

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

REGULAR BOARD MEETING MAY 15, 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 MAY 1, 1996  
ADJOURNED MEETING OF MAY 6, 1996

**PUBLIC COMMENTS PERIOD**

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

**BOARD ADMINISTRATION**

3. REQUEST FOR WAIVER FROM CONNECTING TO SEWER SYSTEM  
Request for waiver of new nonresidential uses to connect to sewer system  
at 323 A West Tefft Street-Proposed Old Town Nursery (Discussion/Action)
4. ARMTROUT QUIT CLAIM DEEDS  
Approval of Quit Claim Deeds pursuant to a reversionary clause (Discussion/Action)
5. ACCEPTANCE OF EASEMENTS  
Accept offers of utility easements for Tracts 1981 and 2212 (Discussion/Action)
6. WATER AND SEWER RATE STUDY  
Review the proposed water and sewer rate increased based on  
financial consultant's recommendations (Discussion/Information)

**FINANCIAL REPORT**

7. APPROVAL OF WARRANTS

**OTHER BUSINESS**

8. MANAGER'S REPORT
  1. New Office Building Proposed Layout
  2. CSDA Update by District Legal Counsel
  3. Letter from Burt Fugate supporting Emergency Turn Out
9. DIRECTORS COMMENTS
10. PUBLIC COMMENTS
12. ADJOURN

THE NEXT REGULAR BOARD MEETING WILL BE HELD ON WEDNESDAY, MAY 29, 1996, AT 7:00 P.M.

THE JUNE 5, 1996 BOARD MEETING IS CANCELED

← W:AGENDA\A051596.DOC

**NIPOMO COMMUNITY SERVICES DISTRICT  
MINUTES**

REGULAR BOARD MEETING MAY 1, 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 May 1, 1996 Regular Board 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, Simon, Mendoza, Fairbanks, and Small.

**APPROVAL OF MINUTES**

1. REGULAR MEETING OF APRIL 17, 1996  
Upon motion of Director Mendoza and seconded by Director Simon the Board unanimously the Minutes of the April 17, 1996 meeting.

**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. The following commented from the audience.

John Snyder, Koch California, referenced the meeting with Scott Slater on Jan. 23, 1995.

Cees Dobbe asked for a comment. President Small did not have recollection of the meeting.

**BOARD ADMINISTRATION**

3. CYPRESS RIDGE GOLF COURSE PROJECT - ENVIRONMENTAL IMPACT REPORT  
Review District's comments on the EIR to be sent to the County (Discussion/Action)

Manager Doug Jones reviewed a proposed letter to be sent to Melissa J. Moorney, Environmental Specialist of the San Luis Obispo County Department of Planning and Building in response for a request for comment from the Board on the EIR Report concerning the Cypress Ridge Golf Course Project. There was much discussion among the Board concerning the project. Comments from the audience were from John Snyder, Dennis Sullivan (Cypress Ridge developer), Cees Dobbe, David Manriquez, Jacquelyn Fredericks, Gene Kaye, Ed Sauer. Board members want to be assured of water.

Upon motion of Director Simon, seconded by Director Fairbanks the Board agreed to establish a sub-committee made of Directors Blair and Simon to revise the letter, continue this item and set Monday, May 6, 1996 for a Special Meeting. All members were in favor.

4. DISTRICT ANNEXATION POLICY

Review existing policy with proposed changes in water supply requirements. (Discussion/Action).

Mr. Jones reviewed the proposed changes to the existing Annexation Policy. The changes included the annexation proponent provide a water supply in the form of a well with a pumping record, agree to a retrofit program or supplemental water.

Public Comments: Terry Orton, Westland Engineering

Upon motion of Director Mendoza and seconded by Director Simon, the Board unanimously approved Resolution No. 96-576. Vote 5-0.

RESOLUTION NO. 96-576-A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING THE EXISTING ANNEXATION POLICY

5. PROPOSED ANNEXATION NO. 15 - NEWDOLL

Request to annex 7½ ac at the intersection of Tefft St. & Hazel Lane. (Discussion/Action).

Mr. Jones reviewed the request for annexation from R. Newdoll.

Mr. Newdoll asked for a positive vote for annexation.

Terry Orton commented from the audience.

Upon motion of Director Simon and seconded by Director Fairbanks, the Board approved Resolution 96-577 with a 4-1 vote with Director Blair being the dissenting vote.

Mr. Newdoll thanked the Board.

RESOLUTION NO. 96-577-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

6. WATER & SEWER RATE STUDY AND FINANCIAL PLAN

Review water, sewer & impact fee increases and adjustments.

Set a time and place for a Public Hearing for adoption of the proposed fees. (Discussion/Action).

The Board reviewed the proposed rate adjustments. Comments from the audience were from the following: John Snyder, David Manriquez, and Cees Dobbe. The Board will submit specific concerns to staff to consider. This item is tabled until the next meeting.

7. COUNTY LAND EXCHANGE FOR WATER TO THE REGIONAL PARK

Withdraw the District's offer to exchange land for water. (Discussion/Action).

Mr. Jones reviewed the discussion with County officials. Upon motion of Director Fairbanks and seconded by Director Blair, the Board unanimously voted to send a letter to SLO County withdrawing the Memorandum of Understanding for exchange of water for the parcel of land adjacent to the District office. Jacqueline Fredericks commented from the audience.

8. PROPOSED 1996-97 FY NCSD BUDGET

Receive & set a date and time to have a Study Session on the proposed budget. (Discussion/Action).

The Board received the proposed budget for the 1996-97 Fiscal year. The Board will review the budget and will return at a later date to discuss.

**FINANCIAL REPORT**

9. APPROVAL OF WARRANTS

Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved the Warrants presented at the May 1, 1996 meeting.

JTES

MAY 1, 1996

10. THIRD QUARTER FINANCIAL REPORT

The Board reviewed the Third Quarter Financial Report.

John Snyder from the Audience asked if report included the April bill from Hatch & Parent.

Answer -- No, cut off is March 30, 1996.

No action was necessary.

11. INVESTMENT POLICY QUARTERLY REPORT

To comply with the 1996 Investment Policy for Nipomo Community Services District, a quarterly report was filed with the District's auditor. Upon motion of Director Fairbanks and seconded by Director Simon, the Board unanimously accepted the quarterly report.

**OTHER BUSINESS**

12. MANAGER'S REPORT

Manager Doug Jones presented information on the following items:

1. SLO-CSDA CHAPTER MEETING
2. CSDA INFORMATION ON THE "RIGHT TO VOTE ACT"
3. NEW OFFICE BUILDING TENTATIVE LAYOUT
4. STATE REVOLVING FUND LOAN
5. EMERGENCY TURNOUT LETTER

He also reported that Eureka Well was down and all other wells are pumping around the clock.

13. DIRECTORS COMMENTS

It's late!!

14. PUBLIC COMMENTS

There were none.

15. ADJOURN

President Small continued the May 1, 1996 Regular Board Meeting at 10:25 p.m. to an Adjourned Meeting on Monday, May 6, 1996 at 7:00 p.m. at the District Board Room, 261 W. Dana St. Suite 100, Nipomo, California.



**NIPOMO COMMUNITY SERVICES DISTRICT**  
**MINUTES**

ADJOURNED BOARD MEETING MAY 6, 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 May 6, 1996 Adjourned Board Meeting to order at 7:12 p.m. and led the flag salute.

**ROLL CALL**

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

**PUBLIC COMMENTS PERIOD**

1. **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 no comments.

**BOARD ADMINISTRATION**

2. **CYPRESS RIDGE GOLF COURSE PROJECT - ENVIRONMENTAL IMPACT REPORT**  
Review District's comments on the EIR to be sent to the County (Discussion/Action)  
Manager Doug Jones made a brief presentation of the letter and the reviewed the changes made to the letter as proposed by the Subcommittee of Director Simon and Director Blair. The proposed changes are as follows:
  1. A positive statement that the project was an asset to the Nipomo Mesa, however, water was the primary issue.
  2. On item 7, the word "study" was changed to "reports".
  3. Item 13-Water runs uphill to money was deleted.
  4. A new item #6 was added regarding desalination as a possible method to bring water to the Mesa in the future.Comments from the audience were from Cees Dobbe and Dennis Sullivan.  
Upon motion of Director Simon and seconded by Director Mendoza, the Board unanimously approved the letter for distribution.
3. **DIRECTORS COMMENTS**  
Director Fairbanks stated that she was in favor of the project. Director Mendoza stated he was in favor of the project and that water was the issue and needed to be solved. Director Simon commented that it is an ideal project and would like to solve the problems.
4. **PUBLIC COMMENTS**  
Cees Dobbe and Dennis Sullivan commented on the project
5. **ADJOURN**  
Director Small adjourned the meeting at 7:55p.m.

MAY 15 1996

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: MAY 15, 1996

**REQUEST FOR WAIVER TO CONNECT TO DISTRICT SEWER SYSTEM**

Mr. and Mrs. VanDerStad are planning to open up a nursery at 326 West Tefft Street. This new commercial business will be called Nipomo Old Town Nursery which is a nonresidential use. The District Code Section 4.08.070 states that any new nonresidential use will connect to the District sewer system. The Code also provides for an exemption of those systems installed prior January 1, 1990. A copy of the Code Section is attached for the Board's review.

This property in which the Old Town Nursery is to be located is on a single plot of land which includes a day care center. In the near past the day care center has approached the District to connect to the existing sewer system because of a failure of the on-site disposal system. The District sewer grant program, which is overseen by Regional Water Quality Control Board, indicates that any failing on-site disposal system within the Prohibition Area must connect to the District sewer system. Since the sewer capacity fees have never been paid for this parcel it is not presently hooked to the District's sewer system.

This parcel, which is within the Prohibition Area, has two structures on it with two separate on-site disposal systems. The property owner has indicated that one system serving the day care center has failed and the system which would serve the proposed Old Town Nursery is in tact and operating properly according to testimony from the property owner.

If the Board wishes to exempt Old Town Nursery from connecting to District wide system, you would have to make the following findings that the on-site system has not failed, that it is operating properly and to meet the District's contractual obligation with the Sewer Grant Program the applicant needs to receive a formal exemption when they are within the Prohibition Area from the RWQCB. Part III of the grant conditions reads as follows:

Formal exemption from connection to the new collection system can only be granted by the District's Board of Directors with the concurrence of the RWQCB. Formal exemptions shall only be considered where there is sufficient information to demonstrate that the existing community (i.e. neighborhood systems which are permitted by adopted waste discharge requirements) and on-site systems are properly operated, functioning well and not causing a water quality problem.

Page 2

Request for Waiver to Connect to District Sewer System

May 15, 1996

The District has been working with the Regional Water Quality Control Board to develop a procedure to receive a formal exemption from connecting on-site disposal systems to the District sewer system. A draft procedure to inspect on-site systems is attached for the Board's review. If the property owner wishes an exemption from connecting to the District's system, they may follow this procedure and to qualify for an exemption.

Part of the grant program and final audit is that the District will perform a sanitary survey of all unconnected parcels within the Prohibition Area to identify on-site disposal systems that are failing. This procedure was put together to identify those systems. We are working with the County Health Department to perform a joint survey all systems that have not been connected to the District wide sewer system to see which are operating properly and which are not operating properly. One of the requirements to be exempt from the connection is that the on-site septic system has not been pumped more than once in the last three years. It is staff's understanding that the proposed property where the Old Town Nursery is to be located was and has been pumped more frequently than this and, therefore, would not qualify for an exemption.

