

**NIPOMO COMMUNITY SERVICES DISTRICT**  
**AGENDA**



REGULAR BOARD MEETING    APRIL 3, 1996    7:00 P.M.  
BOARD ROOM    261 W. DANA STREET, SUITE 100    NIPOMO, CA

**BOARD MEMBERS**

STEVEN SMALL, **PRESIDENT**  
KATHLEEN FAIRBANKS, **VICE PRESIDENT**  
ALEX MENDOZA, **DIRECTOR**  
AL SIMON, **DIRECTOR**  
ROBERT BLAIR, **DIRECTOR**

**STAFF**

DOUGLAS JONES, **General Manager**  
DONNA JOHNSON, **Secretary to the Board**  
JON SEITZ, **General Counsel**

CALL TO ORDER AND FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

1. REGULAR MEETING OF MARCH 20, 1996

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS  
Public comments on matters other than scheduled items.  
Presentations limited to three (3) minutes

BOARD ADMINISTRATION

3. PROPOSED ANNEXATION NO. 15 - NEWDOLL  
Request to annex 7½ acres at Hazel Lane & Tefft St. (Discussion/Action)
4. DISTRICT ANNEXATION POLICY  
Review existing annexation policy with proposed changes. (Discussion/Information).
5. TRACT 2213 - REQUEST FOR INTENT-TO-SERVE  
A 25 lot subdivision on Grande Ave. requesting water and sewer service (Discussion/Action).
6. STATE REVOLVING FUND LOAN  
Use State Revolving Funds to expand District's wastewater Treatment Facility (Discussion/Action).

FINANCIAL REPORT

7. APPROVAL OF WARRANTS

OTHER BUSINESS

8. MANAGER'S REPORT
  1. SLO-CSDA MEETING APRIL 25, 1996
  2. SLO COUNCIL OF GOVERNMENT FEBRUARY 3, 1996 PROCEEDINGS
  3. CAPITAL SEMINAR TOUR, MAY 5, 1996
  4. CSDA- SACRAMENTO GOVERNMENT DAY MAY 6, 1996
  5. CSDA NEWSLETTER
  6. CCRC NEWS
  7. DRAFT WATER & SEWER FINANCIAL PLAN - STUDY SESSION APRIL 27
9. DIRECTORS COMMENTS
10. PUBLIC COMMENTS

ADJOURN

NIPOMO COMMUNITY SERVICES DISTRICT  
MINUTES

REGULAR BOARD MEETING MARCH 20, 1996 7:00 P.M.  
BOARD ROOM 261 W. DANA STREET, SUITE 100 NIPOMO, CA

BOARD MEMBERS

STEVEN SMALL, PRESIDENT  
KATHLEEN FAIRBANKS, VICE PRESIDENT  
ALEX MENDOZA, DIRECTOR  
AL SIMON, DIRECTOR  
ROBERT BLAIR, DIRECTOR

STAFF

DOUGLAS JONES, General Manager  
DONNA JOHNSON, Secretary to the Board  
JON SEITZ, General Counsel

CALL TO ORDER AND FLAG SALUTE

President Small called the March 20, 1996 Regular meeting to order at 7:07 p.m. and led the flag salute.

ROLL CALL

At Roll Call, the following Board members were present:  
Directors Blair, Mendoza and Small. Directors Fairbanks and Simon arrived a little later.

APPROVAL OF MINUTES

1. REGULAR MEETING OF MARCH 6, 1996

Upon motion of Director Mendoza and seconded by Director Blair, the Board unanimously approved the Minutes of the March 6, 1996 meeting with a correction on Item #5.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS  
Public comments on matters other than scheduled items.  
Presentations limited to three (3) minutes.

President Small opened the meeting to Public Comments.  
There were none.

Director Fairbanks arrived about 7:15 p.m.

To accommodate the temporary absence of Director Simon, President Small took some agenda items out of order. The next item presented was #8, APPROVAL OF WARRANTS. After # 8 President Small addressed Item #4 DEVELOPMENT OF A COMMUNITY CENTER IN OCEANO. After this item, Director Simon arrived approximately 7:25 p.m. and regular order of agenda items was resumed.

6. REQUEST FOR ANNEXATION - NEWDOLL

Annexation request for 7½ acres at the intersection of Hazel Lane and Tefft St.  
(Discussion/Action).

Mr. Jones presented a request from Mr. Bob Newdollar for annexation of 7½ acres near the intersection of Hazel Lane and Tefft St. Mr. Newdollar addressed the Board asking that the project be grandfathered in with the old annexation policy. Mr. Kaye, Mr. Hirsch, John Snyder, and Mr. Dobbe commented from the audience. President Small would like to ask LAFCO what is their definition of a sustainable water supply and how does an overdraft condition affect this definition. Upon motion of Director Small and seconded by Director Simon, the Board approved to direct staff to formulate policy to consider in the form of a resolution to come to a conclusion about annexation. Director Fairbanks abstained from the vote.

7. CONSTRUCTION OF WELL PUMP HOUSES

Request for bids to construct pump houses at three District well sites (Discussion/Action).

Mr. Jones presented a report to consider going out to bid for the construction of pump houses at the Via Concha, Bevington and Eureka well-sites. Mr. Snyder, Mr. Dobbe, Mr. Hirsch and Mr. Kaye commented from the audience. Upon motion of Director Fairbanks and seconded by Director Blair, the Board unanimously approved to direct staff to proceed with the request for bids for the construction of the pump houses at the designated well-sites.

FINANCIAL REPORT

8. APPROVAL OF WARRANTS

Upon motion of Director Blair and seconded by Director Fairbanks, the Board unanimously approved the warrants presented at the March 20, 1996 meeting. Director Simon was absent at this time. Vote 4-0.

OTHER BUSINESS

9. MANAGER'S REPORT

Mr. Jones presented information of the following items:

1. RATE STUDY /FINANCIAL PLAN STUDY SESSION APRIL 27 800 AM-NOON
2. PB PIPE REPAIR, STATUS REPORT
3. BLACK LAKE DEVELOPMENT
4. WASTEWATER FACILITY EXPANSION
5. SAMDA

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: APRIL 3, 1996

ANNEXATION NO. 15, NEWDOLL

Staff has prepared the following items with respect to the proposed Newdoll Annexation No. 15.

1. A time frame of the applicant's annexation request.
2. A statement of findings and supporting documents with respect to the District's annexation policy and LAFCO's policy.
3. Resolution No. 96-574 A resolution conditionally approving the proposed annexation.

After reviewing the attached material, Your Honorable Board may approve or disapprove the findings, request additional information or make modifications to the attached report and findings.

Based on the above, the Board may conditionally approve the proposed annexation, disapprove the annexation or return it to staff for evaluation of the Board's input and bring it back to Your Honorable Board for further action.

C:\W:\BD\newdoll2.DOC

NIPOMO COMMUNITY SERVICES DISTRICT

NEWDOLL ANNEXATION #15 TIMELINE

- 1/20/95 Newdoll submits application to LAFCO
- 4/28/95 NCSD receives notice from LAFCO that a Property Tax Exchange negotiation is a prerequisite to the hearing by LAFCO
- 5/17/95 NCSD Agenda-Information item telling Board that the County intends to negotiate a zero tax exchange
- 5/24/95 NCSD receives request from LAFCO to provide LAFCO staff with a Plan for Providing Services to the area proposed to be annexed
- 7/5/95 NCSD Agenda-No action was taken on property tax negotiation
- 7/11/95 SLO Board of Supervisors approve commencement of negotiations for the exchange of property taxes
- 10/5/95 NCSD letter to Paul Hood requesting confirmation from SLO Board of Supervisors of a zero property tax exchange
- 10/26/95 Letter from Robert Hendrix (County CAO) stating the time limit on negotiation of a tax exchange has expired
- 2/20/96 Newdoll submits Request for Annexation form to NCSD
- 2/21/96 NCSD Agenda-Board reviews information and requests additional information from Newdoll
- 2/22/96 Letter from LAFCO to Engineering Development Associates (EDA) stating the time has expired on Annexation #15 and the application has been officially terminated
- 3/20/96 NCSD Agenda-Board reviews Newdoll's application. Board directs staff to come back at next meeting with findings and a resolution

EXHIBIT "A"

PROPOSED ANNEXATION NO. 15 - NEWDOLL

STATEMENT OF FINDINGS AND SUPPORTING DOCUMENTATION

A. CONSISTENCY WITH DISTRICT POLICIES

1. DISTRICT GENERAL POLICIES.

It is the intent of the DISTRICT's annexation policy to review all requests for annexation on the basis of adequacy of resources, consistency with the General Plan of San Luis Obispo County, and the policies of the Local Agency Formation Commission and consistency with the DISTRICT's philosophy to provide services at the lowest cost to its residents.

- 1.1 The owners are willing to accept all conditions for service required by the DISTRICT. (Section III(A))

Yes. See Condition 5 to Resolution.

- 1.2 Requests for annexation solely for sewage services to the exclusion of water services will not be considered. (Section III(A))

Not applicable. Applicant requesting both water and sewer service.

- 1.3 The proponent of the annexation must submit a comprehensive development plan in sufficient detail to disclose the full impact of the annexation on the DISTRICT's long term water resources, water distribution facilities, sewage services, financial programs. (Section III(B))

The DISTRICT has a present pumping capacity of approximately 2380 gpm or 3800 ac/ft per year. Projections of the DISTRICT's water needs to the year 2010, based on the South County General Plan and an average consumption rate of one-half acre foot per year per account would be approximately 2600 ac/ft per year. This number corresponds with the Boyle Engineering Master Plan, indicating that the population would be approx. 15,000 by the year 2010 and that the DISTRICT water needs would be 2582 ac/ft per year. The Boyle Report also indicates that the DISTRICT will need additional storage and well production to meet peaking

## EXHIBIT "A"

capacity during the summer months. These future improvements will be "capital expenditure" items. The **DISTRICT** is proceeding with a rate study and financial plan to meet these capital needs for future water and sewer improvements.

The **DISTRICT** is presently completing the design to expand the wastewater treatment facility and plans to construct the expansion next fiscal year. Upon completion of this expansion, the sewer capacity will be more than adequate to meet the proposed annexation and future flows of the **DISTRICT**.

A number of studies have been completed indicating that the Nipomo Mesa groundwater basin is in a state of overdraft. Groundwater basins that are in overdraft over a long period of time normally develop undesirable results. Some studies indicate that there is approx. 170,000± ac/ft of water in storage above sea level in the Nipomo Mesa basin. This water source, in the foreseeable future, would be adequate to meet the **DISTRICT's** customer water needs, unless restrictions are imposed on groundwater extractions, either legislatively, judicially or some form of groundwater management or undesirable effects of the basin appear, i.e. pollution, sea water intrusion, wells going dry.

The projected water use for the proposed Annexation No. 15 is approx. 10 ac/ft per year. The impact of water use for the proposed subdivision with the existing **DISTRICT** consumption would be about 0.6% and at build-out would be approx. 0.4% of total production needed to supply water to the **DISTRICT's** customers.

Sewer flows are estimated to be 0.007MGD  
(See Attachments No. 1.)

