	BRE02	BRENNTAG PACIFIC INC.	559.95	.00	559.95	BPI673029	CHLORINE
				537.54	.00	537.54	BPI673030	CHLORINE
			Check Total.....:	1097.49	.00	1097.49		
013575	05/23/07	BUE01	BUEL, BRUCE	408.25	.00	408.25	051307	TRAVEL TO SEMINAR
013576	05/23/07	CAN02	CANNON ASSOCIATES	22999.55	.00	22999.55	41096	WATER AND SEWER MASTER PL
013577	05/23/07	CAR04	CAR QUEST ARROYO GRANDE	76.12	.00	76.12	152695	SUPPLIES FOR SUNDALE WELL
013578	05/23/07	COM01	COMPUTER NETWORK SERVICES	598.00	.00	598.00	074A	APRIL COMPUTER SUPPORT
013579	05/23/07	CRE01	CREEK ENVIRONMENTAL LABS	176.00	.00	176.00	02412	TOWN WATER LAB
				256.00	.00	256.00	02542	WATER SAMPLES
			Check Total.....:	432.00	.00	432.00		
013580	05/23/07	CWE01	CWEA SSO-WDR WORKSHOP	252.00	.00	252.00	0507	MEMBERSHIP RENEWAL
013581	05/23/07	DEW01	J B DEWAR INC	185.03	.00	185.03	158876	OIL FOR WELLS
				23.49	.00	23.49	257707	OIL FOR WELLS
			Check Total.....:	208.52	.00	208.52		
013582	05/23/07	EBY01	EBY, ED	100.00	.00	100.00	052307	REG BD MEETING 052307
013583	05/23/07	FER01	FERGUSON ENTERPRISES INC	3289.36	.00	3289.36	1284354	BL BOOSTER RETRO
013584	05/23/07	FGL01	FGL ENVIRONMENTAL	97.00	.00	97.00	703591A	TOWN WWTP LAB
				233.00	.00	233.00	703891A	TOWN WWTP LAB
				137.00	.00	137.00	704462A	BL WWTP LAB
				167.00	.00	167.00	704465A	SUNDALE WELL LAB
			Check Total.....:	634.00	.00	634.00		
013585	05/23/07	FIS01	FISHER PUMP SERVICE	16802.58	.00	16802.58	382	BL WELL #4 REPLACEMENT
013586	05/23/07	GAR01	GARING TAYLOR & ASSOC	97.50	.00	97.50	7686	ENGINEER'S REPORT
				242.50	.00	242.50	7687	TR 1802 & 1856
				112.50	.00	112.50	7688	SHOP UPGRADE
				4690.00	.00	4690.00	7689	BL POND #3 LINER
			Check Total.....:	5142.50	.00	5142.50		
013587	05/23/07	GRO01	GROENIGER & CO	1095.82	.00	1095.82	683584SM	SUPPLIES
				241.08	.00	241.08	684377SM	SUPPLIES
			Check Total.....:	1336.90	.00	1336.90		
013588	05/23/07	HAR02	HARRISON, JAMES	100.00	.00	100.00	052307	REG BD MEETING 052307
013589	05/23/07	HAY01	HAYES & SONS	1437.00	.00	1437.00	501254	SLURRY COAT & STRIPE PARK
013590	05/23/07	KAM01	KAMAN INDUSTRIAL TECH	120.75	.00	120.75	38353	SUPPLIES
013591	05/23/07	LAW01	LAWRENCE RAGAN COMMUNICAT	99.00	.00	99.00	050107	SUBSCRIPTION
013592	05/23/07	MID05	MID STATE BANK PETTY CASH	109.77	.00	109.77	052307A	BOARD SUPPLIES
				25.00	.00	25.00	052307B	NOTICE OF EXEMPTION ALLOC
				20.00	.00	20.00	052307C	POSTAGE \$0.02 STAMPS
				16.79	.00	16.79	052307D	POSTAGE
			Check Total.....:	171.56	.00	171.56		
013593	05/23/07	NIP08	NIPOMO CSD	143.54	.00	143.54	051007	NCSO LANDSCAPE MAINT METE
013594	05/23/07	NOB01	NOBEL SYSTEMS	100.00	.00	100.00	9606	GIS UPDATES
013595	05/23/07	POO01	POOR RICHARD'S PRESS	677.78	.00	677.78	125255	CONSUMER CONFIDENCE REPOR
				391.24	.00	391.24	125508	WORK ORDER BOOKS