It would be staff's recommendation that if the property owner could meet the formal exemptions on both on-site waste disposal systems then the Board could waive connecting to the District's sewer system. When one or more of the systems fail, then all systems on the property should connect to the sewer system.

Since the District has previously been notified that one of the on-site systems has failed and failure requires connection to the sewer system, it would seem unlikely the RWQCB would grant a formal exemption. The County Health Department has been notified of the failure.

It would be staff recommendation because of the failure of the on-site sewer disposal system and the District's Grant contractual obligation, that this property connect to the sewer system.

cc: RWQCB  
County Health Department

# DRAFT

## PROCEDURE TO RECEIVE A FORMAL EXEMPTION FROM CONNECTING YOUR ON-SITE SEWAGE DISPOSAL SYSTEM (SEPTIC TANK) TO THE DISTRICT SEWER SYSTEM

You must have your septic system certified that it meets the following requirements by hiring a licensed contractor carrying a C42 license and be in the business of working on septic systems.

The following are some contractor that perform inspections:

Clay's Septic & Jetting, Inc.	929-5065
Bark's Plumbing	543-2635
Ingram & Greene's Sanitation Co.	929-3324
Al's Septic Pumping Service	773-0123

To receive an exemption your system must comply with the Uniform Plumbing Code (UPC) and the SLO County Information Bulletin on Private Sewage Disposal Systems

The Contractor you hire will do the following:

Physical Inspection:

### SEPTIC TANK

1. Locate the septic tank & approximate date it was installed.
2. Record property lines, buildings, wells, & water courses.
3. Dig up primary & secondary lids.
4. Remove lids & pump the tank
5. Inspect inlet & outlet tees
6. Inspect tank & baffle walls for cracks and integrity.

### LEACH SYSTEM

1. Locate leach system
2. Record distance from property lines, buildings, wells & water courses.
3. Outline dimensions of the leach systems
4. Check depth of leach system
5. Perform a perk test on the leach system  
Occupied home 300 gal/min.



Vacant home 1000 gal/min.

The UPC and the SLO Co. Building Code specify the following:

- Wood Septic Tanks are prohibited.
- Septic tanks shall have 2 compartments. The primary side to be 2/3, the secondary side to be 1/3 with 20" openings and lids into each compartment.
- Septic tanks are to have inlet & outlet tees of 4" of adequate length.
- Septic tanks under concrete or blacktop shall have a 20" access manhole to grade.
- Seepage pits must have been designed by a Civil Engineer or preapproved by the SLO Co. Planning & Building Dept.
- Septic tank capacity

<u>Bedroom</u>	<u>Minimum Capacity</u>
1-2	750 gallons
3	1,000 gallons
4 or 2-1 bedroom multiplex units	1,200 gallons
5-6 or 3-1 bedroom multiplex units	1,500 gallons

- Leach systems shall comply with the UPC Appendix 1, 6 & 7 and the SLO Co Building & Planning Information Bulletin on Private Sewage Disposal Systems.

If the septic system does not meet the above criteria to qualify for an exemption or has excessive pumping (defined as more than once in three years) connection to the District's sewer collector system will be required.

winword/sewer/exempt

May 8, 1996

August and Lisa VanDerStad  
Nipomo Old Town Nursery  
323A W. Tefft St.  
Nipomo, Ca 93444  
929-1084

To the Nipomo Community Services District Staff and Board:

We would like to request that the agenda for the NCSD meeting scheduled for May 15, 1996, include discussion of our proposed change of use (from residential to retail plant sales) for the property located at 323A W. Tefft Street, and exempt it from a requirement for immediate connection to the sewer system as a condition of District service.

The septic system serving the building on the property which our business will use is in good condition, and because it was constructed prior to January 1, 1990 should be exempt from the connection requirement at this time (Section 4.08.070). The change of use we propose will have a much less significant impact on the existing septic system than did the prior residential use of the property, and there is no reason to anticipate any adverse impact to the separate system serving the other building on this 2-1/2 acre parcel. The County Building and Planning Department has already indicated to us that it has no reservations about approving the change of use we propose, and sees no reason to be concerned about sewage disposal on the site since the existing septic system is capable of providing acceptable service. On these grounds we respectfully request the exemption.

Thank you for your consideration.

Sincerely,

*(August) and Lisa Van Der Stad*

August and Lisa Van Der Stad

*attachment*

April 24, 1996

Mr. James Lopes  
Planning Department  
County of San Luis Obispo  
County Government Center  
San Luis Obispo, CA 93408

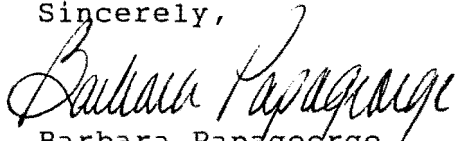
Dear Jim:

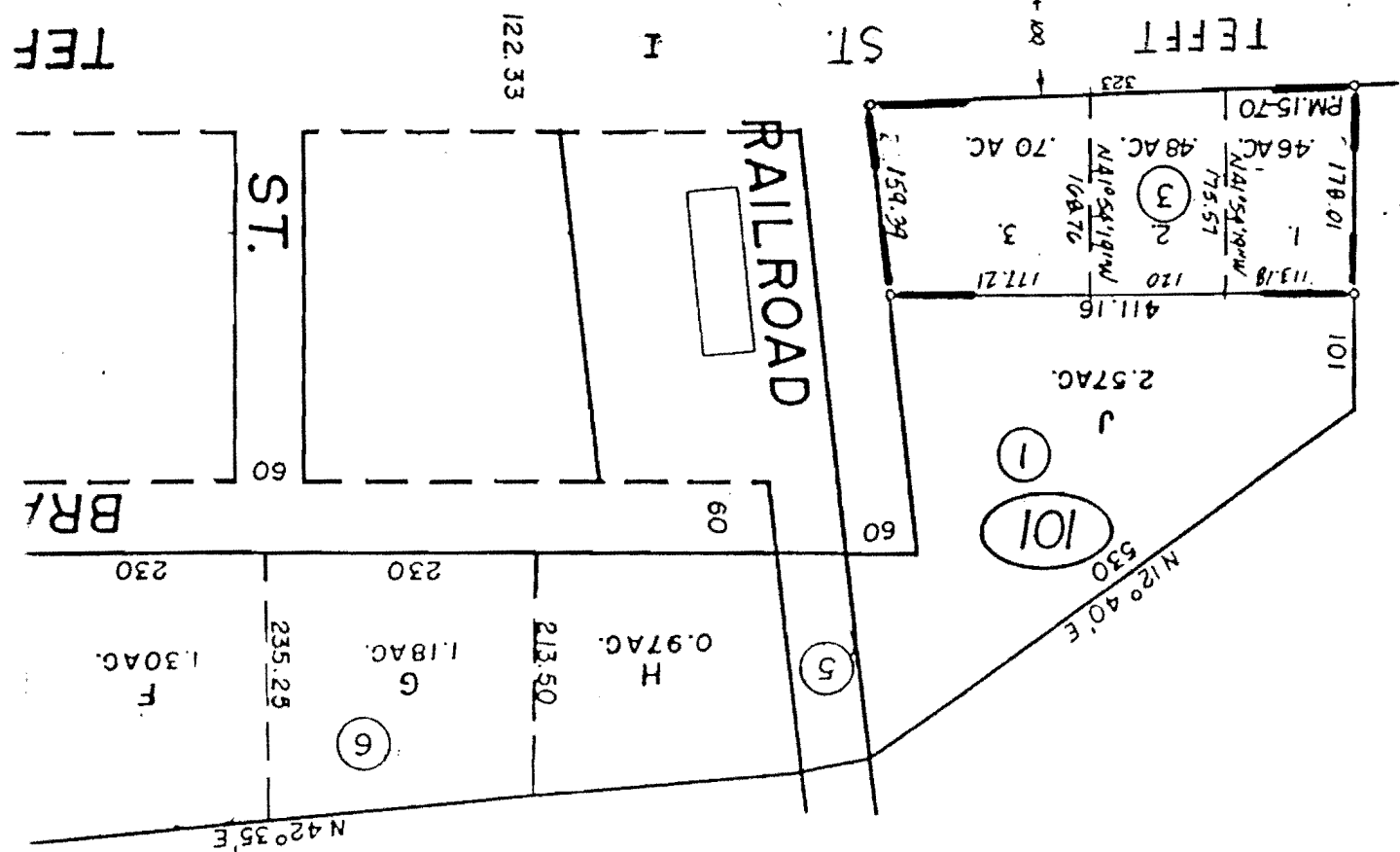
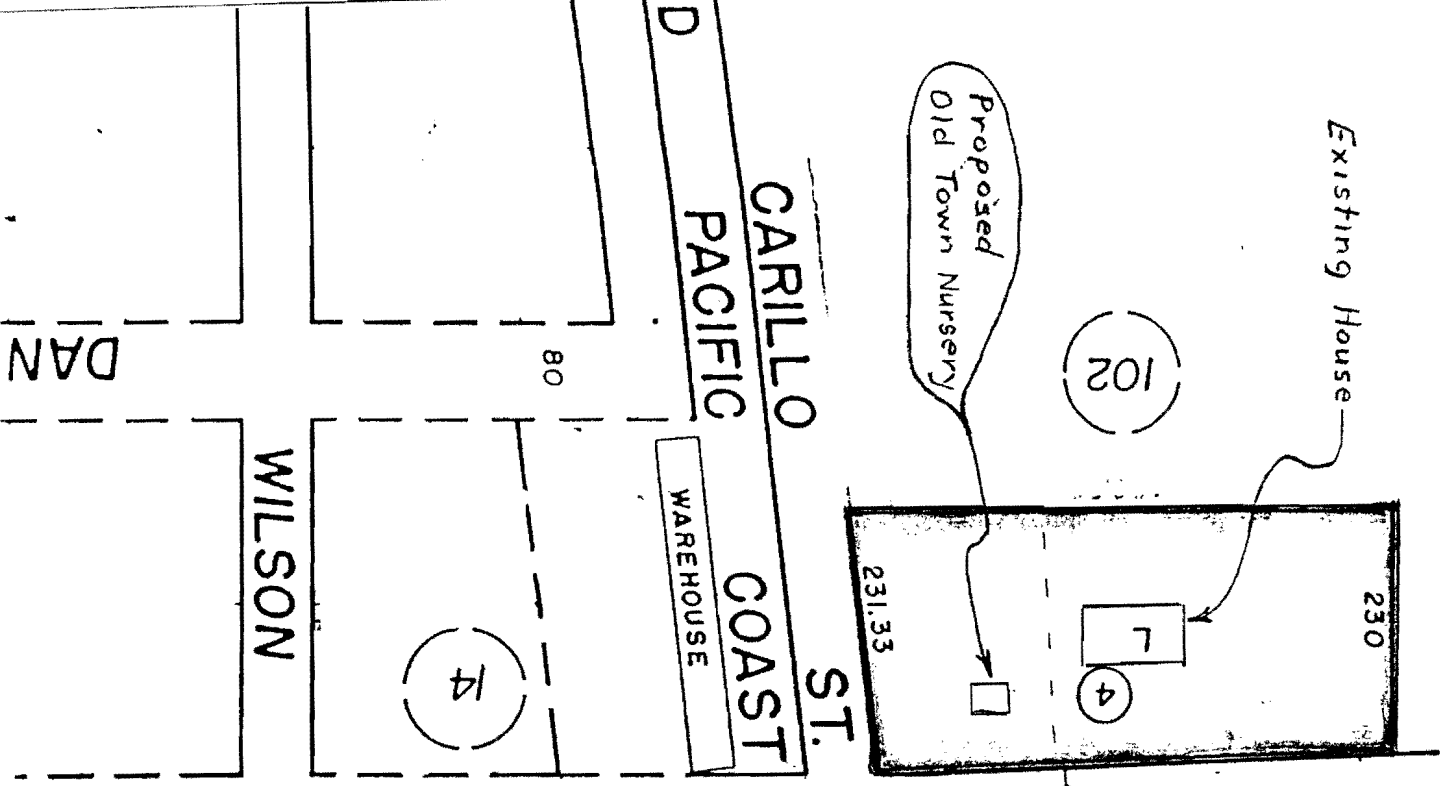
My husband and I own the property located at 323 W. Tefft Street in Nipomo.