- 1.4 The **DISTRICT's** approval of the annexation will be condition upon the proponent obtaining all county approvals before the annexation becomes effective.  
(Section III(B))

See Condition 2 to proposed Resolution.

EXHIBIT "A"

- 1.5 The proponent must demonstrate a need for DISTRICT services. (Section III(C)).

To develop the property in conformance with the County's zoning water and sewer services are needed.

- 1.6 The proposed annexation will provide benefit to the current residents within the DISTRICT. (Section III(C))

As discussed in paragraph 1.3, the District's primary water supply is from the Nipomo Groundwater Basin. Areas developed on the Mesa, whether within the District or outside the District boundary, will be using this water source for such development. It may be in the District's best interest to extend the District boundaries so that the District would have some control over water consumption, conservation, contaminants, etc. associated with the groundwater basin. The District by expanding its area would enlarge its user base, therefore, take advantage of the "economy of scale" with respect to all users in the District.

A disadvantage of extending the District boundaries would be that if some extraction limitation were imposed on the District water supply, then the existing users would have to share a limited water supply with new areas coming within the jurisdiction of the District.

2. SPECIFIC POLICIES RE UNDEVELOPED PROPERTY.

The property that is the subject of this annexation is not developed to the maximum land use intensity permitted by the County's General Plan and is therefore subject to the following additional requirements:

- 2.1 The land must be located within DISTRICT's Sphere of Influence. (Section V(B))

Yes. The subject property is within the DISTRICT's sphere of influence and urban service area. (Attachment 2)



EXHIBIT "A"

- 2.2 The land must be immediately adjacent to the DISTRICT'S Facilities, or the proponent is willing to extend adequate facilities at no cost to the DISTRICT. (Section V(B))

The subject property is non-contiguous and is located approximately 1500 feet from the DISTRICT'S property. See map, Attachment 3. The applicant proposes to provide water and sewer service to the property as follows:

1. Extension of water lines to the property.
2. Extension of sewer lines and lift station as needed to serve the property.

The conditional approval of the annexation provides that the Applicant is willing to enter into an agreement with the DISTRICT to extend and supply adequate facilities to service the proposed annexation at no cost to the DISTRICT. See Condition 4(a) to proposed Resolution.

- 2.3 The proponent will pay for, or provide on site, facilities approved by the DISTRICT to satisfy estimated demand for services to the proposed annexation without reducing the ability of the DISTRICT to service properties already inside the DISTRICT (i.e., the DISTRICT may require that sufficient proven water well capacity be available at the development site or other approved location, and dedicated to the DISTRICT. (Section V(B))

See Condition 4 & 5 of proposed Resolution and Sec. 1.3.

- 2.4 The proponent pay all applicable fees. (Section V(B))

See Resolution Condition 4(b).

3. ANNEXATION FEES.

Annexation fees are set a \$500 per acre, or per parcel less than one acre and must be paid at the time of application for annexation.

See Attachment 4.

EXHIBIT "A"

B. CONSISTENCY WITH LAFCO POLICIES.

1. Non-contiguous annexations are discouraged.

This is a non-contiguous annexation. However, as noted in Section 2.1, above, the property is within the **DISTRICT'S** sphere of influence and within the Urban Service Line.

2. Development of vacant land within the **DISTRICT** boundaries is favored over development in fringe areas.

See Section 1.3

3. The Commission discourages annexations of long-term agricultural and open space areas.

Non applicable. The land proposed for annexation is zoned residential, 10,000 sq/ft lots.

4. The **DISTRICT** will be required to demonstrate that it has the capacity to serve the vacant or underutilized parcels within its boundaries.

See Section 1.3.

5. The **DISTRICT** will be required to demonstrate the availability of an adequate, reliable and sustainable supply of water. Further, in cases where a proposed annexation will be served by on-site water source, the proponent will be required to demonstrate its adequacy.

See Section 1.3.

6. The proposed annexation represents a logical and reasonable expansion of the **DISTRICT** boundaries.

Yes. The property is within the **DISTRICT** Sphere of Influence and within the Urban Service Line.

RESOLUTION NO. 96-574

A RESOLUTION OF THE  
BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
CONDITIONALLY APPROVING  
THE ANNEXATION OF APPROXIMATELY 7 1/2 ACRES  
LOCATED AT THE INTERSECTION OF HAZEL LANE  
AND TEFFT STREET, NIPOMO, CALIFORNIA

WHEREAS, ROBERT NEWDOLL ("Applicant"), is the owner of certain real property located at the intersection of Hazel Lane and Tefft Street, Nipomo, California, Assessor's Parcel Number 092-123-031, 030, and 005;

WHEREAS, Applicant desires to annex Applicant's property to the NIPOMO COMMUNITY SERVICES DISTRICT ("DISTRICT");

WHEREAS, Applicant commenced annexation proceedings through the LOCAL AGENCIES FORMATION COMMISSION ("LAFCO Commission") on January 20, 1995.

The LAFCO Commission proceedings were terminated on or about February, 1996;

WHEREAS, the Applicant is contemplating processing a new Application/Petition (with the LAFCO Commission) for annexation of Applicant's property to the DISTRICT;

WHEREAS, the Applicant, prior to submitting said Application to LAFCO is requesting the DISTRICT's conditional approval of the proposed annexation;

WHEREAS, this item was properly placed on the agenda for DISTRICT consideration pursuant to the Ralph M. Brown Act; and

WHEREAS, based upon the facts and analysis presented by the Applicant, the Staff Report, public testimony received, the Board of Directors of the DISTRICT finds:

- A. That the above recitals are true and correct.
- B. That the proposed annexation is consistent with both DISTRICT and LAFCO annexation policies. Said policies and supporting material are attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED AS FOLLOWS:

That the Board of Directors of the DISTRICT does approve the annexation of the Applicant's property, subject to the following conditions:

1. The Applicant diligently processes the application for annexation through the LAFCO process.

2. The Applicant receives all required approvals and clearances from the LAFCO Commission and the County of San Luis Obispo, including but not limited to compliance with the California Environmental Quality Act and the Cortese Knox Local Government Reorganization Act.

3. The issue of the property tax exchange is resolved between the DISTRICT and the County of San Luis Obispo or by other acceptable proposals of the Applicant.

4. The Applicant enters into an agreement with the DISTRICT to:

(a) Supply infrastructure to and within the proposed area of annexation at no cost to the DISTRICT.

(b) Pay all DISTRICT fees and costs associated with the annexation, including but not limited to the DISTRICT annexation fees.

5. The Applicant complies with all additional conditions that may be imposed by the DISTRICT through the date of annexation.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services DISTRICT this \_\_\_\_ day of \_\_\_\_, 1996, on the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Steven A. Small, President  
Nipomo Community Services District

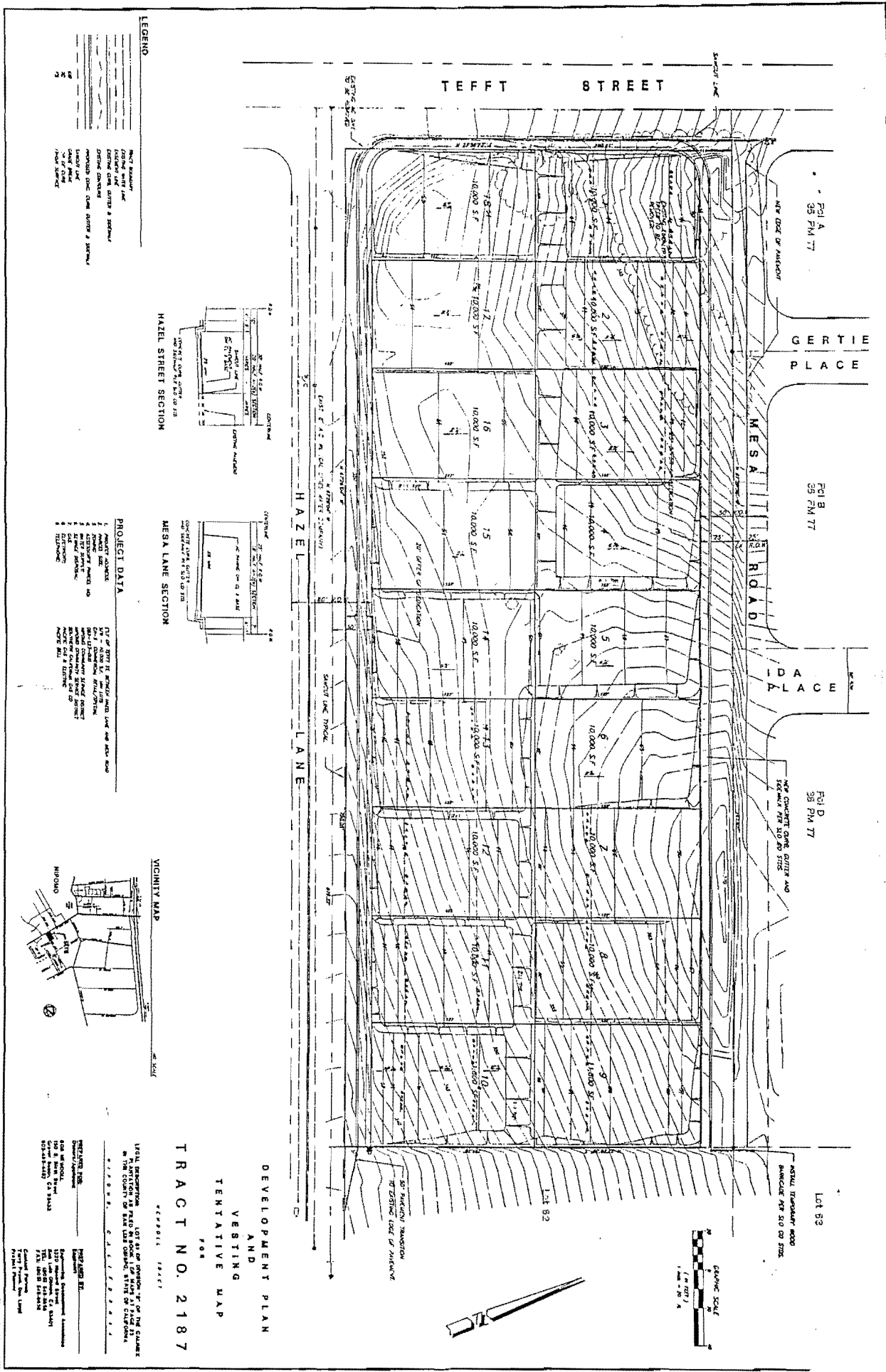
ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Donna K. Johnson  
Secretary to the Board

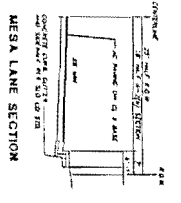
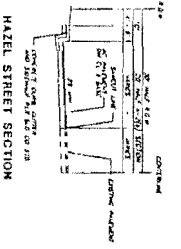
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Jon S. Seitz  
District Legal Counsel

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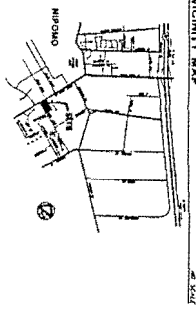