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS MAY 18, 2007**

**AGENDA ITEM
C-1
MAY 23, 2007
PAGE THREE**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
			Check Total.....:	1069.02	.00	1069.02		
013596	05/23/07	QUI01	QUILL CORPORATION	-128.56	.00	-128.56	673024C	CREDIT-TOP FOR DRAFTING T
				-128.56	.00	-128.56	674446C	CREDIT-RETURN TOP PLANMAS
				88.35	.00	88.35	6173607	SUPPLIES
				662.36	.00	662.36	6174102	DRAFTING TABLE
				347.47	.00	347.47	6204656	MOBILE STAND
				128.56	.00	128.56	6282591	TOP FOR PLANMASTER
				152.04	.00	152.04	6496077	SUPPLIES
				160.86	.00	160.86	6558502	SUPPLIES
			Check Total.....:	1282.52	.00	1282.52		
013597	05/23/07	RBA01	R BAKER, INC	1284.72	.00	1284.72	07031879	LIFT STN PUMP REPLACEMENT
				2255.82	.00	2255.82	07031882	BACK FILL SEWER LINE
				3014.90	.00	3014.90	07041870	SOUTHLAND WWTP TIE-IN
				12775.68	.00	12775.68	07041871	VALVE REPLACEMENTS
				15986.81	.00	15986.81	07041877	L/S REPAIR/TIE-INS/SLUDGE
				362.96	.00	362.96	07041878	POTHOLES FOR COUNTY RD
			Check Total.....:	35680.89	.00	35680.89		
013598	05/23/07	SAI01	SAIC	4818.75	.00	4818.75	91006	HYDROLOGIC MONITORING &
013599	05/23/07	SAN09	SAN LUIS MAILING SERVICE	34.28	.00	34.28	31723A	MAILING SERVICE
				104.91	.00	104.91	31723B	POSTAGE FOR MAILING
				147.22	.00	147.22	31744A	MAILING BILLS
				902.64	.00	902.64	31744B	POSTAGE FOR MAILING
			Check Total.....:	1189.05	.00	1189.05		
013600	05/23/07	SLO02	DIV OF ENVIRON HEALTH	736.68	.00	736.68	50946	CROSS CONNECTION WORK
013601	05/23/07	STA04	STATE DEPT OF HEALTH SERV	65.00	.00	65.00	GERMAN07	WATER GRADE 2 EXAM FEE
013602	05/23/07	STRO2	STREATOR PIPE & SUPPLY	34.19	.00	34.19	S1041664	BL INTERTIE PARTS
013603	05/23/07	TGP01	TGP WEST, INC.	284.14	.00	284.14	3848	SUNDALE WELL MAINT
013604	05/23/07	THE01	THE GAS COMPANY	11030.80	.00	11030.80	050107	GAS ENGINE - SUNDALE 086
013605	05/23/07	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	052307	REG BD MEETING 052307
013606	05/23/07	UNI02	UNITED STATES POSTAL	500.00	.00	500.00	052307	POSTAGE FOR MACHINE
013607	05/23/07	VAL01	VALLEY SEPTIC SERVICE	1585.50	.00	1585.50	4104	JETTING BL SEWER LINES
				2286.00	.00	2286.00	4111	JETTING BL SEWER LINES
				550.00	.00	550.00	4132	CLEANED LIFT STNS AT WOOD
				825.00	.00	825.00	4133	PUMP VAR LIFT STNS
				375.00	.00	375.00	4134	PUMP FROM SWWTF
			Check Total.....:	5621.50	.00	5621.50		
013608	05/23/07	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	052307	REG BD MEETING 052307
013609	05/23/07	VIE02	VIERHEILIG, LARRY	359.13	.00	359.13	051307	TRAVEL TO SEMINAR
013610	05/23/07	WIN01	WINN, MICHAEL	100.00	.00	100.00	052307	REG BD MEETING 052307
013611	05/23/07	WIN02	WINN, MICHAEL	371.85	.00	371.85	051307	TRAVEL TO SEMINAR
013612	05/23/07	XER01	XEROX CORPORATION	85.18	.00	85.18	24896499	COPIER MAINT

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 42 - Years of Service 1965 - 2007

MINUTES

MAY 9, 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**

00:00:00

A. CALL TO ORDER AND FLAG SALUTE

President Winn called the meeting to order at 9:00 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call the following Board members were present:
 Directors Harrison, Eby, Vierheilig and Winn
 Director Trotter was absent.