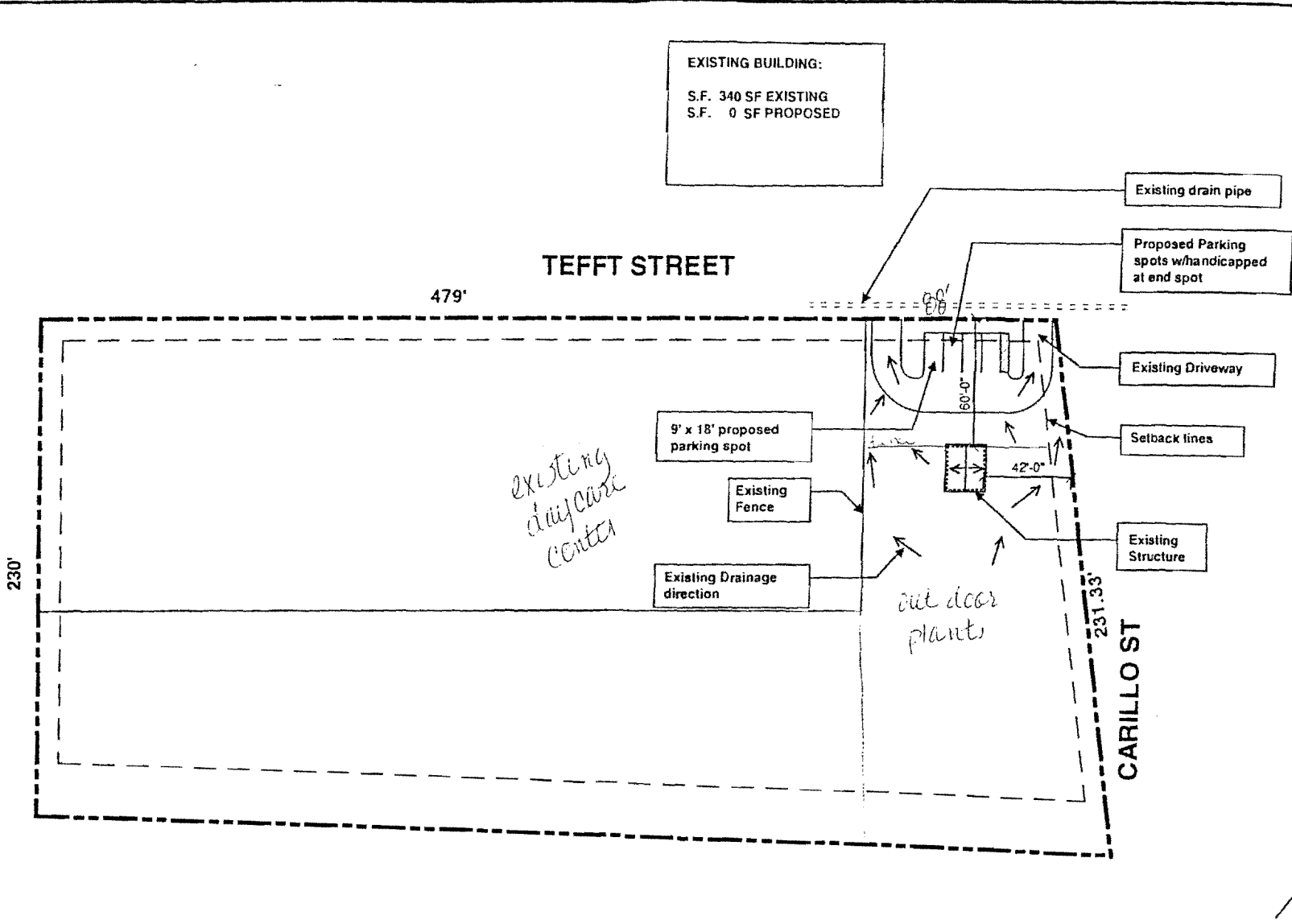
The Vanderstad's are trying to establish a retail nursery on a portion of this property designated as 323-A. This little house has constantly been rented over the past 5 years without ever having a problem with the septic tank.

As part of the Olde Towne Nipomo Business Association, I would like to express the positive impact we feel this project would have on our downtown area, not only as a desirable retail business, but as one that would also lend itself to the beautification of our Olde Towne Nipomo.

Sincerely,

  
Barbara Papageorge





EXISTING BUILDING:  
 S.F. 340 SF EXISTING  
 S.F. 0 SF PROPOSED

Existing drain pipe

Proposed Parking spots w/handicapped at end spot

TEFFT STREET

479'

Existing Driveway

Setback lines

9' x 18' proposed parking spot

Existing Fence

*existing daycare center*

Existing Drainage direction

*out door plants*

Existing Structure

230'

231.33'

CARILLO ST

MATERIAL CONTAINED IN THESE DOCUMENTS MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF THE FIRM CREATIVE SOLUTIONS. THESE PLANS ARE THE PROPERTY OF CREATIVE SOLUTIONS AND MAY ONLY BE USED FOR THE PROJECT AS SPECIFIED.

**CREATIVE SOLUTIONS**  
 MARK A. BARLOW  
 (805) 544-2729  
 1104 JOHNSON ST SUITE D  
 SAN LUIS OBISPO, CA 93401

TENANT IMPROVEMENT  
**A. G. Van Der Stad**  
 323 W. Tefft Street  
 Nipomo, California

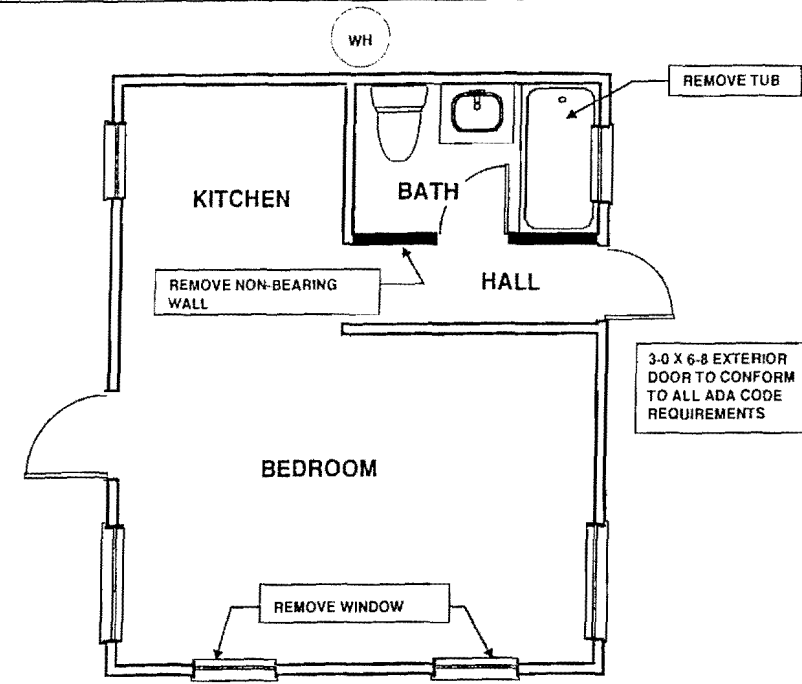
**SITE PLAN**  
 SCALE: 1" = 50'

DATE: MAR 22, 1996  
 DRAWN BY: MB  
 REVISIONS:

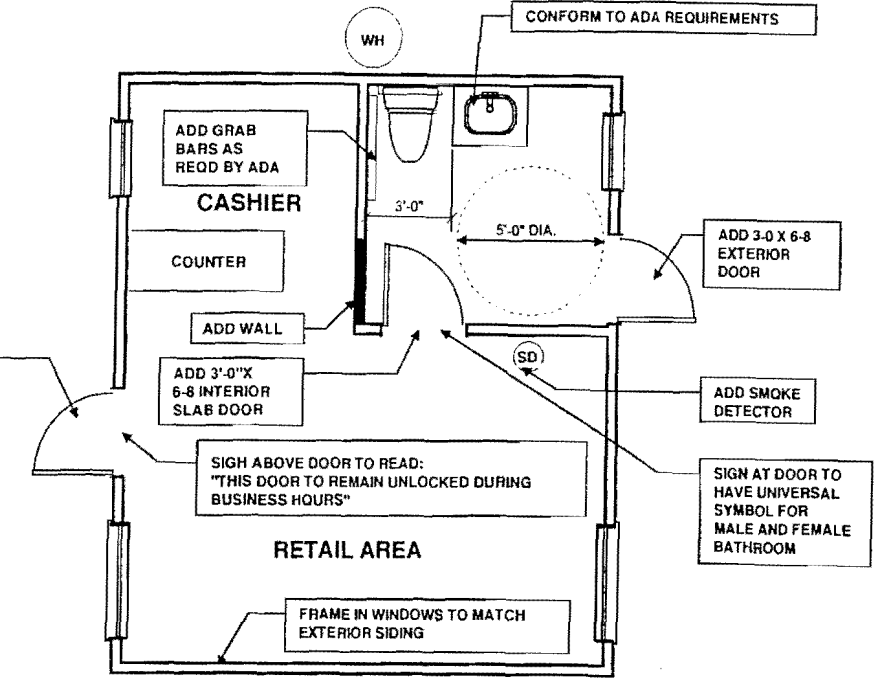
SHEET

**GENERAL NOTES:**

ELECTRICAL: THERE SHALL BE NO ALTERATIONS MADE TO THE EXISTING ELECTRICAL SYSTEM  
 MECHANICAL: THERE SHALL BE NO ALTERATIONS MADE TO THE MECHANICAL SYSTEMS.  
 ALL EXTERIOR WALLS ARE BEARING WALLS AND ARE UNALTERED  
 ALL INTERIOR WALLS ARE NON-BEARING WALLS



**EXISTING FLOOR PLAN**



**PROPOSED FLOOR PLAN**



MATERIAL CONTAINED IN THESE DOCUMENTS MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF THE FIRM CREATIVE SOLUTIONS. THESE PLANS ARE THE PROPERTY OF CREATIVE SOLUTIONS AND MAY ONLY BE USED FOR THE PROJECT AS SPECIFIED.

**CREATIVE SOLUTIONS**  
 MARK A. BARLOW  
 (805) 544-2729  
 1102 JOHNSON ST. SUITE D  
 SAN JUAN BAPTIST, CA 92078

TENANT IMPROVEMENT  
**A. G. Van DerStad**  
 323 W. Tefft Street  
 Nipomo, California

**FIRST FLOOR PLAN  
 EXISTING & PROPOSED**  
 SCALE: 1/4" = 1'-0"

DATE: MAR 22, 1996  
 DRAWN BY: MB  
 REVISIONS:

SHEET  
**A3.1**

service availability can be issued by this district;

3. The installation of an adequate street connection must be inspected and approved by the district. Such approval will be issued only after execution of a district inspection agreement and payment of an inspection fee. (Ord. 86-50 Art. 4, 1986)

**4.08.050 Connection to system—  
Required for certain  
dischargers.**

A. Unless a formal exemption is obtained from the district all new construction, with one or more interior plumbing fixtures shall connect to the Nipomo sewerage project. At the time of such connection, all existing plumbing fixtures on the same lot or parcel must also be connected and all appropriate fees paid.