**LEGEND**

---	Proposed Structure
---	Existing Structure
---	Proposed Driveway
---	Existing Driveway
---	Proposed Easement
---	Existing Easement
---	Proposed Right-of-Way
---	Existing Right-of-Way
---	Proposed Utility
---	Existing Utility
---	Proposed Fence
---	Existing Fence
---	Proposed Wall
---	Existing Wall
---	Proposed Other
---	Existing Other



- PROJECT DATA**
1. PROJECT ADDRESS
  2. PROJECT NAME
  3. PROJECT NUMBER
  4. PROJECT DATE
  5. PROJECT AREA
  6. PROJECT TYPE
  7. PROJECT STATUS
  8. PROJECT NOTES



**TRAJECT NO. 2187**

**DEVELOPMENT PLAN AND VESTING TENTATIVE MAP**

**APPROXIMATE 1987**

**LEGAL DESCRIPTION:** LOT 81 OF SECTION 7 OF THE CALVERT PLANNED UNIT DEVELOPMENT IN THE COUNTY OF CALIFORNIA, BEING THE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**PREPARED BY:** [Name]

**DATE:** [Date]

**SCALE:** 1" = 20'

Water Use Estimates

Typical Residential Unit: 3 Bdrm/2-1/2 Bath 4.00 residents  
 10,000 sf lot  
 1,000 sf living space  
 10% of lot in lawn (1,000 sf)  
 20% of lot in non-turf (2,000 sf)

Indoor Water Use:	GPD:	AFY:
Shower (4.0 resid's x 1.0 shower/day x 3.0 gal/min x 10 min.)	120.00	
Toilet (4.0 resid's x 4.0 uses/day x 1.5 gal/use)	24.00	
Brush Teeth (4.0 resid's x 2.0/day x 1.5 gal)	12.00	
Shave (1.0 resid's x 4.5 gal)	4.50	
Wash Hands (4.0 resid's x 2.0 /day x 1.0 gal/min x 1 min.)	16.00	
Drinking and Cooking (4.0 resid's x 1.0 gal)	4.00	
Wash Clothes (1.5 wash/day x 25.0 gal/wash)	37.50	
Dishwasher (1.0 wash/day x 18.0 gal/wash)	18.00	
Garbage Disposal (2.0 use/day x 0.5 gal/use)	1.00	
Pets (2.0 gal/day)	2.00	
Household Cleaning (10.0 gal/week)	1.43	
Houseplants (2.0 gal/week)	0.29	
Miscellaneous (at 15% of household use estimate)	36.11	
Subtotals:	276.82	0.31
Outdoor Water Use:	GPD:	AFY:
Turf Areas 1,000 sf 1.5 Acre Feet Water/Acre/Year	30.74	0.03
Non-Turf Areas 2,000 sf 0.5 Acre Feet Water/Acre/Year	20.49	0.02
Natural/Non-Landscape 2,000 sf		0.00
Paved/Concrete Areas 1,500 sf		0.00
Drainage Basin 1,000 sf 0.5 Acre Feet Water/Acre/Year	10.25	0.01
Residence Areas w/Garage 2,500 sf		above
10,000 sf		
Subtotals:	61.48	0.07
Unit Totals:	338.31	0.38
	GPD	AFY

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ENGINEERING DEVELOPMENT ASSOCIATES

1320 NIPOMO ST. ■ SAN LUIS OBISPO, CA 93401 ■ 805-549-8658 ■ FAX 805-549-8704  
 744 OAK ST. ■ PASO ROBLES, CA 93448 ■ 805-237-1033 ■ FAX 805-237-3797

Wastewater Use Estimates

Typical Residential Unit: 3 Bdrm/2-1/2 Bath 4.00 residents  
 10,000 sf lot  
 1,600 sf living space  
 10% of lot in lawn (1,000 sf)  
 20% of lot in non-turf (2,000 sf)

Indoor Water Use:	GPD:	MGD:
Shower (4.0 resid's x 1.0 shower/day x 3.0 gal/min x 10 min.)	120.00	
Toilet (4.0 resid's x 4.0 uses/day x 1.5 gal/use)	24.00	
Brush Teeth (4.0 resid's x 2.0/day x 1.5 gal)	12.00	
Shave (1.0 resid's x 4.5 gal)	4.50	
Wash Hands (4.0 resid's x 2.0 /day x 1.0 gal/min x 1 min.)	16.00	
Drinking and Cooking (4.0 resid's x 0.75 gal)	3.00	
Wash Clothes (1.5 wash/day x 25.0 gal/wash)	37.50	
Dishwasher (1.0 wash/day x 18.0 gal/wash)	18.00	
Garbage Disposal (2.0 use/day x 0.5 gal/use)	1.00	
Pets (2.0 gal/day)	na	
Household Cleaning (10.0 gal/week)	na	
Houseplants (2.0 gal/week)	na	
Miscellaneous (at 15% of household use estimate)	35.40	
Subtotals:	271.40	0.10

Outdoor Water Use:	GPD:	MGD:
Turf Areas 1,000 sf 1.5 Acre Feet Water/Acre/Year	na	0.00
Non-Turf Areas 2,000 sf 0.5 Acre Feet Water/Acre/Year	na	0.00
Natural/Non-Landscape 2,000 sf	na	0.00
Paved/Concrete Areas 1,500 sf	an	0.00
Drainage Basin 1,000 sf 0.5 Acre Feet Water/Acre/Year	na	0.00
Residence Areas w/Garage 2,500 sf	above	above
10,000 sf		
Subtotals:	0.00	0.00
Totals:	271.40	0.10
	GPD	MGD

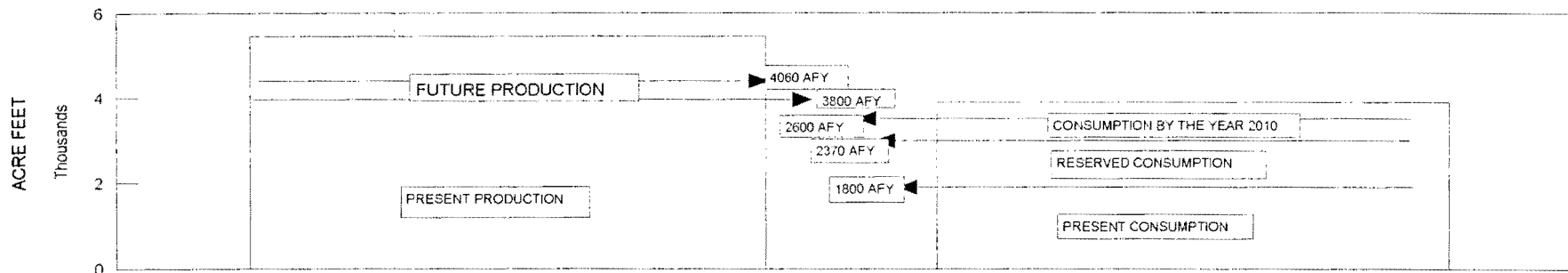
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ENGINEERING DEVELOPMENT ASSOCIATES

1320 NIPOMO ST. ■ SAN LUIS OBISPO, CA 93401 ■ 805-549-8858 ■ FAX 805-549-8704  
 744 OAK ST. ■ PASO ROBLES, CA 93446 ■ 805-237-1033 ■ FAX 805-237-3797

NIPOMO COMMUNITY SERVICES DISTRICT  
 WATER REPORT -- FEBRUARY 1996

PRODUCTION VS CONSUMPTION



WATER PRODUCTION

PRESENT PRODUCTION

WELL	GPM
EUREKA	850
VIA CONCHA	700
BEVINGTON	325
OMIYA	100
OLYMPIC	125
CHURCH	150
BLACK LAKE #3 & #4	725

	2975
AVAILABLE PRODUCTION	80%
	<u>2380 = 3800 AFY</u>

FUTURE PRODUCTION

WELL	GPM
FAIRVIEW	200

	200
X	80%
	<u>160 = 260 AFY</u>

Other sites: Moore, Dana, Riverside & Woodland

4060

WATER CONSUMPTION

RESERVE CONSUMPTION

.50 AFY/AC

ISSUED INTENT TO SERVE	400 AFY
FAIRVIEW TRACT	89 AFY
HAZEL LANE AREA	38 AFY
BLACK LAKE	40 AFY
	<u>567 AFY</u>

ESTIMATED CONSUMPTION

.50 AFY/AC

BY THE YR 2010	
URBAN BUILDOUT	2450 AFY
RURAL BUILDOUT	150 AFY
	<u>2600 AFY</u>

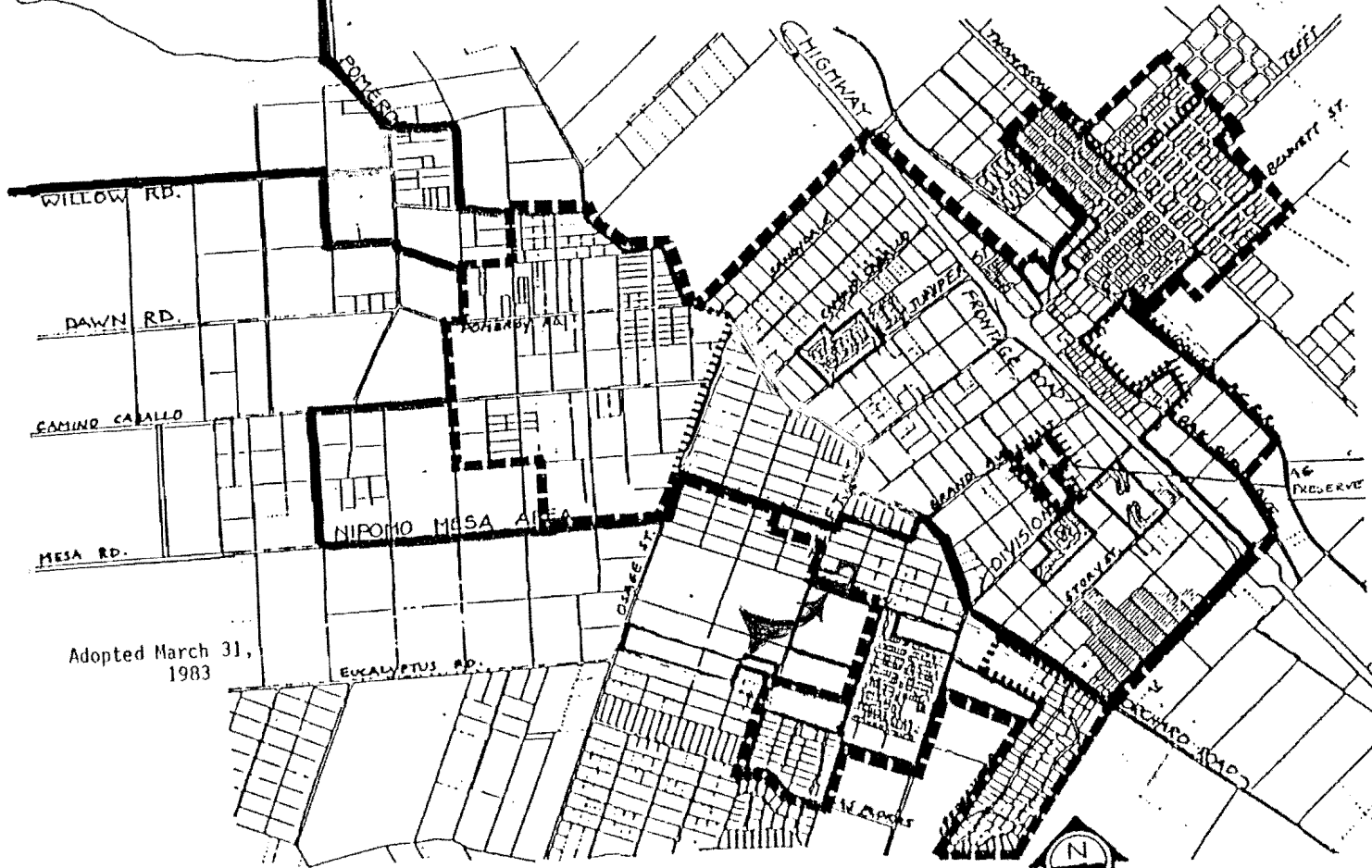
The Boyle Master Plan indicates with a population of 15,094 in the year 2010, water usage will be 2582 AFY

Attachment 1.