00:01:16

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) COMMANDER BASTI OF SOUTH COUNTY SHERIFF'S OFFICE

Commander Martin Basti presented information on the Sheriff's Activities on the Nipomo Mesa.

In the two months since the last report, twelve gang members were taken to jail.

There will be extra staffing for the Lopez Lake summer visitors and the upcoming graduation.

May 21, 2007 – There will be a Gang Force Presentation at the SCAC meeting, 6:30 p.m. in the NCS D Board meeting room.

There was no public comment.

The Board thanked Commander Basti for his presentation.

00:03:15

C-2) BATTALION CHIEF BILL FISHER OF CAL FIRE

Battalion Chief Bill Fisher reviewed a list of activities of CAL FIRE on the Nipomo Mesa. The list is available for viewing in the District office. There was no public comment. The Board thanked Battalion Chief Fisher for his presentation.

00:05:38

C-4) MIKE NUNLEY OF BOYLE ENGINEERING

This item was taken before C-3.

Mike Nunley, Boyle Engineering's Project Manager for the District's Supplemental Water Project, gave the Board an update on the progress: evaluation of water supply alternatives. He stated that the Technical Memorandum #1 (constraints' analysis of the various supplemental water supply alternatives) is on track and will be submitted in draft form for the June 27th meeting. Permitting constraints have been received from Padre Associates. A status meeting with SAIC was attended with Mr. Buel. The 2007 updated groundwater depth information will be reported. Boyle has been reviewing pipeline capacity for CCWA and excess capacity options with San Luis Obispo County. Mr. Nunley will be meeting Friday with legal counsel about the legal constraints with several of the alternatives. The desalination alternative presentation will be Wednesday, May 16, 2007. Boyle has been reviewing information with ConocoPhillips concerning their cooling water.

There was no public comment.

The Board thanked Mr. Nunley for his presentation.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

00:09:30

C-3) SAMMY THE STEELHEAD ON BEHALF OF SLO COUNTY PUBLIC WORKS

Jill Falcone, from the San Luis Obispo Public Works Department, made a presentation of County efforts to clean and protect natural resources. If anyone has questions, they may call 788-2767. The Hotline number is 781-5544. Sammy the Steelhead accompanied Ms. Falcone. The Board discussed the program with Ms. Falcone. She stated that Creek Day will be September 29th this year. All are encouraged to participate. There was no public comment.

The Board thanked Ms. Falcone and Sammy for the presentation.

00:37:00

C-5) NCSD UTILITY SUPERVISOR DAN MIGLIAZZO RE SOUTHLAND SHOP

Faith Watkins presented information about the possibility of using modular units for the Southland shop upgrades rather than building a permanent structure. A freeway ramp might be built where the shop is planned. She stated that it would be more economical to have moveable units to accommodate for the ramp. There was no public comment.

00:45:29

C-6) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST

The following Board members presented information of District & community interest:

Director Eby

Rancho Nipomo Heritage Days Concert and Barbeque - May 19th 6:30 -10:00 p.m. at the Dana Adobe. \$35.00 tickets available.

Director Harrison

Rotary Club will be barbequing during the day for Heritage Days.

Rotary Club will be hosting a golf tournament at Woodlands May 11, 2007.

Director Winn

May 9, 2007, 3:00 p.m. TDC Sub-committee for the SLO Board of Supervisors

May 10, 2007 - Planning Commission meeting

May 12, 2007 – Nipomo Incorporated Exploratory Group in NCSD Board room 9:00 a.m.

May 13-15, 2007 – Directors Winn and Vierheilg and Mr. Buel will be attending the Special District's Annual Legislative Days in Sacramento

May 16, 2007 – Desalination workshop and discussion of the Southland shop upgrade

May 12, 2007 – Coast Side 20-50 long-range planning put on by APCD, SLOCOG and others will be meeting at Pismo Beach Veterans building 9:00 to 1:00

SCAC will meet Monday, May 21, 2007, 6:30 p.m. instead of the usual 4th Monday because of Memorial Day weekend.