B. Failing On-Site Systems. After completion of the abatement procedures established elsewhere herein existing on-site, disposal systems found to be creating a nuisance, causing pollution, or creating a potential or actual public health hazard will be required to connect to the Nipomo sewerage project and to pay all appropriate fees. (Ord. 86-50 Art. 5, 1986)

**4.08.060 Connection to system—  
New sewer laterals—  
District approval required.**

It is unlawful and a misdemeanor for any person to connect or use, or to cause, permit or allow any other person to connect or use, any new sewer lateral installed to serve new construction or development, unless such person shall first obtain and have specific written approval from the district for such connection or use. (Ord. 89-55 § 1, 1989)

**4.08.070 Connection to system—  
Nonresidential uses or  
parcels.**

A. The Nipomo Community Services District will not approve or authorize any new nonresidential uses or parcels within the district unless such uses or parcels are connected to the district's community sewage disposal system.

B. Exceptions or Exemptions. The provisions of subsection A of this section may be waived by formal resolution of the district's board of directors if the board finds that one or more of the following factors applies to the property in question:

1. Septic tank service has been constructed, or has been formally and finally approved by the county of San Luis Obispo, for the property prior to January 1, 1990;

2. The property owners, including all lienholders, have executed and filed with the district a recordable document waiving the right to protest any subsequent formation of an assessment district, or similar entity, to provide district sewer service to the property at the owner's expense. The determination of whether or not to grant this exception shall be at the sole discretion of the district board of directors after considering all relevant factors. The granting of an exception for one or more property owners shall not require the board to grant a similar exception for any or all subsequent developments. The board shall have the right at any time to initiate assessment district proceedings to require district sewer service for any one or more properties within a given area as the board deems best;

3. a. The California Regional Water Quality Control Board has approved an exemption to basin plan prohibitions, specif-

ically describing the particular property excepted; and

b. The Regional Water Quality Control Board has notified the district in writing that on-site sewage disposal is acceptable and that connection to the community sewerage system will not be required if septic tank failure or groundwater pollution should occur subsequently. Any such notification shall specifically state the district will not at any time be subjected by the state of California, or any of its agencies, to proceedings, actions, fines or threats thereof, to coerce the district to solve or correct problems arising from the installation or use of any such nonresidential on-site septic tank.

c. Automatic Appeal of County Exemptions. Pursuant to the provisions of San Luis Obispo County Code Section 19.20.222(e), or of any other applicable county code or regulation authorizing appeals from county decisions at any or all levels, the Nipomo Community Services District establishes a formal policy of appealing all county decisions authorizing the use of septic tank disposal systems for nonresidential uses or parcels within the district. The county is requested to provide the district with written specific notice of any review or consideration by the county of a proposal, request or other authorization of any sort to provide septic tank sewage disposal for any nonresidential use or parcel within the district. (Ord. 90-60 §§ 1—3, 1990)

#### **4.08.080 Extension of facilities.**

A. System Capacity. Requests to consider plans for extension of the collection system for the Nipomo sewerage project will be accepted only during periods when the district's board of directors certifies that sufficient uncommitted collection, treatment

and disposal capacity is available to provide additional new service without compromising the service of existing users. The district shall adopt procedures to provide for plant expansion within a reasonable time if it finds that there is inadequate plant capacity for a proposed expansion.

B. Permit Required. No person shall construct a street connection, or make a connection with any public sewer without first obtaining a written permit from the district and paying all appropriate fees.

C. Design and Construction Requirements. Design and construction of street connections shall be in accordance with the requirements of the district and in accordance with district design standards, periodically adopted by district resolution.

D. Inspection. All new sewer system extensions and modifications, including street connection construction, must be inspected by the district.

E. Acceptance by District. After inspection and approval by the district, the new facilities must be offered to, and accepted by, the district before sewage disposal service can begin. (Ord. 86-50 Art. 6, 1986)

#### **4.08.090 Extension of facilities— District criteria.**

A. Separate Sewer Connection. No plumbing system, drainage system, building sewer, sewer connection or parts thereof, shall be located in any lot other than the lot which is the site of the building, structure or premises served by such facilities.

The drainage system of each new building and of new work installed in any existing building shall be separate and independent from that of any other building and every building shall have an independent connection with the public sewer.



MAY 17 1996

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: MAY 15, 1996

PROPERTY REVERSION TO CAL ARMTROUT

The District owns a parcel of land at the intersection of Lema Drive and Juniper Road within the Black Lake Mobile Home Estates. When the Black Lake Mobile Home Estates project was developed this parcel of land was used for on-site sewage disposal purposes. When the Nipomo Sewer Project was built this site was converted to a lift station which is located in the Southerly portion of this parcel. The original agreement on this parcel states that when this area is no longer used for waste disposal purposes it would revert back to the original developer, Mr. Calvin Armtrout.

The property has now been split into three parcels in which the District will retain one parcel for its lift station and return the other two parcels to Mr. Armtrout. Attached is a Resolution approving the Quit Claim Deed of two parcels to Mr. Armtrout and authorizing the General Manager to execute the Quit Claim Deed.

Once the Quit Claim Deed is executed and submitted to the escrow officer, the sewer and water capacity fees and other associated fees will be paid out of escrow to the District.

Staff recommends that the attached Resolution No. 96-578 be approved by your Honorable Board.

c:\winword\bd\armqcd

RESOLUTION NO. 96-578

A RESOLUTION OF THE  
BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
AUTHORIZING THE GENERAL MANAGER TO EXECUTE  
QUIT CLAIM DEED TO CALVIN H. ARMTROUT

WHEREAS, Nipomo Community Services District is no longer in need of property for waste disposal purposes located at the intersection of Lema Drive and Juniper Road, and

WHEREAS, said property is described as Parcels 1 and 2 of Parcel Map No. CO 95-061 in the County of San Luis Obispo, State of California, according to map recorded April 26, 1996 in Book 51, Page 98 of Parcel Maps, in the office of the County Recorder of said County, and

WHEREAS, this property is to be returned to the original developer of the Black Lake Mobile Home Estates, Calvin H. Armtrout, and

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

1. Approve the execution of the Quit Claim Deed to Calvin H. Armtrout.
2. Authorize the General Manager to execute said Quit Claim Deed.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services District this 15th day of May, 1996, on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Jon S. Seitz  
District Legal Counsel

ATTEST:

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

**AGENDA ITEM**

5

**MAY 15 1996**

TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: MAY 16, 1996

**ACCEPTANCE OF SANITARY SEWER EASEMENTS**

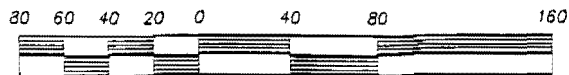
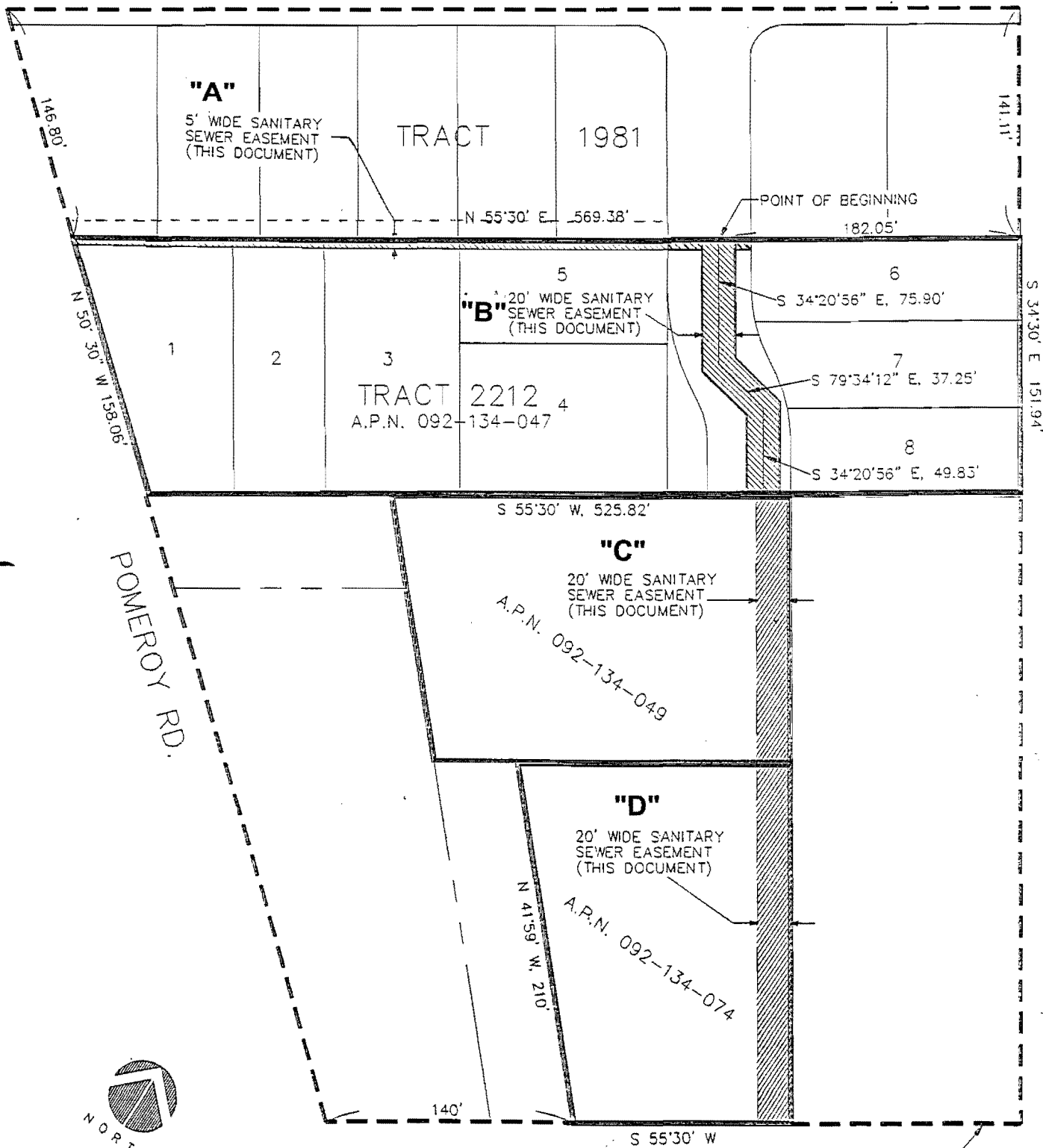
Tracts 1981 and 2212 are constructing a sewer line from their Tracts to Tefft Street. The proposed sewer lines traverse through a number of parcels which easements need to be acquired so the sewer may be constructed. All the associates property owners have offered easements to construct the proposed sewer line.