Sphere of Service and Sphere of Influence for Nipomo CSD

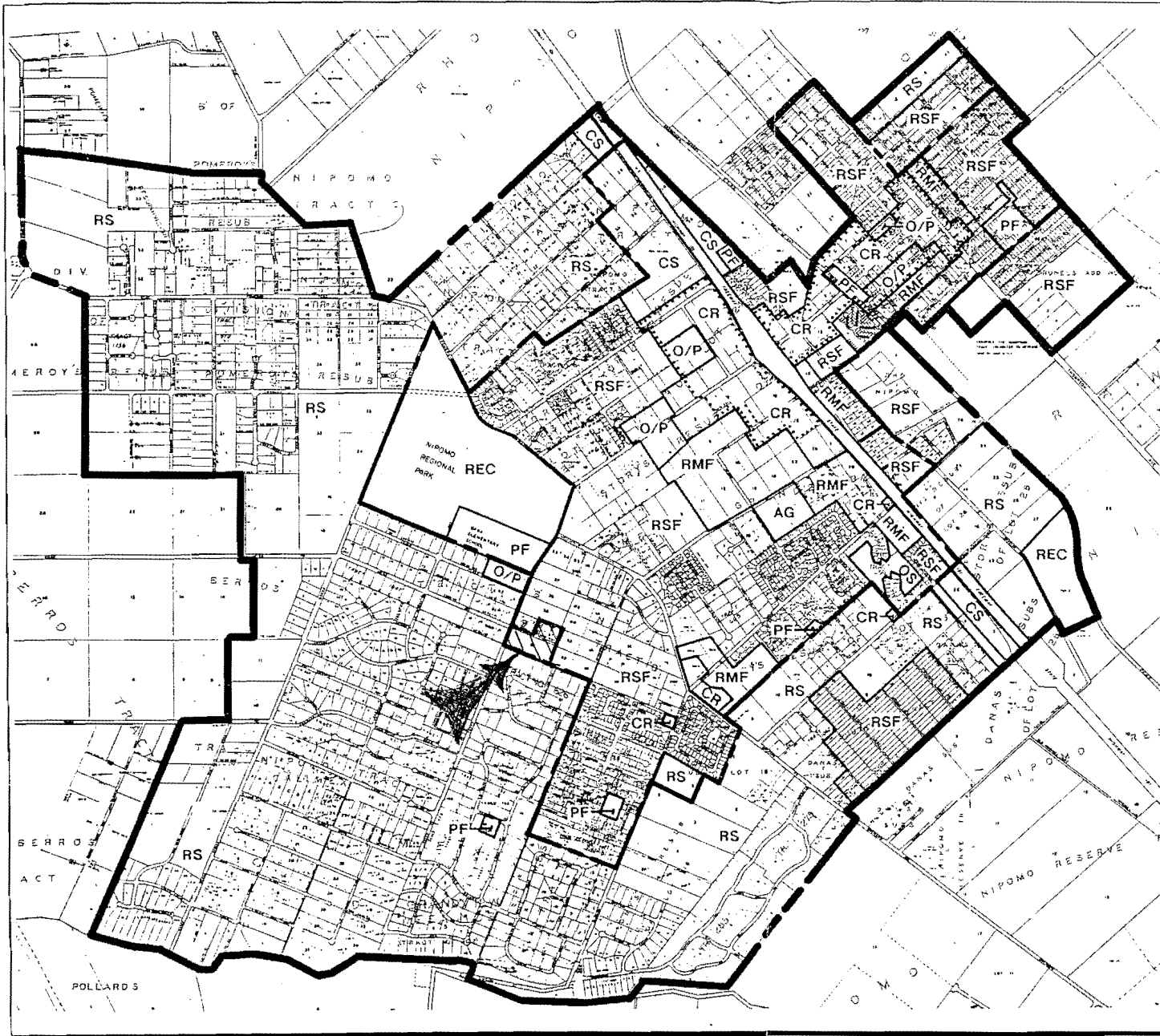
1985



Adopted March 31, 1983

Existing Boundary  
 Adopted Sphere of Influence for Nipomo CSD  
 Adopted Sphere of Service for Nipomo CSD (Coterminous with adopted sphere of influence except as shown)

Attachment 2.



**LEGEND**

**LAND USE CATEGORIES:**

AG	Agriculture
RL	Rural Lands
REC	Recreation
RR	Residential Rural
RS	Residential Suburban
RSF	Residential Single Family
RMF	Residential Multiple Family
O/P	Office & Professional
CR	Commercial Retail
CS	Commercial Service
IND	Industrial
PF	Public Facilities
OS	Open Space

**BOUNDARIES:**

- Urban Reserve Line (URL)
- Urban Service Line (USL)
- . - . Village Reserve Line (VRL)
- Planning Area
- ..... Central Business District  
Nipomo CSD

**SCALE**



NOTE: This map is for reference purposes only. Official maps showing precise property lines and land use category boundaries are on file in the Planning Department.

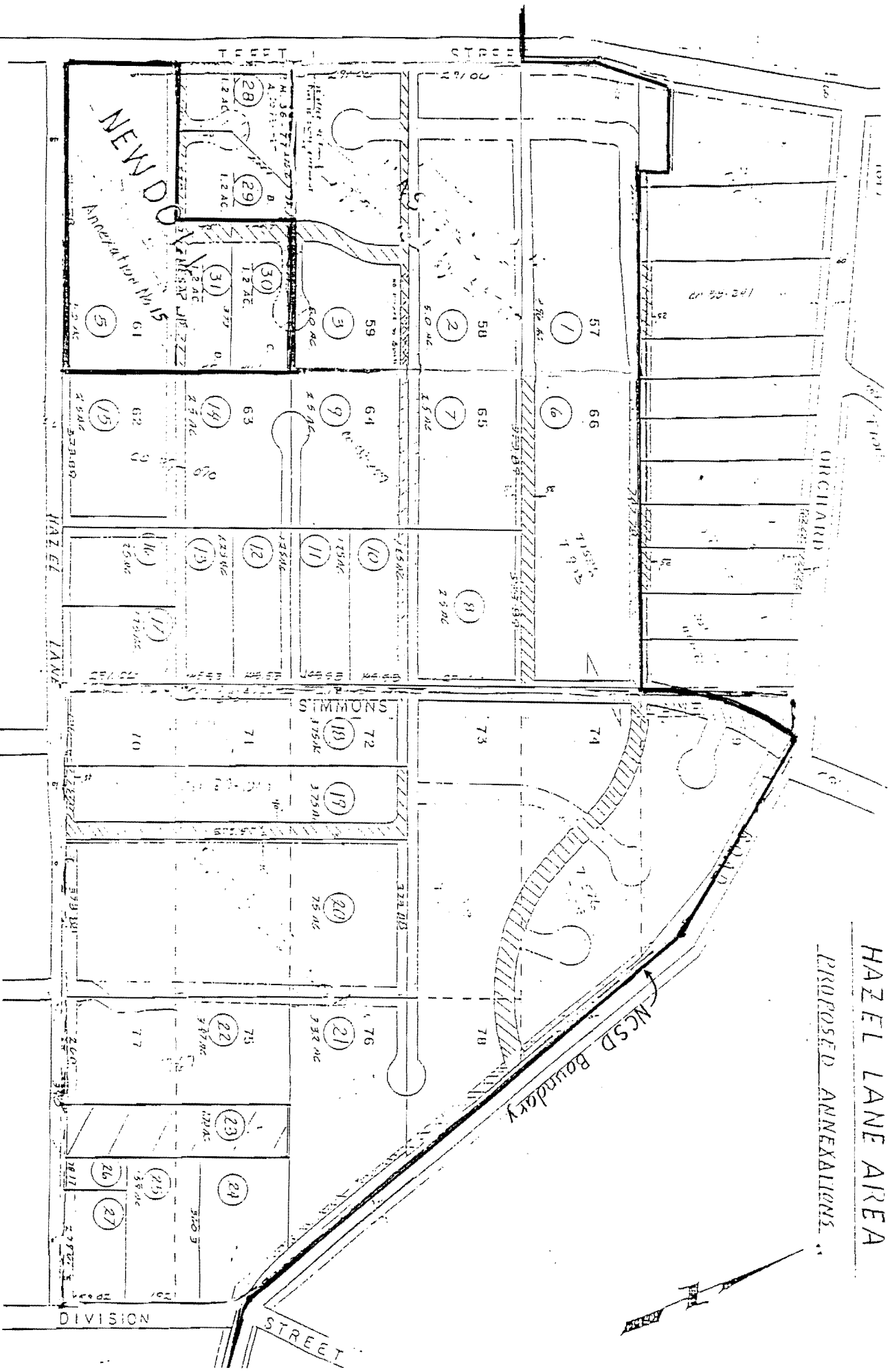
**NIPOMO**  
**LAND USE CATEGORIES**

April 15, 1994 Map 6

San Luis Obispo County Department of Planning and Building

HAZEL LANE AREA

PROPOSED ANNEXATIONS



Attachment 4

The Applicant \_\_\_\_\_ is willing \_\_\_\_\_ is not willing to deposit annexation fees prior to delivery of the attached Resolution and agrees that the DISTRICT will charge against the annexation fees for administrative time and costs, including legal fees, for processing this conditional Resolution and the conditions stated in the Resolution. The DISTRICT agrees to reimburse Applicant for the balance of said deposit if Applicant's application is terminated prior to the actual date of annexation.

\_\_\_\_\_  
(Signature of Applicant)

Applicant to mark the appropriate box and initial

C:\ANNEX\IR-NEWDOLL.DOC

APR 3 1996

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: APRIL 3, 1996

ANNEXATION POLICY

Attached for the Board's review is a revision of the District's Annexation Policy. The changes are primarily in Section IV and V, paragraphs C which reads:

C. The District will not consider the annexation of land that is not capable of providing a water supply and related facilities, approved by the District, to meet the estimated demand for service to the proposed annexation. The District will consider the following in approving a water supply:

- (1) A well(s) with a historical pumping record.
- (2) A supplemental water supply.