May 23, 2007, 3:00-5:00 p.m.– TDC Sub-committee

May 23, 2007, 3:00-5:00 p.m. – IRWRM – Proposition 50 Phase I information and public input for grant funding

May 24, 2007, Planning Commission will be considering the RMS determining whether or not a Level of Severity III should be certified for the Mesa.

Nipomo Community Services District
REGULAR MEETING
MINUTES

00:51:40

C-7) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There was no public comment.

The Board took a break at 9:53 a.m. and returned at 10:05 a.m.

Bruce Buel, General Manager, introduced Laura Pennebaker, the new intern, a.k.a. Sammy the Steelhead (for the day).

00:52:11

D. CONSENT AGENDA

- D-1) APPROVE WARRANTS
- D-2) APPROVE BOARD MEETING MINUTES
Approve Minutes of April 25, 2007 Meeting
- D-3) APPROVE ENGINEER'S REPORT FOR FY07-08 LANDSCAPE MAINTENANCE DISTRICT #1 ASSESSMENTS

RESOLUTION NO. 2007-1012
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT GRANTING APPROVAL OF THE ANNUAL ENGINEER'S LEVY REPORT FOR THE STREET LANDSCAPE AND MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008

RESOLUTION NO. 2007-1013
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

- D-4) AUTHORIZE CIRCULATION OF PARKS FUNDING DISTRICT FORMATION REQUEST FOR PROPOSAL
- D-5) RECEIVE REPORT ON CLEAN-UP WEEK RESULTS

There were two corrections to the Minutes of April 25, 2007 (Items E-3 and G). Upon motion of Director Eby and seconded by Director Vierheilig, the Board unanimously approved the Consent Agenda, as amended. Vote 4-0.

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

00:56:29

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER STAFF PROPOSAL TO ADDRESS GRAFFITI REMOVAL AND TO SEEK ACTIVATION OF GRAFFITI REMOVAL AUTHORITY

Bruce Buel, General Manager, reviewed the proposal to activate graffiti removal authority. The Board discussed the draft ordinance. The costs and how to fund them need to be defined.

The following member of the public:
Mark Wampler, painting contractor from Oceano, stated that he performs on-site color matching. It is best to remove before 72 hours. He stated that he disagrees with a separate funding source. The importance is to make tagging disappear.

- The Board discussed different aspects of the graffiti removal authority.
- With graffiti – time is of the essence. It needs to be removed before it cures.
 - Staff time is uncertain
 - Costs shared with property owners or the County
 - Graffiti damages the public interest

MINUTES SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

E-1) CONSIDER STAFF PROPOSAL TO ADDRESS GRAFFITI REMOVAL AND TO SEEK ACTIVATION OF GRAFFITI REMOVAL AUTHORITY (continued)

Jon Seitz, District Legal Counsel, explained that the structure of the solid waste removal does not include graffiti removal. He stated that LAFCo requires knowing the source of the funds to pay for the service.

The Board directed staff to investigate how the process works:

- Administration overhead
- People out of town when graffiti occurs on their property
- Agreement with the Sheriff
- County code enforcement agreement
- Occurrences on County or other public property
- Cal Trans bridge
- Minimum expectations from LAFCo for a budget

02:12:04

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

Bruce Buel, General Manager, reviewed the request from Kathleen Fairbanks for an eighty-one unit low income, multi-family project. A new concept of the project was given to the Board.

The following member of the public spoke

Ignacio Rincon, Global Premier Development and representative for the applicant spoke to the Board concerning the project. He stated that funding from the State for low-income would be available if built within three years. Allocation phasing of the project may cause the project not to receive a tax credit.

Jon Seitz, District Legal Counsel, stated that the Board may reallocate at the beginning of the second quarter or half way through the fourth quarter.

The Board discussed the allocation process and the project.

Upon motion of Director Harrison and Director Vierheilig, the Board unanimously agreed to table this item until the next meeting to give counsel time to research the allocation. Vote 4-0.