Attached is an Exhibit "F" showing the location of the proposed sewer line easements. Also attached is Resolution No. 96-579 for your consideration which accepts the easement and authorizes the President of the Board to sign the Easement Deeds.

winword/bd/1981

# EXHIBIT-"F"

PRIMROSE LANE



SCALE: FEET

BOUNDARY OF LOT 19, RESUBDIVISION OF THAT PORTION OF LOT 24, H.C. WARDS WARDS SUBDIVISION OF NIPOMO RANCHO (TYP.).

RESOLUTION NO. 96-579

A RESOLUTION OF THE  
BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
ACCEPTING UTILITY EASEMENTS FOR  
TRACTS 1981 AND 2212

WHEREAS, the developer of Tract 1981 and 2212 and two property owners desire to offer sewer utility easements to Nipomo Community Services District, and

WHEREAS, the developer of Tract 1981 and 2212 and owners of property have executed and offered the sewer utility easements to the District, and

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Directors of the Nipomo Community Services District as follows:

1. The Easement Grant Deeds referenced below are accepted by the District and the General Manager is instructed to record the Deeds.

A. Portion of APN 092-134-049, Rogelio M. Martinez and Maria Y. Martinez (Grantors), and Justo Andrade, Elfega Andrade, Jesus A. Manriquez and Beulah M. Newdoll, Trustee of the Hugo and Beulah M. Newdoll Revocable Family Trust (Developers), Exhibit "A"

B. Portion of APN 092-134-074, Michael James Bianchi and Kim Bianchi (Grantors), and Justo Andrade, Elfega Andrade, Jesus A. Manriquez and Beulah M. Newdoll, Trustees of the Hugo and Beulah M. Newdoll Revocable Family Trust (Developers) Exhibit "B"

C. Portion of APN 092-134-047, Justo Andrade, Elfega Andrade and Jesus A. Manriquez (Grantors) Exhibit "C",

D. Portion of APN 092-134-047, Justo Andrade, Elfega Andrade and Jesus A. Manriquez (Grantors) Exhibit "D"

2. Authorize the President of the Board to execute said four Easements

RESOLUTION NO. 96-579  
Page 2

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services District this 15th day of May, 1996, on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Steven A. Small, President  
Nipomo Community Services District

APPROVED AS TO FORM:

---

Jon S. Seitz  
District Legal Counsel

ATTEST:

---

Donna K. Johnson  
Secretary to the Board

TO: BOARD OF DIRECTORS  
 FROM: DOUG JONES  
 DATE: MAY 15, 1996

**AGENDA ITEM**

**6**

MAY 15 1996

**WATER AND SEWER RATE STUDY AND FINANCIAL PLAN**

The District has hired Mr. Perry Louck, CPA to do a water and sewer rate study and develop a comprehensive financial plan for the District. Mr. Louck is recommending to Your Honorable Board that all the District water and sewer monthly fees and connection fees be adjusted to meet the financial needs of the District. He also is recommending that these fees be adjusted on an annual basis over the next five years. The following are revisions of his recommendations of the March 8, 1996 Draft Report.

The following are the proposed water rates and monthly meter capacity charges to the year 2001.

TIERED FIVE-YEAR SCHEDULE						
QUANTITY	1996 (OLD)	1997 (NEW)	1998	1999	2000	2001
0 - 10 HCF	.75	.97	1.00	1.07	1.16	1.28
10 - 40 HCF	1.15	1.30	1.34	1.42	1.54	1.71
40+ HCF	1.15	1.75	1.81	1.92	2.08	2.31

MONTHLY CAPACITY CHARGE BY METER SIZE						
Meter Size	95/96	96/97	97/98	98/99	99/00	00/01
5/8 & 3/4" *	6.50	6.50	6.50	6.50	6.50	6.50
1 Inch *	6.50	6.50	6.50	6.50	6.50	6.50
1-1/2 Inch	15.00	30.00	30.00	30.00	30.00	30.00
2 INCH	21.00	42.00	42.00	42.00	42.00	42.00
3 INCH *	30.00	62.00	62.00	62.00	62.00	62.00

**TIERS BY METER SIZE - MONTHLY QUANTITIES IN HCF**

METER SIZE	FLOW EQUIVALENT	TIER 1	TIER 2	TIER 3
UP TO 1 "	1	0-10	10-40	40 +
1 1/2 "	3.3	0-33	33-132	132+
2 "	5.3	0-53	53-212	212+
3 "	10.0	0-100	100-400	400+

The water rate schedule has gone from a two-tier rate to a three tier rate. The third tier, which will involve those accounts that use over 4000 cubic feet per month, will have a higher per cu/ft rate to encourage conservation. The monthly capacity charge, except for the 5/8 to 1 inch meters, will increase along with their usage.

The following are the proposed monthly sewer rates for the Nipomo and the Black Lake wastewater facilities:

**NIPOMO DIVISION**

<b>FIVE-YEAR RATE SCHEDULE MONTHLY RATE</b>						
	<b>1996 (OLD)</b>	<b>1997 (NEW)</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>
<b>PER DUE</b>	16.00	16.75	17.55	18.50	19.61	20.92
<b>% CHANGE</b>	0.0%	4.69%	4.80%	5.38%	6.00%	6.68%

**BLACK LAKE WASTEWATER RATE RECOMMENDATIONS**

<b>FIVE-YEAR RATE SCHEDULE ALTERNATE MONTHLY RATE</b>						
	1996	1997	1998	1999	2000	2001
<b>PER DUE</b>	16.00	19.20	23.04	27.65	29.25	29.25
<b>% CHANGE</b>		20%	20%	20%	6%	0%

The Nipomo sewer rate increases are spread over a five year period and will increase \$0.75/mo the first year. The proposed Black Lake sewer rates increase is imposed over a five year period and include a transfer of \$80,000 from the Black Lake Water Fund to cover the projected operations shortfall. It should be noted that these rates at the Black Lake facility are comparable to other small facilities. The District will investigate the sale of the reclaimed water to offset some of the operating costs.

The following are the proposed water and sewer capacity fees over the next five years:  
(Note: The sewer capacity fee will not be imposed on the Black Lake Development because the treatment facility is being built at the developer's cost)

**FIVE YEAR SUMMARY OF WATER CAPACITY FEE**

<b>95/96</b>	<b>96/97</b>	<b>97/98</b>	<b>98/99</b>	<b>99/00</b>	<b>00/01</b>
<b>\$2,055</b>	<b>2,789</b>	<b>2,928</b>	<b>3,075</b>	<b>3,229</b>	<b>3,390</b>

**FIVE YEAR SUMMARY OF WASTEWATER CAPACITY FEE**

<b>95/96</b>	<b>96/97</b>	<b>97/98</b>	<b>98/99</b>	<b>99/00</b>	<b>00/01</b>
<b>\$3,500</b>	<b>2,086</b>	<b>2,190</b>	<b>2,300</b>	<b>2,415</b>	<b>2,535</b>



It is proposed in the first year that the water capacity fee be increased from \$2,055 to \$2,789, while the wastewater capacity fee be reduced from \$3,500 down to \$2,086.

Mr. Perry Louck, CPA is scheduled to make a second presentation to your Honorable Board on May 29, 1996 at 7:00 p.m. You may direct your questions and concerns to Mr. Louck at that time.

Attached for your information is the following:

1. A water and sewer rate comparison survey
2. The history of the District's water and sewer rate increases
3. The Wastewater Project Final Revenue Plan of 1986 establishing the sewer capacity fee of \$3,500
4. Most recent Census information (1990) on household income for Nipomo which states the mean (average) was \$40,543 per year
5. Legal analysis of the proposed rate modifications as recommended by Perry R. Louck, CPA, prepared by District Legal Counsel, Jon Seitz

The water rate comparison survey compared the District's existing water rates, and the proposed tiered and flat rate structures to other local water purveyors. You will note that even with the enactment of the tiered or flat rate structure, the District will still have the lowest water rates in the area.

This is an information item only. No action is requested by the Board at this time.

C:\W:\BD\newrate1

## RATE SURVEY

### COMPARISON OF WATER RATES ON A 1 INCH RESIDENTIAL METER ON A BI-MONTHLY BILLING CYCLE

AGENCY	20 UNITS	40 UNITS	60 UNITS
PISMO BEACH	\$39.33	\$76.19	\$117.90
GROVER BEACH	\$40.10	\$66.70	\$93.30
ARROYO GRANDE	\$43.28	\$64.04	\$89.99
SANTA MARIA	\$47.52	\$81.44	\$117.56
TEMPLETON CSD	\$53.72	\$83.72	\$120.52
CAL CITIES WATER	\$58.91	\$75.20	\$91.49
SAN LUIS OBISPO	\$60.00	\$127.00	\$194.00
GUADALUPE	\$61.80	\$105.80	\$149.80
OCEANO CSD	\$61.85	\$117.35	\$176.35
CAMBRIA CSD	\$84.80	\$183.80	\$293.80
AVILA WATER DISTRICT	\$85.00	\$153.00	\$221.00
AVERAGE OF ABOVE	\$57.85	\$103.11	\$151.43

NCS D			
CURRENT RATES	\$28.00	\$43.00	\$79.00
PROPOSED TIERED RATE	\$35.70	\$61.70	\$96.70
PROPOSED FLAT RATE	\$38.00	\$63.00	\$88.00

RATES AND CHARGES VERIFIED MAY 1996

05/06/96

## RATE SURVEY

COMPARISON OF SEWER RATES ON A SINGLE  
FAMILY RESIDENTIAL HOME ON A BI-MONTHLY  
BILLING CYCLE

AGENCY	FLAT FEE
SANTA MARIA	\$12.30
OCEANO CSD	\$20.50
ARROYO GRANDE	\$21.00
PISMO BEACH	\$22.43
GROVER BEACH	\$25.36
GUADALUPE	\$27.00
SAN LUIS OBISPO	\$40.70
TEMPLETON CSD	\$43.18
CAMBRIA CSD	\$45.80
AVERAGE OF ABOVE	\$28.70

### NCSD DIVISION

CURRENT RATE	\$32.00
PROP RATE-NIPOMO	\$33.50
PROP RATE-BLACKLAKE	\$38.40-\$58.50

RATES VERIFIED MAY 1996

NOTE: AVILA COUNTY WATER DISTRICT WAS NOT INCLUDED IN COMPARISON BECAUSE IT IS NOT A FLAT MONTHLY FEE. THE FEE IS \$13.00 MINIMUM PLUS \$2.60 PER HCF OF WATER USED.