This policy has previously been established by a Resolution. Upon Your Honorable Board's review of the policy, staff will prepare a Resolution to adopt the proposed changes in the policy for the Board's consideration at the next regular meeting.

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THE ANNEXATION POLICY  
OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT

FEBRUARY 2, 1983

I. PURPOSE

In order to promote efficient processing of all requests for annexation to the Nipomo Community Services District, this policy documents the present basis upon which this Board of Directors will evaluate such requests and provides notice thereof to the owners of the property which is the subject of such requests.

II. INTENT

This Board of Directors intends to review all annexation requests with the aim of supporting the viability of the Nipomo Community Services District in providing essential services. The Nipomo Community Services District must be operated so as to best provide:

- Low cost water, sewerage and other authorized services for the residents of the Nipomo Community Services District.
- Efficient governmental services for orderly land use development within the District.
- Conservation of natural and environmental resources, including local water resources; its availability and quality.
- Growth consistent with the General Plan of San Luis Obispo County and the established policies of the Local Agency Formation Commission, including specifically the Commission's adopted spheres of service and influence for Nipomo.

III. GENERAL POLICIES

A. In order to provide for the orderly development of public service facilities, only those properties will be considered for annexation for which the owners are willing to accept all conditions for service required by the Nipomo Community Services District. More specifically, but without limitation, requests for annexation solely for sewerage services to the exclusion of water service will not be considered by this Board of Directors.

THE ANNEXATION POLICY  
OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
FEBRUARY 2, 1983

Further, the District will not attempt to require the annexation of territory over the objections of the owners of the property to be annexed.

B. In order to evaluate the impacts of a potential annexation upon the Nipomo Community Services District, this Board of Directors will consider only annexation requests which include the submittal of a comprehensive use or development plan for the subject property in sufficient detail to provide a complete picture of the full impact of the annexation in the foreseeable future upon the District's long term water resources, water distribution facilities, sewerage services, financial program and other services required. If any such use or development plan requires future County approvals (for example, zoning or subdivision), the District's approval of the annexation shall be conditioned upon the owners obtaining such County approvals before the annexation becomes effective.

C. After review of the use or development plan, this Board of Directors will consider only annexation requests where it can be demonstrated that:

There is a bonafide need for Nipomo Community Services District services at the site of the proposed annexation in the immediate future or in conformance with a phased plan of development approved by San Luis Obispo County.

The proposed annexation will provide identified benefits to:

- (1) the future residents and property owners within the annexed area; and
- (2) the residents and property owners of the remainder of the Nipomo Community Services District.

IV. ANNEXATIONS OF DEVELOPED PROPERTIES - SPECIFIC POLICIES

A. "Developed properties" are lands which are already developed to the maximum land use intensity permitted by the County's General Plan.

THE ANNEXATION POLICY  
OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
FEBRUARY 2, 1983

B. In order to be considered for annexation:

- (1) the lands must be located within those portions of the sphere of influence zone as approved by both the Local Agency Formation Commission and this District; and
- (2) the lands must be immediately adjacent to Nipomo Community Services District facilities or the land owners must be willing to extend adequate facilities at no cost to Nipomo Community Services District; and
- (3) the proponents of such annexations must pay all applicable fees.

C. The District will not consider the annexation of land that is not capable of providing a water supply and related facilities, approved by the District, to meet the estimated demand for service to the proposed annexation. The District will consider the following in approving a water supply:

- (1) A well(s) with a historical pumping record.
- (2) A supplemental water supply.

V. ANNEXATIONS OF UNDEVELOPED PROPERTIES - SPECIFIC POLICIES

A. "Undeveloped properties" are lands which are not already developed to the maximum land use intensity permitted by the County's General Plan.

B. In order to be considered for annexation:

- (1) the lands must be located within those portions of the sphere of influence zone as approved by both the Local Agency Formation Commission and this District.



THE ANNEXATION POLICY  
OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
FEBRUARY 2, 1983

- (2) the lands must be immediately adjacent to Nipomo Community Services District facilities or the land owners must be willing to extend adequate facilities at no cost to Nipomo Community Services District.
- (3) the land owners must pay all applicable fees; provided that the land owners and the District may agree to the exchange of other assets (for example, a proven water well with excess capacity), in lieu of at least a portion of the applicable fees.

C. The District will not consider the annexation of land that is not capable of providing a water supply and related facilities, approved by the District, to meet the estimated demand for service to the proposed annexation. The District will consider the following in approving a water supply:

- (1) A well(s) with a historical pumping record.
- (2) A supplemental water supply.

VI. SUBMITTAL OF ANNEXATION REPORT

Prior to consideration by this Board of Directors, the proponents of any annexation request must prepare a comprehensive written report for submission to the District to demonstrate that the annexation would conform to this Annexation Policy.

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APR 3 1996

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: APRIL 3, 1996

TRACT 2213 INTENT-TO-SERVE  
REQUEST FOR WATER AND SEWER SERVICE

The District has received a letter from Russell Thompson , of Cannon & Associates, who is representing Bonita Homes, the developers of Tract 2213. The developer is requesting an Intent-to-Serve letter for a proposed development of 25 single-family residences on approx. 6,000 sq. ft. lots. This development is on Grande Ave. near Orchard Rd. This tract is unique in the way that it has to coordinate its facilities with Tract 1700 which is the Self-Help Housing project.

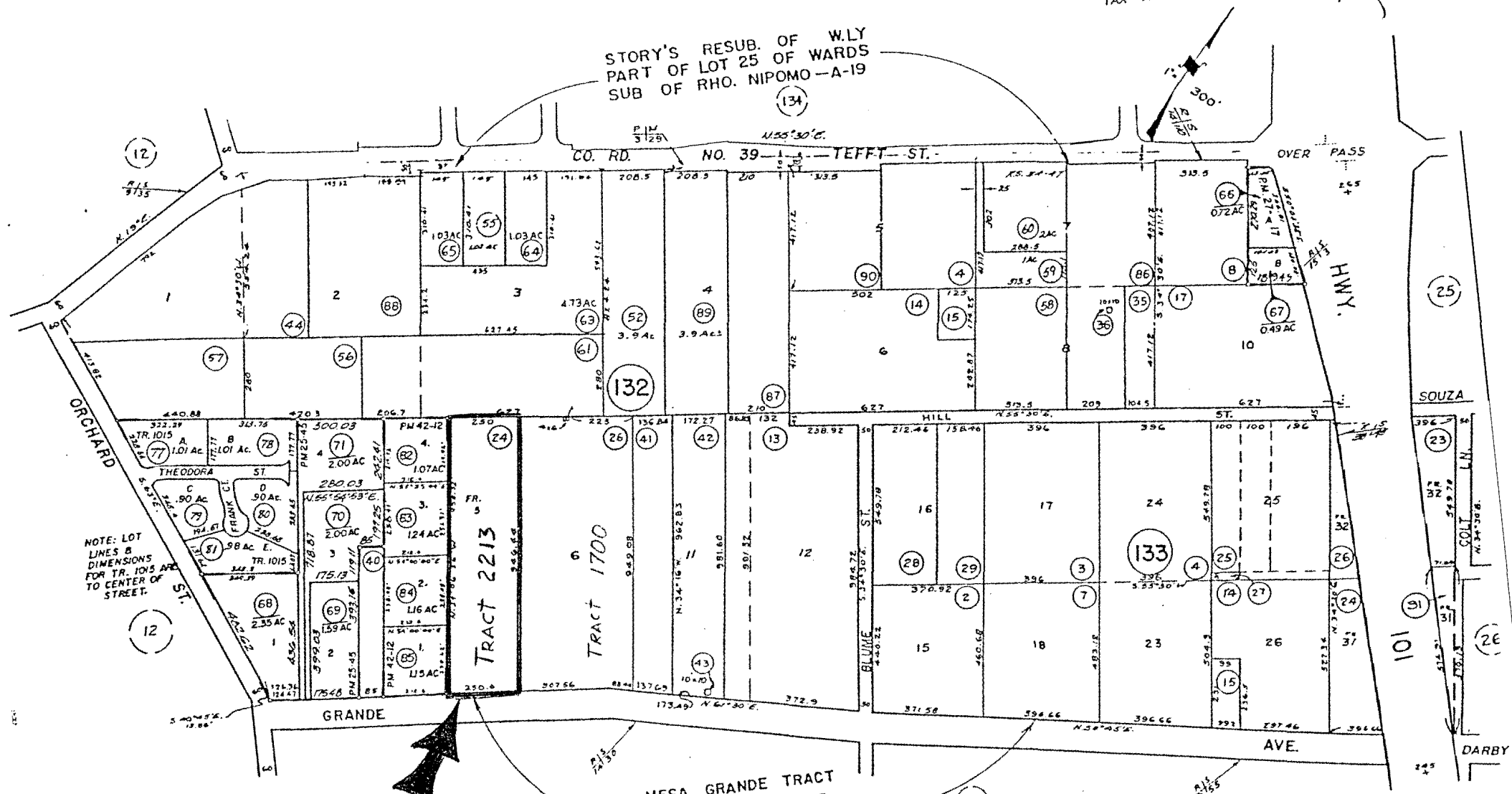
It is proposed that an Intent-to-Serve letter be issued with the following conditions to be met before final approval is granted by the District:

1. Improvement plans be submitted to the District for its approval. These improvement plans must coordinate its facility with Tract 1700.
2. Applicant must enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
3. Once all improvements are constructed, the water and sewer improvements must be dedicated to the District along with any needed easements.
4. All the appropriate water and sewer and associated fees must be paid to the District.
5. A conduit must be run from the meter box to the telephone service of each house for future meter reading capabilities.

Upon review of the proposed development, Your Honorable Board may proceed to issue an Intent-to-Serve letter with the above mentioned conditions.

TAX AREA CODE NO. 92-132  
133

STORY'S RESUB. OF W.LY  
PART OF LOT 25 OF WARDS  
SUB OF RHO. NIPOMO - A-19  
(134)



NOTE: LOT  
DIMENSIONS  
FOR TR. 1015 ARE  
TO CENTER OF  
STREET.