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

02:36:14

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

The following member of the public spoke:

Greg Nester, part owner and developer of the two projects being considered as E-3 and E-4, stated that he has been working diligently on the two projects. The latest version of the projects shows single-family homes. Upon motion of Director Harrison and seconded by Director Eby, the Board unanimously agreed to table E-3 until the next meeting when current drawings of the project can be provided. Vote 4-0.

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

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

02:42:45

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

There was no public comment. Upon motion of Director Harrison and seconded by Director Vierheilg, the Board unanimously agreed to table E-4 until the next meeting when current drawings of the project can be provided. Vote 4-0.

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

02:43:13

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 NCSO SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSO CASE NO. CV 040877, MARIA VISTA VS. NCSO CASE NO. CV 061079, AND MARIA VISTA VS. LINDA VISTA FARMS, NCSO ET AL CASE NO. CV 040150;
3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; NCSO 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. NCSO 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 comment.

K. ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 12:00 p.m.

02:44:00

L. OPEN SESSION
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back to Open Session at 1:40 p.m. Jon Seitz, District Legal Counsel, announced the following:

There was no public present. The Board heard an update on the items listed above. Mr. Jim Markman, Special Water Counsel, appeared by telephone. The Board gave instructions to legal counsel. There was no reportable action.

02:44:52

E-5) DISCUSS STATE OF CALIFORNIA PHASE II PROPOSITION 50 GRANT COMPETITION

Bruce Buel, General Manager, reviewed the recently published "Grant Program Guidelines and Proposal Solicitation Packages" from the Water Resources Control Board (SWRCB) and the Department of Water Resources (DWR).

President Winn explained further that the IRWMP is a regional plan. To receive funding, it must be genuinely regional. The four projects that were in the past application were: Nacimiento, Los Osos, Lopez Dam upgrade, and NCSO.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

E-5) DISCUSS STATE OF CALIFORNIA PHASE II PROPOSITION 50 GRANT COMPETITION (continued)

Upon motion of Director Eby and seconded by Director Vierheilig, the Board unanimously agreed to direct the President and the General Manager to argue for inclusion of NCSD's supplemental water project in the submittal with the following criteria:

- Should request some funding from the Phase II Grant
- Will not oppose County submittal
- Request consideration for inclusion in the Prop 84-1A round

There was no public comment. Vote 4-0.

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

03:05:13

E-6) INITIATE FORMATION OF PARKS CITIZENS ADVISORY SUB-COMMITTEE

Bruce Buel, General Manager, explained that the Parks Committee recommended that the Board form a seven-member Parks Citizens Advisory Sub-Committee and initiate the process to appoint five members at the Sub-Committee at the June 27th meeting. This would be a standing committee subject to the Brown Act. The Board discussed the draft selection criteria as presented in the Board packet. Upon motion of Director Vierheilig and seconded by Director Harrison, the Board unanimously approved the Parks Citizens Advisory Sub-Committee Selection Criteria, as amended.

PARKS CITIZENS ADVISORY SUB-COMMITTEE SELECTION CRITERIA

- I. CRITERIA FOR 5 IN-DISTRICT MEMBERS
 - A. Resided in District for at least five years
 - B. Cannot reside or own property within 500' of the boundary of a park or land under consideration to become a park
 - C. Not a member of NCSD
 - D. Some history of public or civic service in Nipomo
- * Previous experience in Parks and Recreation a plus
- II. CRITERIA FOR 2 SOI MEMBERS
 - A. Resided in current SOI for at least five years
 - B. Cannot reside or own property within 500' of the boundary of a park or land under consideration to become a park
 - C. Not a member of NCSD
 - D. Some history of public or civic service in Nipomo
- * Previous experience in Parks and Recreation a plus

There was no public comment. Vote 4-0.

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

03:31:07

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

Director Vierheilig recused himself for this item.

Director Eby asked legal counsel about conflict of interest.

Jon Seitz, District Legal Counsel, explained that if a director is not being paid, there is no financial conflict. There may be a "common law" conflict.

Director Eby recused himself.

There was no quorum to proceed. The item was tabled to a future meeting.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

The Board took a break at 2:36 p.m. and returned at 2:48 p.m.

03:40:15 F. MANAGER'S REPORT

Bruce Buel, General Manager, presented the Manager's Report as written. Director Harrison asked about the Craig agreement. Mr. Buel stated that it will be addressed at the next meeting. There was no public comment.