05/06/96

## WATER RATE SURVEY

AGENCY	MINIMUM & OTHER CHARGE (BI-MONTHLY)	METER SIZE	100 CUBIC FEET ALLOWED	100 CUBIC FEET USED	RATE
GROVER BEACH 473-4550	\$13.50	ALL SIZE METERS	0	1 +	\$1.33/UNIT
CITY OF ARROYO GRANDE 473-5438	\$14.80	3/4" OR LES	16	17 +	\$1.25/UNIT
	\$23.30	1"	24	25+	\$1.25/UNIT
	\$31.20	1.5"	32	33+	\$1.25/UNIT
	\$58.60	2"	60	60+	\$1.25/UNIT
	\$160.90	3"	120	121+	\$1.25/UNIT
	+19.10 LOPEZ FEE & 3.8% UTIL TAX				
CITY OF GUADALUPE 343-1340	\$31.00	ALL SIZE METERS	6	7+	\$2.20/UNIT
CITY OF SLO 781-7155	\$0.00	ALL SIZE METERS	0	1-10	\$2.65/UNIT
			11 +	\$3.35/UNIT	
CAMBRIA CSD 927-6223	\$18.50		6	7-15	\$4.70/UNIT
				16-20	\$4.80/UNIT
				21-30	\$4.90/UNIT
				31-40	\$5.00/UNIT
				41-50	\$5.40/UNIT
				51-60	\$5.60/UNIT
				61-70	\$5.80/UNIT
				71-80	\$6.00/UNIT
			81+	\$6.10/UNIT	
TEMPLETON CSD 434-4900	\$21.00	5/8x3/4"	3	4-20	\$1.04/UNIT
	\$24.02	3/4"		21-40	\$1.50/UNIT
	\$36.04	1"		40-80	\$1.84/UNIT
	\$69.34	2"		81+	\$2.30/UNIT
	\$110.86	3"			

# WATER RATE SURVEY

AGENCY	MINIMUM & OTHER CHARGE (BI-MONTHLY)	METER SIZE	100 CUBIC FEET ALLOWED	100 CUBIC FEET USED	RATE	
CITY OF SANTA MARIA 925-0951 EXT 217	\$22.50		0	1-10	\$1.145/UNIT	
				11-20	\$1.357/UNIT	
				21-30	\$1.586/UNIT	
				31 +	\$1.806/UNIT	
CAL CITIES WATER 937-2007	\$17.60	5/8x3/4"	0	1 +	\$0.8022/UNIT	
	\$33.20	3/4"				
	\$42.00	1"				
	\$52.00	1.5"				
	\$120.00	2"				
	\$150.00	3"				
	+ 1.5% OF BILL STATE REG FEE					
PISMO BEACH 773-4655	\$6.17	5/8 x 3/4"	0	0-5	\$.73/UNIT	
	\$12.34	1"		6-11	\$.84/UNIT	
	\$20.36	1.5"		12-18	\$1.12/UNIT	
	\$24.68	2"		19-28	\$1.23/UNIT	
	\$46.28	3"		29-35	\$1.51/UNIT	
				36+	\$1.69/UNIT	
	ADDITIONAL \$8.00 LOPEZ FEE		0	0-20	FLAT	
				21+	\$.40/UNIT	
	OCEANO CSD 481-6730	\$19.60	5/8 x 3/4"	10	11-25	\$2.25/UNIT
		\$24.60	3/4"		26 +	\$2.95/UNIT
\$39.35		1"				
\$73.60		1.5"				
\$116.10		2"				
\$186.60		3"				

## WATER RATE SURVEY

AGENCY	MINIMUM & OTHER CHARGE (BI-MONTHLY)	METER SIZE	100 CUBIC FEET ALLOWED	100 CUBIC FEET USED	RATE
AVILA COUNTY WATER DISTRICT 595-2664	\$34.00	ALL SIZE METERS	5	6+	\$3.40/UNIT

RATES AND CHARGES VERIFIED MAY 1996

**NIPOMO COMMUNITY SERVICES DISTRICT  
WATER AND SEWER RATE AND SYSTEM FEE HISTORY**

**WATER RATE HISTORY**

**ORDINANCE #2 ADOPTED 6/1/66  
(ORIGINAL ESTABLISHMENT OF DISTRICT RATES)**

SIZE OF METER	MINIMUM	
5/8 X 3/4	\$4.00	
3/4 X 3/4	\$4.50	
3/4 X 1	\$5.80	
1	\$7.10	
1 1/2	\$10.00	
2	12.85	
		PER 100
CUBIC FEET		CUBIC FT
FIRST 500 C.F. OR LESS	\$4.00	
NEXT 500 C.F. PER 100 C.F.	\$0.45	
NEXT 1,000 C.F. PER 100 C.F.	\$0.35	
NEXT 2,000 C.F. PER 100 C.F.	\$0.30	
NEXT 2,000 C.F. PER 100 C.F.	\$0.25	
OVER 6,000 C.F. PER 100 C.F.	\$0.20	

**RESOLUTION #24 ADOPTED 6/14/68**

SIZE OF METER	MINIMUM	
5/8 X 3/4	\$6.50	
3/4 X 3/4	\$7.00	
3/4 X 1	\$8.30	
1	\$9.60	
1 1/2	\$12.50	
2	15.35	
		PER 100
CUBIC FEET		CUBIC FT
FIRST 500 C.F. OR LESS	\$4.00	
NEXT 500 C.F. PER 100 C.F.	\$0.50	
NEXT 1,000 C.F. PER 100 C.F.	\$0.35	
NEXT 2,000 C.F. PER 100 C.F.	\$0.25	
NEXT 2,000 C.F. PER 100 C.F.	\$0.20	
OVER 6,000 C.F. PER 100 C.F.	\$0.15	

**RESOLUTION #36 ADOPTED 7/9/71**

SIZE OF METER	MINIMUM	
5/8 X 3/4	\$6.50	
3/4 X 3/4	\$7.00	
3/4 X 1	\$7.00	
1	\$9.00	
1 1/2	\$15.00	
2	21.5	
		PER 100
CUBIC FEET		CUBIC FT
FIRST 500 C.F. OR LESS	\$6.50	
NEXT 500 C.F. PER 100 C.F.	\$0.50	
NEXT 1,000 C.F. PER 100 C.F.	\$0.35	
NEXT 2,000 C.F. PER 100 C.F.	\$0.25	
NEXT 2,000 C.F. PER 100 C.F.	\$0.20	
OVER 6,000 C.F. PER 100 C.F.	\$0.15	

**ORDINANCE 78-27 ADOPTED 8/29/79**

SIZE OF METER	MINIMUM	
5/8	\$6.50	
3/4	\$7.00	
1	\$9.00	
1 1/2	\$15.00	
2	\$21.00	
3	\$30.00	
4	\$45.00	
6	\$75.00	
		PER 100
CUBIC FEET		CUBIC FT
FIRST 500 C.F. OR LESS	\$6.50	
ALL ADDITIONAL AMOUNTS	\$0.50	

**ORDINANCE 92-68 ADOPTED 8/5/92**

SIZE OF METER	MINIMUM	
5/8	\$6.50	
3/4	\$6.50	
1	\$6.50	
1 1/2	\$15.00	
2	\$21.00	
3	\$30.00	
4	\$45.00	
6	\$75.00	
		PER 100
CUBIC FEET		CUBIC FT
FIRST 20 C.F.	\$0.75	
OVER 20 C.F.	\$1.15	

OPERATIONS/RATEWAT

**SEWER RATE HISTORY**

**ORDINANCE 86-48 ADOPTED 7/2/86**

MONTHLY SERVICE CHARGE \$24.00

**RESOLUTION NO. 378 ADOPTED 5/10/89**

MONTHLY SERVICE CHARGE \$20.00

**RESOLUTION 464 ADOPTED 6/3/92**

MONTHLY SERVICE CHARGE \$16.00

**SEWER SYSTEM FEE HISTORY**

**ORDINANCE 86-48 ADOPTED 7/2/86**

VOLUNTEER PROPERTIES \$2,100.00

ALL OTHERS \$3,500.00

**WATER SYSTEM FEE HISTORY**

**RESOLUTION #24 ADOPTED 7/14/68**

METER SIZE	SYSTEM FEE	CONNECTION FEE
5/8	\$40.00	\$0.00
3/4	\$90.00	\$0.00
1	\$110.00	\$0.00
2	\$150.00	\$0.00

**RESOLUTION #36 ADOPTED 6/9/71**

METER SIZE	SYSTEM FEE	CONNECTION FEE
5/8	\$95.00	\$200.00
3/4	\$105.00	\$200.00
1	\$125.00	\$200.00
1 1/2	\$145.00	\$200.00
2	\$165.00	\$200.00

**RESOLUTION #68 ADOPTED 9/11/74**

METER SIZE	SYSTEM FEE	CONNECTION FEE
5/8	\$400.00	\$200.00
3/4	\$632.00	\$225.00
1	\$1,096.00	\$250.00
1 1/2	\$1,724.00	\$375.00
2	\$2,528.00	\$700.00

**ORDINANCE 78-27 ADOPTED 8/29/79**

METER SIZE	SYSTEM FEE	CONNECTION FEE
5/8	\$910.00	\$320.00
3/4	\$1,000.00	\$350.00
1	\$1,670.00	\$380.00
1 1/2	\$3,000.00	\$450.00
2	\$4,850.00	\$650.00

**ORDINANCE 89-57 ADOPTED 5/30/89**

METER SIZE	SYSTEM FEE
1 OR LESS	\$2,055.00
1 1/2	\$4,625.00
2	\$8,220.00

**NIPOMO COMMUNITY SERVICES DISTRICT  
WASTEWATER PROJECT  
EPA GRANT NO. C-06-1255-110**

**FINAL REVENUE PROGRAM**

**LWA** LARRY WALKER ASSOCIATES  
DAVIS, CALIFORNIA

**JANUARY, 1986**



**DATE DETERMINATION AND REVENUE PROGRAM SUMMARY**

FIRST FULL YEAR OF OPERATION

1987

Commercial and Residential User Charges

Based upon assumed daily flow per dwelling unit equivalent (DUE) of 270 gal., local share of costs with exception of house laterals to be financed with a FmHA assessment bond purchase for 39 years (first \$1.815 million - 1 = 10%; next \$381,200 - 1 = 8.625%).

MONTHLY WASTEWATER SYSTEM CHARGES BY MAJOR USER GROUP

Account	NCS D								SLO	
	Single Family Homes	Nipomo Palms	Black Lake Estates	Dining & Dringing Service	Laundries	Service Stations	School	Other Commercial Businesses	Galaxy Park (sewered)	Galaxy Park (unsewered)
O & M	11.27	11.27	11.27	83.46	158.58	11.14	133.58	6.26	11.27	11.27
Debt Service										
Common facilities	12.74	12.74	12.74	94.38	179.33	12.58	151.00	7.08	11.07	11.07
Private facilities										
Street laterals(a)	7.12	-	-	7.12	7.12	7.12	7.12	7.12	-	7.12
Total (c)	31.13	24.01	24.01	184.96	345.03	30.84	291.70	20.46	22.34	29.46

Debt service for excess capacity (\$93,181/yr.) is paid by future connectees based on the following connection fees.

Volunteers: Persons who contributed to the planning and design effort will pay \$2100/DUE. (b)

Nonvolunteers: All other persons within the service area wishing to connect will pay \$3500/DUE. (b)

- (a) \$924 street laterals will be financed with FmHA assessment bond purchase at rates offered by FmHA 9/85.
- (b) Based on 30 connections per year: 10 volunteer and 20 nonvolunteer.
- (c) Does not include debt service for house laterals (from property line to house) which will be paid by each homeowner.