TR. 1015 - R.M. BK. II, PG. 71

MESA GRANDE TRACT  
RESUB. OF PART OF  
LOT 25 OF WARDS  
SUB. RHO. NIPOMO - A-18

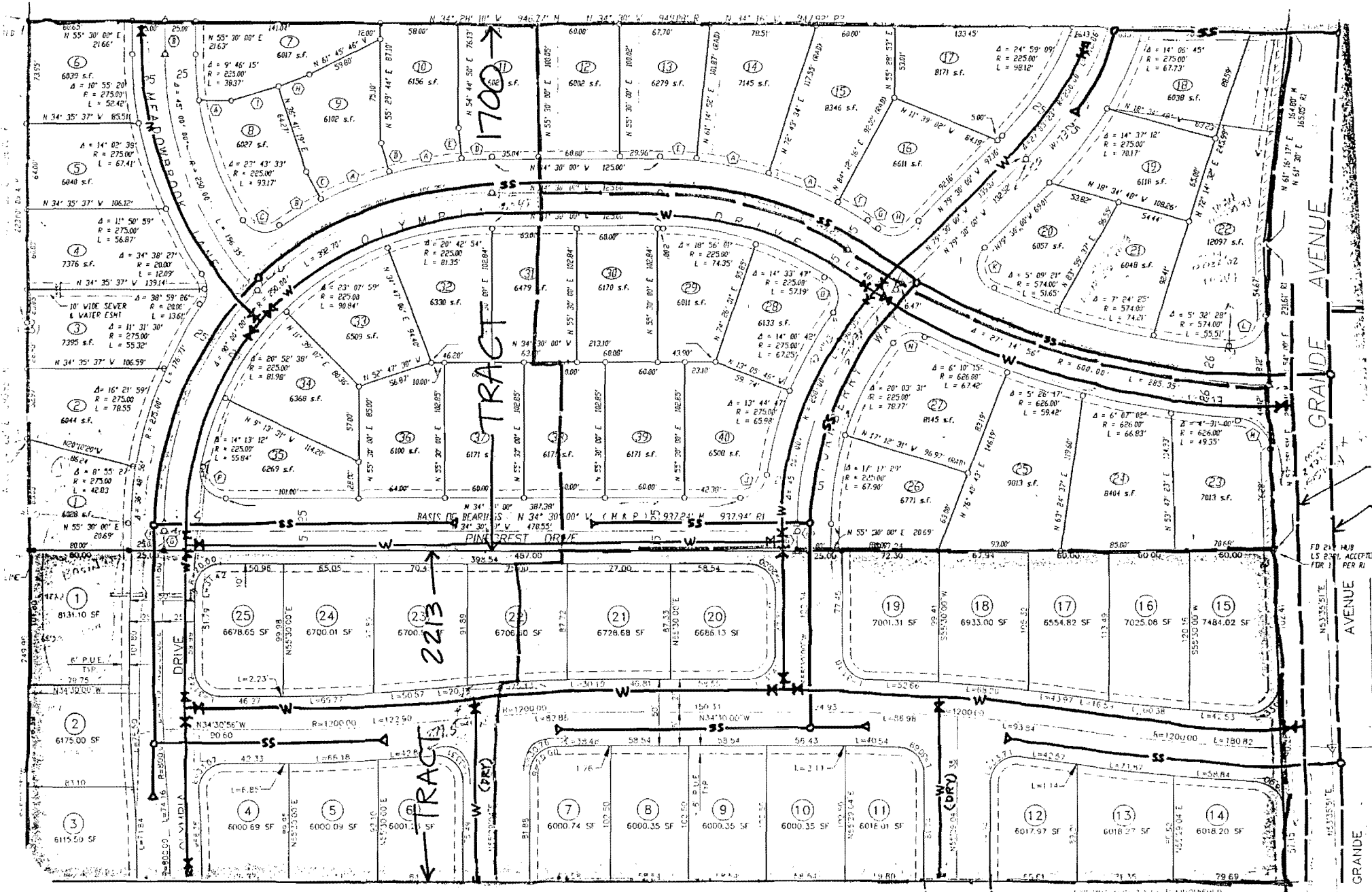
RANCHO NIPOMO  
SAN LUIS OBISPO COUNTY  
CALIFORNIA

NOTE ASSESSOR'S BLOCK & LOT  
NUMBERS SHOW IN CIRCLES.

Copy of document found at [www.NoNewWires.com](http://www.NoNewWires.com) MAPS FOR SALE

7-5-90 1-15-91  
RE: 10/04 1-16-91  
10-14 2-21-91

TRACT No 2213





MICHAEL F. CANNON, PE  
ANDREW G. MERRIAM, AIA, AICP  
DANIEL S. HUTCHINSON, LS

March 20, 1996

Doug Jones, General Manager  
Nipomo Community Services District  
261 W. Dana Street  
Nipomo, CA 93444

ENGINEERS  
PLANNERS  
SURVEYORS

**RE: Tract 2213 Ghormley / Bonita Homes, Grande Ave, Nipomo  
Request for an Intent to Serve Letter for 25 Lot Subdivision  
APN 092-132-024**

Dear Doug:

Attached is the owner's preferred subdivision layout for the project. It is located just west of Peoples' Self Help Housing Corporation's Tract 1700. On behalf of Jack Ghormley we request that the District issue an Intent to Serve letter for water and sewer service.

The proposed development will consist of 25 Single Family Residential lots of approximately 6000 square feet each. The homes will be similar to those constructed by Bonita Homes in the development across Grande Avenue.

This project will most likely be constructed after Tract 1700 is completed. We have been authorized to finalize the improvement plans for Tract 1700 by PSHHC and they wish to proceed with construction as early as this summer. I would anticipate water and sewer facilities will be stubbed out to Tract 2213 well before the project's tentative map approval by the County.

I have attached a sketch of the two projects' utility layout for your review and consideration.

Should you have any questions or need additional information please call me at 544-7407.

Sincerely,

Russell S. Thompson, PE  
Senior Civil Engineer

cc: J. Ghormley  
proj/950328/nscd1.doc

364 PACIFIC STREET  
SAN LUIS OBISPO, CA  
93401

805-544-7407  
FAX 805-544-3863

RECEIVED

MAR 22 1996

NIPOMO COMMUNITY  
SERVICES DISTRICT



APR 3 1996

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: APRIL 3, 1996

STATE REVOLVING FUND (SRF)  
FOR CONSTRUCTION/EXPANSION OF WASTEWATER TREATMENT  
FACILITIES

Staff is currently investigating the possibility of obtaining a SRF Loan to fund the expansion of the wastewater treatment facility. The primary purpose of the SRF Loan Program is to implement the Federal Clean Water Act and various State Laws. The Clean Water Act requires the states to provide a match equal to 20% of the federal Capitalization Grant (State Match) in order to receive federal monies. Subsection 13478 of Chapter 6.5 of Division 7 of the Water Code allows the SWRCB to enter into agreements with, and accept the state matching funds from local agencies in return for no-interest SRF loans.

The State does not have the funds to match the federal monies, therefore, the SWRCB has implemented a program whereby they will assist the local agency in obtaining the federal monies providing the local agency is willing to provide the state match. The local agency must deposit the state match of approximately 17% at the beginning of the project. The SRF will then loan the local agency the balance at an interest rate of ZERO percent over a 20 year period. The effective interest rate on the 17% up front money over a 20 year period is approximately 1.6% per year.

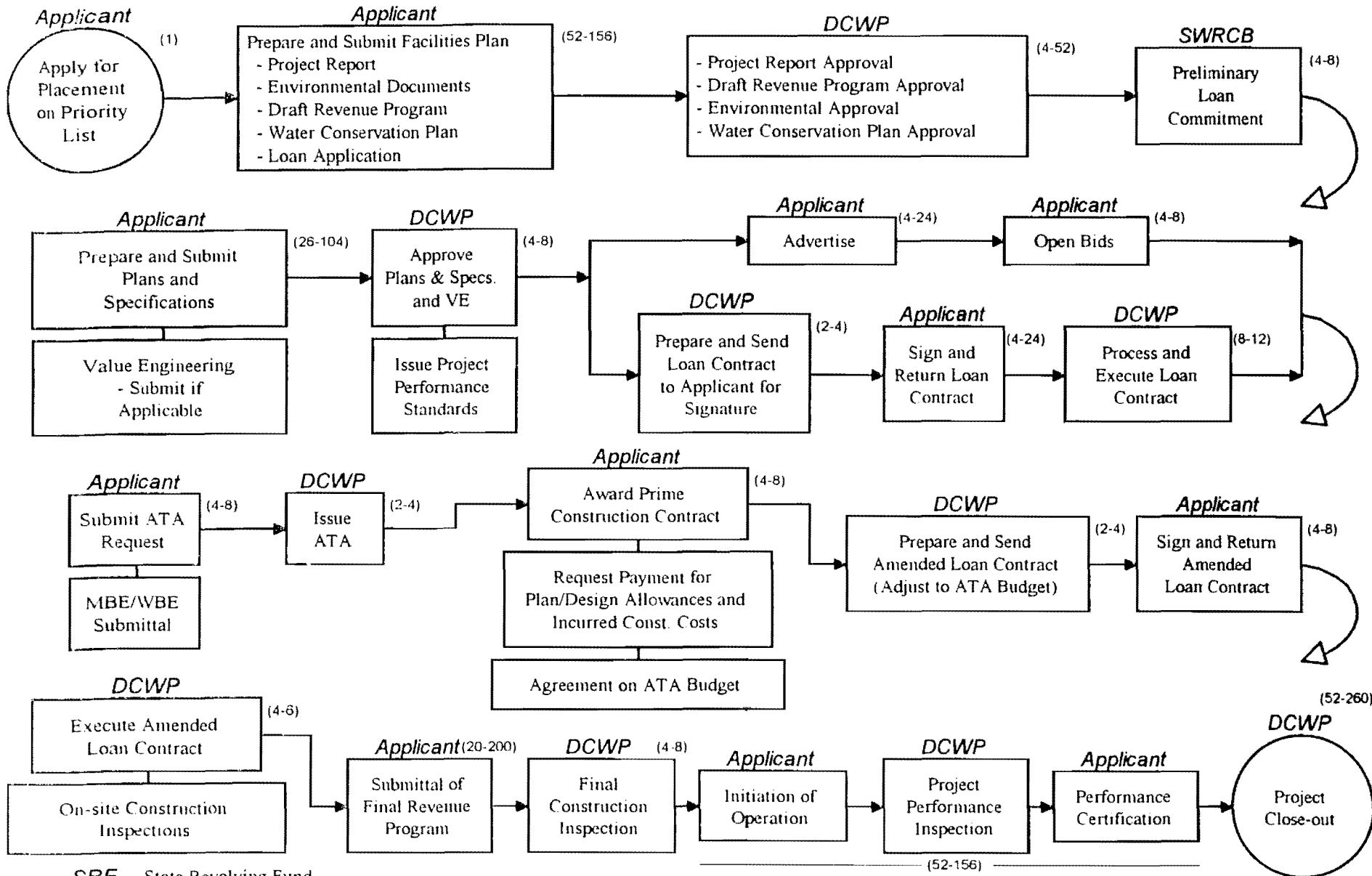
Attached is a flow chart of the steps needed to obtain this type of funding. In addition to the plans and specifications already completed by Garing, Taylor and Associates, the District would be required to perform additional steps to conform with the state requirements which include a Revenue Program, Water Conservation Plan and EIR. Staff is currently working on obtaining cost estimates to complete these documents.

Staff met with a representative from the SWRCB last week and the representative indicated that NCS D could possibly receive funding as early as October 1, 1996 providing all of the necessary documents are completed by this summer.

If your Honorable Board would like Staff to pursue this method of funding for the sewer expansion, a motion would be in order.