03:48:02 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

The Committee Reports were accepted, as presented.

03:51:01 H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby explained the process for choosing the replacement for Pat Beck, the Deputy Director for Planning. There were four candidates. The results will be revealed Friday, May 11, 2007.

ADJOURN

President Winn adjourned the meeting at 3:03 p.m.

➤ **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 18, 2007

AGENDA ITEM
C-3
MAY 23, 2007

DRAFT PARKS MEMORANDUM OF UNDERSTANDING

ITEM

Authorize staff to forward draft Parks Memorandum of Understanding to SLO County [RECOMMEND ADOPTION].

BACKGROUND

One component of activating Parks Authority is to negotiate a Memorandum of Understanding with SLO County that memorializes the respective roles and responsibilities of the District and the County. Attached is a draft MOU prepared by District Legal Counsel intended to initiate the negotiation between the two agencies. This MOU has been reviewed and edited by the Parks Committee.

RECOMMENDATION

Staff and the Parks Committee recommends that your Honorable Board direct staff to forward the attached MOU to Supervisor Achadjian and to initiate negotiations with the County regarding adoption of a final MOU.

ATTACHMENT

- Draft MOU

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MEMORANDUM OF UNDERSTANDING
BETWEEN THE NIPOMO COMMUNITY SERVICES DISTRICT AND
THE COUNTY OF SAN LUIS OBISPO
REGARDING THE NCSD'S ACTIVATION OF PARK POWERS

This Memorandum of Understanding ("MOU") is entered by and between the Nipomo Community Services District (hereafter "District") and the County of San Luis Obispo (hereafter "County") with reference to the following Recitals:

RECITALS

A. The District is a Community Services District formed and operated pursuant to California Government Code §§61000 et seq. Pursuant to Government Code §61100 (e) the District is authorized to "acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to, parks and open space, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law, Chapter 4 (commencing with Section 5780) of Division 5 of the Public Resources Code." ("Park Powers"); and

B. The District is considering the activation of Park Powers pursuant to the Cortese-Knox-Hertzberg Act ("the Act" Government Code §56000 et set.) and the rules and regulations of the Local Agency Formation Commission ("LAFCO"); and

C. The County is the owner of certain real property consisting of approximately one (1) acre located at the northeast corner of West Tefft and Carrillo Street, Nipomo, California, (herein the "Property"); and

D. The County has offered, without compensation, the Property to the District for the purposes of operating a park; and

E. Pursuant to Government Code § 56824.14, the District's exercise of Park Powers must be approved by LAFCO; and

F. It is the purpose of this MOU to identify the responsibilities of the parties in developing the Property for use as a park and the transfer of the Property to the District, upon LAFCO activation of District's Park Powers.

NOW, THEREFORE, the parties agree as follows:

1. District and County will work cooperatively to:
 - a. develop a plan identifying park features and improvements;

- b. identify funding mechanisms (including but not limited to grants, Public Facility Fees, Quimby Fees, loans, donations and assessment districts) to construct park improvements and for ongoing operation and maintenance.

2. Upon completion of the tasks referenced in paragraph 1, above, District will apply to LAFCO to activate Park Powers. LAFCO approval to be conditioned on:

- a. compliance with the California Environmental Quality Act (CEQA);
- b. implementation of a funding mechanism to support construction of park improvements and the long-term operation and maintenance.

3. Upon LAFCO approval of the District's activation of park powers, County shall transfer Property to District.

4. Upon transfer of the Property to District pursuant to paragraph 3, above, District agrees to use its reasonable best efforts to construct the park improvements referenced in paragraph 1(a), above, and thereon operate and maintain the Property as a park.

5. Notwithstanding LAFCO's approval of the District's activation of park powers, the District shall have no obligation to operate other parks within the District boundaries except by mutual written agreement between the County and the District.

6. Recitals A through F are true and correct and incorporated herein by this reference.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding to be effective on the date of the last party to approve the MOU.