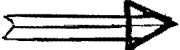
STATE OF CALIFORNIA  
STATE CENSUS DATA CENTER  
(916) 322-4651

1990 CENSUS OF POPULATION AND HOUSING  
SUMMARY TAPE FILE 3 - SELECTED TABLES

STATE: CALIFORNIA COUNTY: SAN LUIS OBISPO PLACE: NIPOMO CDP

P80/81/107/108. HOUSEHOLD AND FAMILY  
INCOME IN 1989

	HOUSEHOLDS	FAMILIES
\$ 0 - 4,999	57	50
\$ 5,000 - 9,999	163	102
\$ 10,000 - 12,499	66	46
\$ 12,500 - 14,999	133	105
\$ 15,000 - 17,499	128	105
\$ 17,500 - 19,999	95	60
\$ 20,000 - 22,499	122	113
\$ 22,500 - 24,999	103	77
\$ 25,000 - 27,499	116	83
\$ 27,500 - 29,999	126	111
\$ 30,000 - 32,499	118	116
\$ 32,500 - 34,999	62	24
\$ 35,000 - 37,499	99	83
\$ 37,500 - 39,999	47	31
\$ 40,000 - 42,499	54	59
\$ 42,500 - 44,999	98	91
\$ 45,000 - 47,499	90	90
\$ 47,500 - 49,999	69	69
\$ 50,000 - 54,999	166	151
\$ 55,000 - 59,999	54	41
\$ 60,000 - 74,999	136	124
\$ 75,000 - 99,999	54	54
\$ 100,000 - 124,999	70	59
\$ 125,000 - 149,999	0	0
\$ 150,000 OR MORE	45	32
<b>MEDIAN</b>	<b>\$30,561</b>	<b>\$31,853</b>
<b>MEAN</b>	<b>\$40,543</b>	<b>\$39,707</b>



P117/119/120. POVERTY STATUS IN 1989  
(UNIVERSE: PERSONS FOR WHOM POVERTY  
STATUS IS DETERMINED)

	AT OR ABOVE POVERTY	BELOW POVERTY
PERSONS	6001	1103
AGE		
0-4	500	128
5	96	25
6-11	631	181
12-17	380	207
18-24	468	60
25-34	1063	179
35-44	907	141
45-54	496	68
55-59	368	32
60-64	221	17
65-74	523	51
75+	348	14
WHITE	5227	803
BLACK	33	0
AMERICAN INDIAN, ESKIMO, OR ALEUT	48	60
ASIAN OR PACIFIC ISLANDER	145	0
OTHER	548	240
HISPANIC	1789	668

P114A&B/115A/116A. PER CAPITA INCOME IN 1989  
(UNIVERSE: PERSONS)

	TOTAL PERSONS	PER CAPITA INCOME
IN HOUSEHOLDS		\$12,919
IN GROUP QUARTERS:		
INSTITUTIONAL		\$0
NONINSTITUTIONAL		\$0
WHITE		\$13,635
BLACK		\$4,364
AMERICAN INDIAN, ESKIMO, OR ALEUT		\$8,258
ASIAN OR PACIFIC ISLANDER		\$16,639
OTHER		\$7,744
HISPANIC		\$7,052

P126. POVERTY STATUS IN 1989 BY FAMILY TYPE  
AND AGE (UNIVERSE: RELATED CHILDREN  
UNDER 18 YEARS)

	ABOVE POVERTY	BELOW POVERTY
IN MARRIED-COUPLE FAMILY:		
UNDER 5 YEARS	440	70
5 YEARS	87	16
6 TO 17 YEARS	880	222
IN OTHER FAMILY:		
MALE HOUSEHOLDER, NO SPOUSE:		
UNDER 5 YEARS	19	0
5 YEARS	9	0
6 TO 17 YEARS	58	0
FEMALE HOUSEHOLDER, NO SPOUSE:		
UNDER 5 YEARS	41	58
5 YEARS	0	9
6 TO 17 YEARS	73	132

P82/83/84/85. HOUSEHOLD INCOME IN 1989 BY RACE/HISPANIC ORIGIN OF HOUSEHOLDER  
(UNIVERSE: HOUSEHOLDS)

	WHITE	BLACK	AMER IND/ ESK/ALEUT	ASIAN/ PAC ISL	OTHER	HISPANIC ORIGIN
\$ 0 - 4,999	57	0	0	0	0	23
\$ 5,000 - 9,999	158	0	5	0	0	48
\$ 10,000 - 14,999	162	0	0	0	37	77
\$ 15,000 - 24,999	397	0	0	0	51	142
\$ 25,000 - 34,999	363	0	0	9	50	101
\$ 35,000 - 49,999	379	0	0	20	58	131
\$ 50,000 - 74,999	347	0	9	0	0	34
\$ 75,000 - 99,999	48	0	0	0	6	6
\$ 100,000 OR MORE	115	0	0	0	0	8
<b>MEAN</b>	<b>\$41,766</b>	<b>\$0</b>	<b>\$40,423</b>	<b>\$33,927</b>	<b>\$29,232</b>	<b>\$29,796</b>

P121. RATIO OF INCOME IN 1989 TO  
POVERTY LEVEL  
(UNIVERSE: PERSONS FOR WHOM  
POVERTY STATUS IS DETERMINED)

	TOTAL
UNDER .50	370
.50 TO .74	225
.75 TO .99	508
1.00 TO 1.24	189
1.25 TO 1.49	422
1.50 TO 1.74	575
1.75 TO 1.84	126
1.85 TO 1.99	483
2.00 AND OVER	4206
<b>TOTAL</b>	<b>7104</b>

JON S. SEITZ  
MICHAEL W. SEITZ

**SHIPSEY & SEITZ, INC.**  
A LAW CORPORATION  
1066 PALM STREET  
POST OFFICE BOX 953  
SAN LUIS OBISPO, CALIFORNIA 93406  
(805) 543-7272 FAX (805) 543-7281  
JON S. SEITZ  
District Legal Counsel  
Nipomo Community Services District

JOHN L. SEITZ  
(1924-1986)  
GERALD W. SHIPSEY  
(RETIRED)

**MEMORANDUM**

TO: NIPOMO COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

RE: LEGAL ANALYSIS OF: PROPOSED RATE MODIFICATIONS AS RECOMMENDED BY THE WATER AND SEWER COMPREHENSIVE FINANCIAL PLAN PREPARED BY PERRY R. LOUCK, CPA

FROM: JON S. SEITZ, DISTRICT LEGAL COUNSEL

DATE: MAY 10, 1996

**OVERVIEW**

I have been requested to provide the Board of Directors with a legal analysis of the rate modifications recommended by the Water and Sewer Comprehensive Financial Plan prepared by Perry R. Louck, CPA ("Louck Report"). As detailed below, your Board of Directors is authorized to establish, by ordinance, regulations imposing reasonable charges for services provided by the District to its residents. Charges for services cannot exceed the estimated reasonable costs of providing the service for which the fee or charge is imposed.

The District, like all local agencies (including the Cities and the County), collects its sewer and water charges by establishing capacity charges and monthly

service charges. As further described herein, the procedure for implementing capacity charges is different from those used to impose monthly rates.

The purpose of the Louck Report is to provide the Board with the technical background to establish the "nexus" (reasonableness) between the recommended modifications of the District rate structure and the services associated with a specific rate.

This memo will begin with a "general background", discussion of past District policies and recent District and County actions and their impact on modifying water and sewer charges as recommended by the Louck Report. As the Board realizes, my tenure with the District commenced about two years ago. Therefore, the background section may be incomplete and I welcome additional comments from both staff and the Board of Directors. This Memorandum will conclude with policy issues that the Board may consider in modifying the rate structures as recommended by the Louck Report.

## **SECTION I**

### **BACKGROUND**

Water and sewer are "critical" services because they have a direct relationship to the health and safety of District residents. Therefore, the infrastructure for water and sewer services are aggressively maintained and by their nature carry a heavy redundancy factor. Additionally, sufficient reserves must be maintained to meet emergencies.

The District has adopted a "pay as you go" policy. The District does not invest in new development until it has the cash in hand to complete the project. The "pay as you go" policy shifts the risk of financing new projects to the benefiting parties or landowners. Mr. Louck's "cost of service approach" complements District's policy.

Mr. Louck proposes a one time modification to the "pay as you go" policy on the basis of the current availability

of funds at below market rate interest. The borrowed money would be used to correct existing water utility deficiencies without depleting reserves and would shelter the District's property tax allocation from further transfers to the State or County.

The District set capacity charges at \$3,500.00 for sewer service in 1986. This charge has not been modified. The capacity charges for water were originally set in 1968 and have been modified four times. The current charge of \$2,055.00 (for a one inch or less meter) was established in 1989.

The monthly service charges for water were originally established in 1966 and have been modified four times, with the most recent modification occurring in 1992. The monthly rate for sewer service was originally established in 1986 at \$24.00 per month (residential). Monthly charges for sewer service have been modified two times, with the most recent modification occurring in 1992 when the monthly rate was reduced to \$16.00 per month. It is important to note that prior monthly rate ordinances do not include an inflation factor as recommended by the Louck Report.

The District recently paid off its debt service for the construction of the sewer plant with a cash payment of 1.3 million dollars +/- . By doing so it relieved its residents of interest payments on the indebtedness. Sewer capacity charges were the source for payment on the bond.

The District has restructured key staff positions with the hiring of Douglas Jones as General Manager, Lisa Bognuda as the Administrative Assistant, and Jon Seitz as Legal Council. This resulted in a restructuring of the District budget to separately categorize depreciation (replacement), expansion (capital projects), reserves, and operation and maintenance. The budget restructuring was instituted to establish a budgetary framework to evaluate the relationship (nexus) between the cost of providing services and District fees and charges. This restructuring revealed weaknesses in the District's financial administration, depreciation and replacement accounts and the District's reliance on reserves and capital accounts to

subsidize operation and maintenance expenses associated with water and sewer service.

The County recently implemented the South County General Plan. The County Plan set growth projections and established land use (density) for the Nipomo Mesa area. The South County Plan also established the District's current Urban Reserve Line (the District's projected growth).

The District has completed a water and sewer master plan update (Boyle Report and Garing and Taylor/ Kennedy Jenks Report) to evaluate the impact of the revised South County General Plan on the District's current systems and to evaluate from an engineering prospective the general condition of the District's system. The Water and Sewer Master Plan reports also made recommendations for replacement schedules (depreciation), capital improvements, and new construction to meet projected growth (capacity charges). These reports, along with the District's budget, provide the foundation for the Louck Report.

The District has determined that it is in the public's interest to construct office and meeting facilities for the District. The District's action will divert rent payments to a capital asset. Completing the payment (paying off the debt) will relieve the residents of Nipomo from contributing on a monthly basis to a necessary facility.

The District has recently implemented the bi-monthly billing schedule as a cost saving mechanism by eliminating the need to hire additional staff to support the growing needs of the District. The District has maintained its current staffing level of eight people over the past 3 years. The District's staff was increased by one member in 1993, as a condition of the Black Lake annexation.

## SECTION II

### LEGAL ANALYSIS

#### A. Monthly Rates

Section 61621.5 of the Government Code authorizes District to adopt ordinances to impose charges for the use of its facilities, and states in relevant part:

§ 61621.5. Regulations as to use of facilities and property

(a) Except as otherwise provided in this section, a district may by ordinance adopt regulations binding upon all persons to govern the construction and use of its facilities and property, including regulations imposing reasonable charges for the use thereof. Violation of any regulation relating to the construction and use of sanitation facilities or of roads is a misdemeanor.

The District establishes its monthly rate to fund maintenance and operation costs as well as depreciation and reserves accounts.

The Louck Report found that the Water Department is currently funding approximately 16% of its annual depreciation requirements (page 4), and that the Water Department is operating at an annual deficit of \$183,000.00 (page 7). The Louck Report projects that without a rate increase the District's \$360,000.00 reserve account will be depleted within two years (page 7).

The Louck Report found that the Sewer Department is currently funding about 18% of its annual depreciation required. Because Nipomo Wastewater Treatment Plant and the Black Lake Treatment Plant have their own defined separate service areas, the Louck Report contains a separate analysis for each division. As to the Nipomo division, the Louck Report finds that the Nipomo division is operating at a small deficit of \$12,467.00 per year (page 44). The Louck Report further found that the Black Lake Division is operating with an annual deficit of approximately \$54,000.00 per year. The Louck report projects that without a rate increase the Black Lake reserve account of \$45,000.00 will be depleted within a year. (page 8).