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**CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**  
**Division of Clean Water Programs**  
**SRF LOAN PROGRAM FLOW CHART**



**SRF** - State Revolving Fund  
**DCWP** - Division of Clean Water Programs  
**SWRCB** - State Water Resources Control Board

( ) - Approximate time to complete task in weeks

Date: 9/14/94

**APR 3 1996**

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: APRIL 3, 1996

MANAGER'S REPORT

Attached is information on the following:

1. SLO-CSDA MEETING APRIL 25, 1996
2. SLO COUNCIL OF GOVERNMENT FEBRUARY 3, 1996 PROCEEDINGS
3. CAPITAL SEMINAR TOUR, MAY 5, 1996
4. CSDA - SACRAMENTO GOVERNMENT DAY MAY 6, 1996
5. CSDA NEWSLETTER
6. CCRC NEWS
7. DRAFT OF WATER & SEWER FINANCIAL PLAN -  
STUDY SESSION APRIL 27

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California  
Special Districts  
Association

*San Luis Obispo  
County Chapter*

A meeting of the local California Special Districts Association Chapter will be held on Thursday, April 25, 1996, at 7:00 p.m. in the San Luis Obispo City/County Library Conference Room located on the corner of Palm and Osos Streets, San Luis Obispo, CA.

AGENDA:

- 1) Introduction: Opening statement by CSDA Chapter President, Carolyn Moffatt.
- 2) Election of CSDA Chapter Officers: An open floor election shall be held for the five director seats available on the local CSDA Chapter Board. (Discussion/Action)
- 3) Legislative Report: CSDA Chapter Vice-President Byron Briley will given an update on the work of the legislative committee for CSDA and LAFCO. (Discussion/Action)
- 4) Election of LAFCO Commissioners: An open floor election shall be held for one LAFCO commissioner and an alternate for the term of 1996 to 2000. (Discussion/Action)
- 5) Appointment of Executive/Special District Committee: An Executive Committee will be appointed comprised of directors and staff to work on special district projects as necessary. (Discussion/Action)
- 6) Election of Representatives for SEMS: An open floor election will be held for special district representatives on the Standard Emergency Management Systems Operations Committee. (Discussion/Action)
- 7) Appointment to County Treasury Oversight Committee: One special district representative and two alternates shall be appointed to the County Treasury Oversight Committee. (Discussion/Action)
- 8) Proposed Dues Schedule & Budget: A proposed dues schedule and budget will be discussed and if appropriate approved. (Discussion/Action)



# San Luis Obispo Council of Governments

Regional Transportation Planning Agency  
Metropolitan Planning Organization  
Congestion Management Agency

Arroyo Grande  
Atascadero  
Grover Beach  
Morro Bay  
Paso Robles  
Pismo Beach  
San Luis Obispo  
San Luis Obispo County

March 14, 1996

Doug Jones, General Manager  
Nipomo CSD  
P.O. Box 326  
Nipomo, CA 93444-0326

Subject: Proceedings of the February 3rd SLOCOG Workshop on Intergovernmental Relations

Dear Mr. Jones:

The attached report summarizes the proceedings of the February 3rd workshop sponsored by the San Luis Obispo Council of Governments titled *Intergovernmental Relations and Development at the Fringe*. This workshop addressed several issues that have developed as sources of conflict between these agencies. It was attended by 61 decision makers and key management staff representing all 7 cities, the County, LAFCO, SLOCOG and 8 Special Districts.

The workshop was designed to air concerns, enhance understanding, and lead us on the road to better relations. Mr. Bob Braitman (former Ventura County LAFCO Executive Director and current Santa Barbara County LAFCO Executive Director) was the Keynote Speaker. Mr. John Jostes of Interface/Dudek served as facilitator for the workshop.

The attached "*working paper*" prepared by Mr Jostes summarizes the proceedings of the SLOCOG sponsored "*Workshop on Intergovernmental Relations and Development at the Fringe*". It provides recommendations on a subsequent course of action for SLOCOG and its Member Agencies to continue the process of building better relations and acting collaboratively to solve the challenging problems which face San Luis Obispo County and local government.

**SLOCOG will receive a presentation by Mr Jostes at their April meeting (April 3rd - 9 AM in the Board of Supervisors Chambers) regarding his "*Proceedings and Perspectives*" paper. You are invited to attend this SLOCOG meeting and share your views on these issues.**

We hope the attached paper will prove to be useful as a guide for further action and will provide inspiration for activities that will enhance greater understanding and cooperation among member agencies. If you have any questions or comments please contact me at 781-4219. Thank you to all who participated in the workshop.

Sincerely,

Ronald L. De Carli  
Executive Director

RECEIVED

MAR 15 1996

NIPOMO COMMUNITY  
SERVICES DISTRICT

**Proceedings and Perspectives  
on  
Intergovernmental Relations  
and  
Development at the Fringe**

*A Workshop for  
Cities, Special Districts and the County of San Luis Obispo*

**Convened by  
San Luis Obispo Council of Governments**

1150 Osos Street, Suite 202  
San Luis Obispo CA 93401  
(805) 781-4219  
Ronald L. DeCarli  
Executive Director

**Prepared by**

**John C. Jostes, AICP, MPA**  
Facilitator  
Interface - Dudek  
621 Chapala Street  
Santa Barbara, CA 93101

(805) 963-0651  
(805) 963-2074 (Fax)

February 24, 1996

LEGISLATIVE OFFICE  
STATE CAPITOL, ROOM 2187  
SACRAMENTO, CA 95814  
(916) 445-5405

SAN LUIS OBISPO OFFICE  
1260 CHORRO STREET, SUITE A  
SAN LUIS OBISPO, CA 93401  
(805) 547-1800

SANTA BARBARA OFFICE  
228 WEST CARRILLO, SUITE F  
SANTA BARBARA, CA 93101  
(805) 966-2296

VENTURA OFFICE  
89 S. CALIFORNIA STREET, SUITE E  
VENTURA, CA 93001  
(805) 641-1500

## California State Senate

SENATOR  
JACK O'CONNELL  
EIGHTEENTH SENATORIAL DISTRICT



COMMITTEES  
CHAIR  
TOXICS AND PUBLIC SAFETY  
MANAGEMENT  
MEMBER  
BUDGET AND FISCAL REVIEW  
BUSINESS AND PROFESSIONS  
EDUCATION  
INSURANCE  
JUDICIARY  
NATURAL RESOURCES

### *CAPITOL SEMINAR ANNOUNCEMENT*

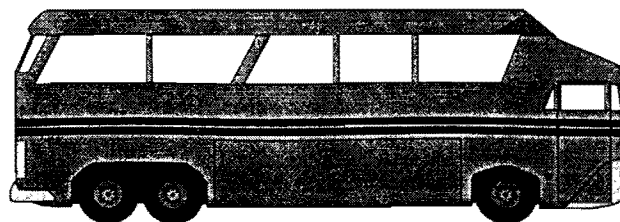
You are invited to attend the Fourth Annual Capitol Seminar in Sacramento. Three days of tours, meetings and seminars will begin on Sunday, May 5 with a bus trip to the capitol. Along the way, the bus will pick up participants in Ventura, Santa Barbara, Santa Maria, and San Luis Obispo.

While at the State Capitol, seminar participants will have the opportunity to meet with state officials and others who work in the political and policy areas of California's state government.

Workshop topics include: how a bill becomes a law, how to lobby your lawmakers, the media's coverage of the Legislature, how professional lobbyists work, and the major policy areas in California today. There will also be guided tours of California's historic Capitol and grounds.

Buses depart on the morning of May 5th and will return to the Central Coast on Tuesday, May 7th. If you or anyone you know is interested in attending or would like more information about this unique event, please call the office in Ventura (641-1500), Santa Barbara (966-2296) or San Luis Obispo (547-1800).

See you on the bus!



### *Registration*

Now for the 1996 Sacramento Governmental Affairs Day by completing the registration form on the back of brochure, and returning it on or before April 29, 1996 to CSDA, 1121 L Street, Suite 508, Sacramento, CA 95814. (916) 442-7887. Registration requested after April 29 will be subject to space availability and a \$25 increase fee.

### *Hotel Accommodation*

If your travel arrangements indicate you will need to stay overnight in Sacramento, the following hotels are close to the CAHHS Conference Center: Hyatt Regency (800) 233-1234; Residence Inn or Courtyard by Marriott (800) 331-3131; Holiday Inn (916) 446-0100 and The Clarion (916) 444-8000.

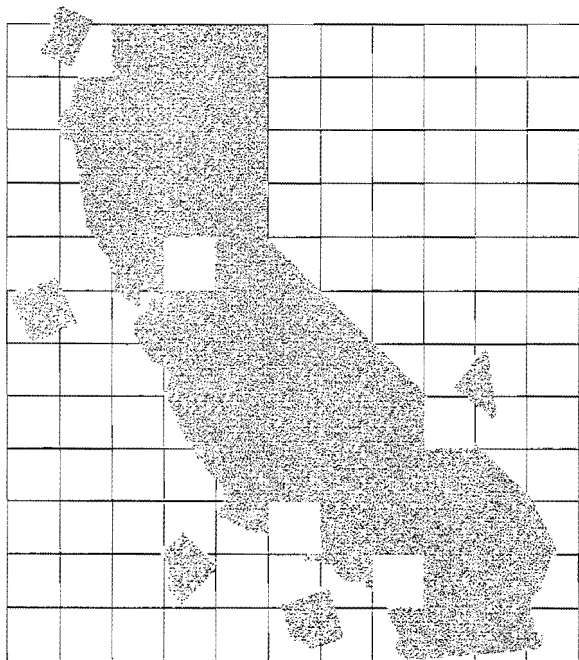
### *Legislative Meetings*

If possible, delegates are requested to arrange their own appointments with Members of the State Legislature. If you wish to meet with one or more of your legislative representatives or their aides or have them join you at the Legislative Reception on May 6, 1996, please phone each respective Member's Capitol office appointment secretary as soon as possible to schedule the visit(s). Call CSDA for appropriate telephone numbers. CSDA staff is available to help you coordinate an appointment with your legislator(s). If you would like this assistance, please indicate who your representatives are on the registration form. If you know other district representatives in your area who are also attending the Governmental Affairs Day, you may wish to combine appointments.

### *Cancellation Policy*

Cancellations received before April 29 receive a full refund less a \$25 processing fee. No refunds will be granted for cancellations received after April 29. If you register by telephone and do not show up or cancel, you will be billed. ALL CANCELLATIONS MUST BE IN WRITING.

# California Special Districts Association



*Co-sponsored by:*  
California Association of Recreation & Park Districts

**Sacramento Governmental  
Affairs Day  
Monday, May 6, 1996**



# CSDA NEWS

VOLUME 12, NUMBER 3

MARCH 1996

CALIFORNIA SPECIAL DISTRICTS ASSOCIATION

*CCRC Update*

## Group Meets to Discuss Final Recommendations

*Local Charter Part of the Proposal*



**O**n February 22, 1996, the CCRC met to discuss its final recommendations. As each piece of the proposal is completed, it will be sent over to the Capitol for language to be drafted. One completed piece on its way to the Capitol is the Local Government restructuring component.