MICHAEL WINN, President
Nipomo Community Services District

Chair, Board of Supervisors
County of San Luis Obispo

DATED: _____, 2007

DATED: _____, 2007

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APPROVED AS TO FORM AND LEGAL EFFECT

JON S. SEITZ, District Legal Counsel
Nipomo Community Services District

Dated: _____, 2007

ATTEST:

District Secretary

Dated: _____, 2007

County Counsel

Dated: _____, 2007

County Clerk Recorder

Dated: _____, 2007

T:\DOCUMENTS\SERVICES\PARKS\OLDE TOWNE POCKET PARK\MOU MILLER PARK 1.DOC

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: MAY 18, 2007



PROPERTY TAX EXCHANGE FOR PROPOSED
CRAIG ANNEXATION #28

ITEM

Consider approval of Resolution accepting the annual tax increment to be transferred from County of SLO to NCSD (District) in the amount of 6.26491%.

BACKGROUND

The District and the Craig Family have entered into an Annexation Agreement to annex approximately 19 acres known as Tract 2650.

With any proposed annexation to the District, the State Revenue & Taxation Code Section 99 requires the District and County negotiate transfer of an annual tax increment from the County to the District. With the assistance of the Auditor-Controller's Office, LAFCO has determined that the annual tax increment to be exchanged is 6.26491% effective fiscal year 2008-2009.

The negotiation period is May 8 to July 6, 2007.

RECOMMENDATION

It is recommended that your Honorable Board adopt Resolution 2007-Craig tax exchange accepting the annual tax increment to be transferred from County of SLO to District in the amount of 6.26491%.

ATTACHMENTS

District Resolution 2007-Craig tax exchange
LAFCO Notice to Commence Negotiation to Transfer of Property Tax Revenue

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RESOLUTION NO. 2007-CRAIG

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE
AND ANNUAL TAX INCREMENT FROM COUNTY OF SAN LUIS OBISPO
TO NIPOMO COMMUNITY SERVICES DISTRICT
FOR ANNEXATION NO. 28 (CRAIG)**

WHEREAS, in the case of a jurisdictional change other than a city incorporation or district formation which will alter the service area or responsibility of a local agency, Revenue and Taxation Code Section 99(b) requires that the amount of property tax revenue to be exchanged, if any, and the amount of annual tax increment to be exchanged among the affected local agencies shall be determined by negotiation; and

WHEREAS, when an independent special district is involved, the negotiations are conducted by the Board of Supervisors of the County and the Board of Directors of the District pursuant to Revenue and Taxation Code Section 99.(b)(5); and

WHEREAS, Revenue and Taxation Code Section 99.(b)(6) requires that each local agency, upon completion of negotiations, adopt resolutions whereby said local agencies agree to accept the negotiated exchange of property tax revenues and annual tax increment and requires that each local agency transmit a copy of each such resolution to the Executive Officer of the Local Agency Formation Commission; and

WHEREAS, no later than the date on which the certificate of completion of the jurisdictional change is recorded with the County Recorder, the said Executive Officer shall notify the County Auditor of the exchange of property tax revenues by transmitting a copy of said resolutions to him and the County Auditor shall thereafter make the appropriated adjustments as required by law; and

WHEREAS, the negotiations have taken place concerning the transfer of property tax revenues and annual tax increment between the County of San Luis Obispo and the Nipomo Community Services District pursuant to Section 99(a)(1) for the jurisdictional change designated as LAFCo File 6-R-06: Annexation No. 28 (Craig) to the Nipomo Community Services District; and

WHEREAS, the negotiating parties, to wit: Dan Buckshi, Assistant Administrative Officer, County of San Luis Obispo and Bruce Buel, General Manager of the Nipomo Community Services District have negotiated the exchange of property tax revenue and annual tax increment between such entities as hereinafter set forth; and

WHEREAS, it is in the public interest that such negotiated exchange of property tax revenues and annual tax increment was consummated by the Board of Supervisors on May 8, 2007; and

WHEREAS, revenue and taxation code Section 99(b)(7) provides for a 15-day renegotiation period if a proposal is modified by LAFCO.