As reported earlier, the CCRC is proposing a mandatory "Government Services Plan" and a "Home Rule Community Charter" which implements the plan. Within each county, a plan for providing local government services will be developed by an appointed body known as the Citizens Charter Commission on Local Government Efficiency and Restructuring (CCC). The Commission can be either single county or multi-county. A home rule community charter would be written to implement the plan and placed on the November 2000 ballot (the previous date was

November 1998).

One of the general provisions of the plan and charter was changed at the late-February meeting. In earlier documents, language was included that stated, "The implementation of the plan must result in a reduction of not less than 10% of the independent units of government and reduce operational costs of providing local services by not less than 5%." The adopted language now states that, "The implementation of the plan must result in a reduction in the number and cost of local governments. Such a reduction should be based on the geography, population density and other factors that influence the operation of local government. The goal of this effort should be to reduce operational costs of providing local services by not less than 5% and to reduce the number of independent units by not less than 10%."

Another change in the

document is that "The work of each CCC for preparing the Government Services Plan and the proposed Charter for the 1998 ballot would be a shared financial obligation of the state and local governments. In the past, the cost was to be solely incurred by the involved local governments.

A new piece was added to the proposal - "Budget Clarity." At the last meeting of the CCRC, one of the new commissioners stated

*continued on page 2*

## Newsbriefs

**Regional Parks Foundation Reports Record-Setting Year**

Tony LaRussa's Animal Rescue Foundation (ARF) and Chevron USA have announced major contributions to the Regional Parks Foundation, the non-profit organization that raises funds to support East Bay Regional Park District programs and projects.

The announcements were made at the Foundation's 1996 annual meeting on February 1 in Oakland. The Foundation reported a record-setting year, with nearly \$600,000 in funds raised for the parks.

LaRussa, former manager of the Oakland A's baseball team, announced that ARF will donate to the Regional Parks Foundation a share of the proceeds from an ARF fundraising event. Chevron USA has pledged \$10,000 to the Foundation's new Regional Parks Educators Academy. The Academy is for teacher training in environmental subjects at the regional parks. EBRPD is a regular member of CSDA.

*continued on page 2*

## Inside ...

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# CSDA NEWS

CSDA NEWS is a publication of the California Special Districts Association. CSDA is located at 1121 L Street, Suite 508, Sacramento, CA 95814, Phone: 916/442-7887, Fax: 916/442-7889.

## Officers

Lee Howard, President  
Robert Huntley, Vice President  
Harry Ehrlich, Secretary  
Rita Velasquez, Treasurer  
William Miller, Past President

## Members of the Board

David Aranda, Stallion Springs Community Services District  
Dewey Ausmus, North County Cemetery District  
Chuck Beesley, Contra Costa Mosquito Abatement District  
Kit Carter, Heritage Ranch Community Services District  
Anne Crowder, Bel Marin Keys Community Services District  
Harry Ehrlich, Olivenhain Municipal Water District  
John Fox, Goleta Sanitary District  
Lee Howard, Russian River Flood Control District  
Robert Huntley, Municipal Water District of Orange County  
Gerard Kapuscik, Channel Island Community Services District  
Tom Marking, Burney Water District  
Jim Meredith, Rancho Simi Recreation and Park District  
William Miller, North of the River Water District  
William Porter, Northridge Water District  
Duane Rigge, Manila Community Services District  
Kenneth Sonksen, Sanger Cemetery District  
Manny Sousa, Halcumb Cemetery District  
Christine Thompson, Southgate Recreation and Park District  
Rita Velasquez, Elk Grove Community Services District

## Staff

Catherine Smith, Executive Director  
Belinda (Bendy) Bunac, Administrative Assistant  
Karen Roberts, Controller  
G. Scott Finney, Office Services  
Ralph Heim, Legislative Advocate (916/442-4584)  
David McMurchie, Legal Counsel (916/443-1030)  
David Nagler, Association Consultant (916/442-8888)



Printed on Recycled paper

# District Dissolution Must be "By the Book"

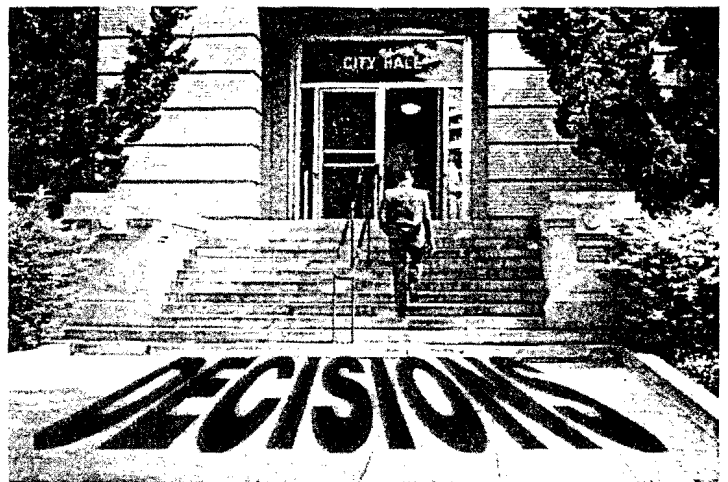
by Blanning & Baker

A city formed a Geologic Hazard Abatement District in 1991 under the condition that the city could dissolve the District later if it made certain findings. When it attempted to do so, the District filed suit.

The trial court denied the District's motion for summary judgment, finding that the District "was permitted to form" only because of the District's "willingness to agree to" allowing the city to dissolve it. The Court of Appeal disagreed, setting aside the city's dissolution action.

Typically, special districts are formed and dissolved (or annexed, detached, consolidated, or merged) based on proceedings through local agency formation commissions (LAFCOs) within each county, pursuant to the Cortese-Knox Local Government Reorganization Act of 1985, Government Code Section 56000 et. seq. Under that procedure, for dissolution of a District, the local county Board of Supervisors would conduct a hearing, adopt a resolution, and ultimately take action based on "confirmation by the voters unless certain requirements are met."

Cortese-Knox would fill "any gaps" in statute and would preempt local laws, but it "is not the sole statutory scheme pertaining to district formation." A Geologic Hazard Abatement



district is formed pursuant to applicable sections of the Public Resources Code. However, as the code is silent on dissolution of the District, the Cortese-Knox procedure applies and the city which formed the District is not free to, at that or any time, dissolve the District.

The same is true for certain other types of districts. For example, Mosquito Abatement Districts and Vector Control Districts are authorized by Health and by Safety Code Section 2200 et seq., as is their formation, but the dissolution of those districts "is dictated by Cortese-Knox, which applies to districts generally." Similarly, the formation of sanitary districts is controlled by Health and Safety Code Section 6420 et seq., while dissolution is

covered by Cortese-Knox.

Thus, it is not as easy for a city to dissolve a district as it is to form one.

(*Las Tunas Beach Geologic Hazard Abatement District v. Superior Court*, California Court of Appeal, 95 Daily Journal D.A.R. 13045, filed September 28, 1995.)

## Newsbriefs

### District Official Receives Top Award

Rancho Simi Recreation and Park District General Manager Jerry Gladden received top honors in the California Association of Park and Recreation Commissioners and Board Members' annual awards recognition program. The district nominated Gladden for the prestigious award for his more than 26 years of service with the district. Gladden is credited with starting a number of innovative programs including the Rancho Simi Foundation, a non-profit foundation tasked with raising funds for the district to operate specific recreation programs.

Rancho Simi Recreation and Park District is a regular member of CSDA.

## Groups Meets

Continued from page 1

that the problem is not the number of units of government, rather we need to look at cost. He felt that understandable fiscal information is not made easily or readily accessible by many local government entities. After discussion, the CCRC adopted the following constitutional language to be included in the proposal, "The Legislature shall require all local

government entities to provide information on all revenues, expenditures, debt and liability, in a uniform manner." Any additional details on this requirement (for example, frequency) will be left up to the Legislature to determine.

It looks as though the Commission will have to meet again to tie up some loose ends but no date has been set. CSDA will keep you updated on all future activities of the Commission. Stay tuned.

# In the Capitol

By RALPH HEIM, LEGISLATIVE ADVOCATE



Ralph Heim

As the Legislature moves toward the February 23 bill introduction deadline for 1996, cited below are a number of bills of interest to special districts that have been introduced in advance of that deadline.

## Assembly Bill 2054 (Richter) — Assessments and Charges; Deferred Payment

AB 2054 would allow a taxpayer to defer the payment of an amount included in the ad valorem property tax bill that consists of any portion of a special or benefit assessment or parcel charge that the taxpayer asserts to be erroneously levied. The bill would require the levying authority to determine the validity of any amount, the payment of which is to be deferred. Finally, the bill would authorize a county board of supervisors to forgive late penalties and interest that have accrued with respect to delinquent ad valorem property taxes.

## Assembly Bill 2083 (Miller) — Contracts for Services

AB 2083 would authorize the governing body of a local agency to contract with any person, corporation, partnership, or other private industry entity to provide any usual, ordinary, or regular services otherwise performed by its public or civil service employees. It would also permit local agencies to expend any funds for payment of these contracts, unless

the funds are statutorily prohibited from expenditure for the purposes for which the contract is awarded.

## Assembly Bill 2019 (Pringle) — Orange County Consolidation

AB 2109, introduced by Speaker Pringle, would create the Orange County Water and Sanitation District. Among other things, the bill would consolidate 25 existing water and sanitation districts into this new consolidated district.

## Assembly Constitutional Amendment #34 (Conroy) — Local Term Limits

ACA #34, by Assembly Member Conroy, would establish local term limits in the State Constitution as follows: (1) officers who serve two-year terms may not serve more than three terms; (2) officers who serve four-year terms may not serve more than two terms; (3) officers who serve other than two-year and four-year terms may not serve more than eight years, regardless of the length of their terms.

## Property Tax Shift — Growth Reversal

Assembly Member Fred Aguiar will introduce shortly legislation that will freeze the current property tax shift to schools and shift back to cities, counties and special districts the growth attributable to the on-going shift.

It is anticipated that a Senate bill identical to that which Assembly Member Aguiar will introduce will also be introduced prior to the February 23 deadline. No bill numbers were available at press time.

## California Constitution Revision Commission

During its meeting on February 5, the Commission considered the Home Rule Community Charter proposal, and instructed staff to consider rewrites to a number of sections. The two sections that will be amended include the composition of the Home Rule Community Charter Commission,

and the requirement that the new Charter result in "not less than a 10 percent reduction in the total units of independent governmental agencies."

The Commission is scheduled to meet again on February 22 to consider these changes to the Home Rule Community Charter and other proposals.

## New Property Tax Initiative

The Attorney General has granted title and summary to a new initiative sponsored by Earl Carraway of Laguna Hills. The measure, titled, "TAXES, ASSESSMENTS, REAL PROPERTY," proposes to "abolish all real property taxes and real property-related assessments."

The Legislative Analyst estimates that should this initiative pass, the revenue losses to counties, cities, schools, special districts, and redevelopment agencies would be \$20 billion

annually, with an additional \$10 billion to the State to annually replace the tax loss to K-12 school districts.

## Announcing a New Voluntary Dental Program

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