RESOLUTION NO. 2007-craig

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE
AND ANNUAL TAX INCREMENT FROM COUNTY OF SAN LUIS OBISPO
TO NIPOMO COMMUNITY SERVICES DISTRICT
FOR ANNEXATION NO. 28 (CRAIG)
PAGE TWO

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

1. That the recitals set forth above are true, correct and valid.
2. That the Nipomo Community Services District agrees to accept the following negotiated exchange of property tax revenues and annual tax .
 - a. No base property tax revenue shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District.
 - b. For Annexation No. 28, the annual tax increment in an amount to be determined by the County Auditor, based upon the following percentage agreed to by the negotiating parties, 6.26491 percent, before the ERAF calculations, shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District in the fiscal year 2008-2009 and each fiscal year thereafter.
3. Upon receipt of a certified copy of this resolution and a copy of the recorded certificate of completion, the County Auditor shall make the appropriate adjustments to property tax revenues and annual tax increment as set forth above.
4. That the Secretary to the Board of Directors is authorized and directed to transmit a certified copy of this resolution to the Executive Officer of the San Luis Obispo Local Agency Formation Commission, who shall then distribute copies thereof in the manner prescribed by law.

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

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 23th day of May 2007.

Michael Winn, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

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

COMMISSIONERS

KATCHO ACHADJIAN
CHAIR, County Member

RICHARD ROBERTS
Vice-Chair,
Public Member

DAVID BROOKS
Special District Member

BRUCE GIBSON
County Member

BARBARA MANN
Special District Member

Duane Picanco
City Member

ALLEN SETTLE
City Member

ALTERNATES

ED EBY
Special District Member

TOM MURRAY
Public Member

GARY NEMETH
City Member

JAMES R. PATTERSON
County Member

STAFF

PAUL L. HOOD
Executive Officer

RAYMOND A. BIERING
Legal Counsel

DAVID CHURCH
Senior LAFCO Analyst

DONNA J. BLOYD
Commission Clerk

TO: DAN BUCKSHI, COUNTY ADMINISTRATIVE OFFICE

FROM: DAVID CHURCH, AICP, SENIOR ANALYST

DATE: MARCH 27, 2007

**SUBJECT: ANNEXATION NO. 28 TO THE NIPOMO COMMUNITY
SERVICES DISTRICT (CRAIG)**

LAFCO FILE NO: 6-R-06

This memo is to request that the County begin tax negotiations with the Nipomo Community Services District.

The County Auditor has provided LAFCO with the property tax revenue estimates for the current fiscal year and what proportion of the tax revenue is attributed to the taxing agencies within the subject territory. Attached is the documentation prepared by the Auditor's office that will facilitate the tax exchange for this annexation.

Also included is the following information:

- LAFCO Application
- Map of the site

Thank you for your assistance regarding this annexation. If you have questions, please call me at 788-2096.

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

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

Proposed Jurisdictional Change: Annexation No. 28 to the Nipomo CSD (Craig Family Trust)

LAFCO File No: 6-R-06

Purpose of proposal: to receive water services from the NCSD

Negotiating Agencies:

County of San Luis Obispo
Nipomo Community Services District

**Agenda Date for
Start of Negotiations:**

May 8, 2007

Subject Property:

<u>Tax Code Area</u>	<u>Parcel Nos.</u>	<u>Valuation</u>
052-002	091-181-052	29,276
052-041	091-181-053	<u>296,652</u>
		325,928

Estimated property tax revenue generated within subject property: in fiscal year 2006-2007.

GENERAL FUND	\$887
ROADS	5
AIR POLLUTION CONTROL	14
COUNTY LIBRARY	66
PORT SAN LUIS HARBOR	48
SLO CO FLOOD CONTR	9
NACIMIENTO WTR CON	10
ARROYO GRANDE CEMETRY	0
LUCIA MAR UNIFIED	1,446
SLO CO COM COLLEGE	254
CO SCHOOL SERVICE	151
ERAF	370
TOTALS	<u>\$3,260</u>

Negotiation Period: May 8-July 6, 2007

Property Tax Exchange effective fiscal year: 2008-2009

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

Date: 4/27/07

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

Lisa Bognuda

From: David Church [dchurch@slolafco.com]
Sent: Tuesday, May 15, 2007 10:08 AM
To: Lisa Bognuda
Subject: Craig Annexation: Property Tax Exchange Percent

Lisa,

According to the County Auditor, the percentage of annual tax increment to be exchanged for the Craig annexation is 6.26491%.

Please call me if you any questions.

David Church, AICP
Senior Analyst
San Luis Obispo LAFCO
805-788-2096