B. Capacity Charges

In 1990 the California Legislature adopted Government Code Sections 66013 to establish limitations on the use of connection fees and capacity charges. Section 66013 states:

**§ 66013. Local agency fees for water or sewer connections; Limits**

(a) Notwithstanding any other provision of law, when a local agency imposes fees for water connections or sewer connections, or imposes capacity charges, those fees or charges shall not exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed, unless a question regarding the amount of the fee or charge imposed in excess of the estimated reasonable cost of providing the services or materials is submitted to, and approved by, a popular vote of two-thirds of those electors voting on the issue.

(b) As used in this section:

(1) "Sewer connection" means the connection of a building to a public sewer system.

(2) "Water connection" means the connection of a building to a public water system, as defined in subdivision (e) of Section 4010.1 of the Health and Safety Code.

(3) "Capacity charges" means charges for facilities in existence at the time the charge is imposed or charges for new facilities to be constructed in the future which are of benefit to the person or property being charged.

(4) "Local agency" means a local agency as defined in Section 66000.

© Any judicial action or proceeding to attack, review, set aside, void, or annul the ordinance, resolution, or motion imposing a fee or capacity charge subject to this section shall be brought pursuant to Section 66022. [Emphasis added]

Additionally, in 1990 the California Legislature adopted Government Code Section 66016 to establish procedural guidelines for adopting various fees, including



capacity charges. Section 66016 states:

**§ 66016. Public meeting; Procedure for levying new fee or increasing existing fee**

(a) Prior to levying a new fee or service charge, or prior to approving an increase in an existing fee or service charge, a local agency shall hold at least one open and public meeting, at which oral or written presentations can be made, as part of a **regularly scheduled meeting**. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, and a statement that the **data required by this section is available, shall be mailed at least 14 days prior to the meeting to any interested party who files a written request with the local agency for mailed notice of the meeting on new or increased fees or service charges**. Any written request for mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service. **At least 10 days prior to the meeting, the local agency shall make available to the public data indicating the amount of cost, or estimated cost, required to provide the service for which the fee or service charge is levied and the revenue sources anticipated to provide the service, including General Fund revenues**. Unless there has been voter approval, as prescribed by Section 66013 or 66014, no local agency shall levy a new fee or service charge or increase an existing fee or service charge to an amount which exceeds the estimated amount required to provide the service for which the fee or service charge is levied. If, however, the fees or service charges create revenues in excess of actual cost, those revenues shall be used to reduce the **fee or service charge creating the excess**.

(b) Any action by a local agency to levy a new fee or service charge or to approve an increase in an existing fee or service charge shall be taken only by ordinance or resolution. The legislative body of a local agency shall not delegate the authority to adopt a new fee or service charge, or to increase a fee or service charge

© Any costs incurred by a local agency in conducting the meeting or meetings required pursuant to subdivision (a) may be recovered from fees charged for the services which were the subject of the meeting.

(d) This section shall apply only to fees and charges as described in Sections 51287, 56383, 57004, 65104, 65456, 65863.7, 65909.5, **66013**, 66014, and 66451.2 of this code, Sections 17951, 19132.3, and 19852 of the Health and Safety Code, **Section 41901 of the Public Resources Code**, and **Section 21671.5 of the Public Utilities Code**.

(e) Any judicial action or proceeding to attack, review, set aside, void, or annul the ordinance, resolution, or motion levying a fee or service charge subject to this section shall be brought pursuant to Section 66022. [Emphasis added.]

Mr. Louck summarizes his analysis for establishing the water capacity charges at \$2,789.00 on pages 26 and 27 of the Report. The analysis for establishing the sewer capacity charge at \$2,086.00 is summarized on page 28 of the Report. Mr. Louck's plan includes yearly increases for both these charges.

Because the District uses the County guideline for adopting ordinances (two meeting requirement) the District procedures comply with Government Code Section 66016 (supra) except that Staff will be required to mail the 14 day notice at the time the District notices the first meeting (ordinance introduction) under the Brown Act.

### SECTION III

#### POLICY CONSIDERATIONS

The Board of Directors may consider the following in restructuring the District's capacity charges and monthly rate charges to meet current and projected costs of providing service to the residents of the Nipomo Community Services District:

1. The use of tiered rate structure to provide a "lifeline rate" to "needy residents".
2. The use of a tiered water rate structure as a "conservation mechanism" (rewarding residents who conserve with lower rates).
3. Mr. Louck recommends a five year plan to bring the depreciation account current. The Board has the discretion to completely fund the depreciation account sooner (with higher rates), or to extend the time from five to seven or eight years.
4. Recover private fire protection costs as recommended by the Louck Report (page 12).

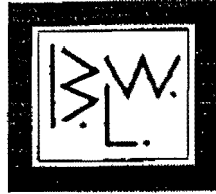
5. To implement the Louck Report in phases, for example: the Board could implement the first two or three years of the Louck Report and then reconsider at that time whether the rate analysis as provided by Mr. Louck is performing as expected. The phasing of the Louck report recommendations would further allow the District to:

(A) Consider the result of the current lawsuit to recover costs of replacing the PB pipe; and

(B) Consider the results of planned negotiations with the golf course to purchase Black Lake effluent for irrigation.

END OF MEMO

lncsd\memos\louck.wpd 5-10-96



BARRY LORENZ WILLIAMS ASSOCIATES  
ARCHITECTS • PLANNERS

AGENDA ITEM

MAY 15 1996



May 8, 1996

Nipomo Community Services District

Dear Doug, Lisa, etal,

Following is our latest floor plan scheme. We have attempted to make the various changes we discussed last Friday as well as stay within the appropriate square footage allotment, site orientation etc. The scale of the drawing is 1" = 10'. We have shown some possible furniture arrangements which might help to give you a sense of the size of the spaces. Our aim is to incorporate reasonable amounts of natural light as well as provide some views. The overall volume of the building will be in proportion to the areas served.

***Lobby area***

We have offset the counters so as to provide *privacy* for each party at the counter. I saw this scheme in Palo Alto and it seemed to function rather well, especially given the long narrow space we ended up with.

***Work area***

We have shown 3 work stations although I think there is probably room for a 4th. We have increased the size of the work table by 2' in length and 1' in width. There could easily be storage underneath the table. The copier/fax counter is 30" wide and approximately 16' long not counting the 4' desk area for the field worker. We have set up the file storage similar to the last scheme although the wall separating it from the lunch room area would only need to be about 5' tall thus making the space seem more open.

***Private offices***

The interior of Doug's office is 15' x 15'. We are proposing a 2' wide cabinet, 36" high w/ open bookshelves above on the one side. Lisa's office is 10' x 15' w/ a cab/ shelves at the one end.

***Conference room***

This room can easily accommodate 8 - 12 people. We have shown bookshelves at both ends and a cabinet at the end adjoining the meeting room that could store video equipment etc.

***Lunch room, janitorial closet, hvac***

The lunch room would certainly be adequate to prepare and or store light lunches. Depending upon the equipment you need there should be adequate room for larger food preparation items. The janitor closet will include a service sink and mop storage. The hvac room will house the mechanical unit for the meeting room as well as the water heater for the entire building. I would like to put the mechanical equipment for the office area over the restrooms.

***Meeting room w/ storage***

The meeting room is approximately 26' x 40' with a storage area 10' x 26'. This is approximately 1' wider and 10' longer than the meeting room at Heritage Ranch.

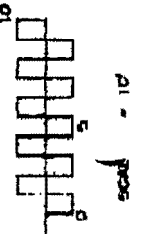
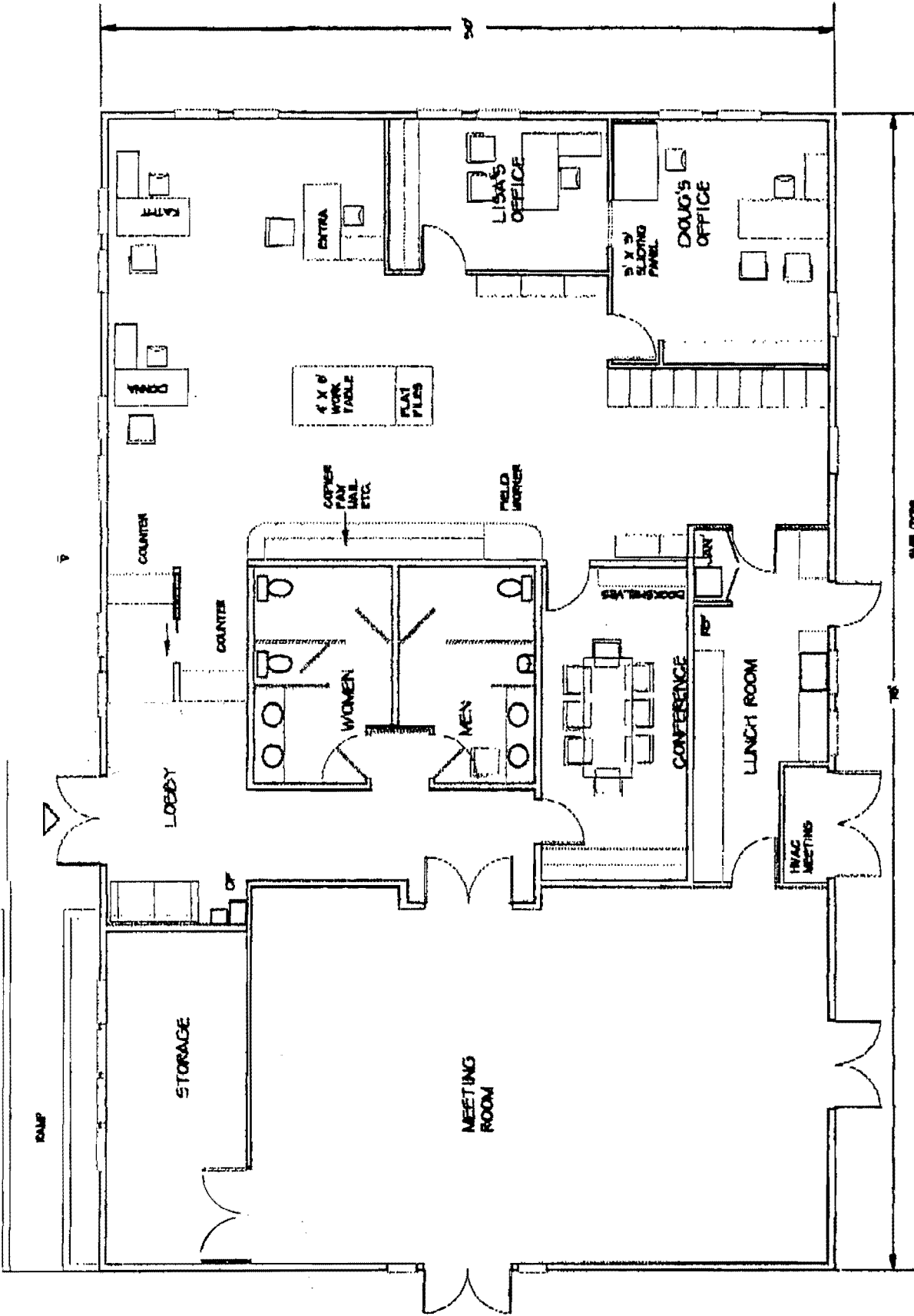
After you have all had a chance to review this please give me a call so that I can further discuss our ideas as well as get your input.

Sincerely,



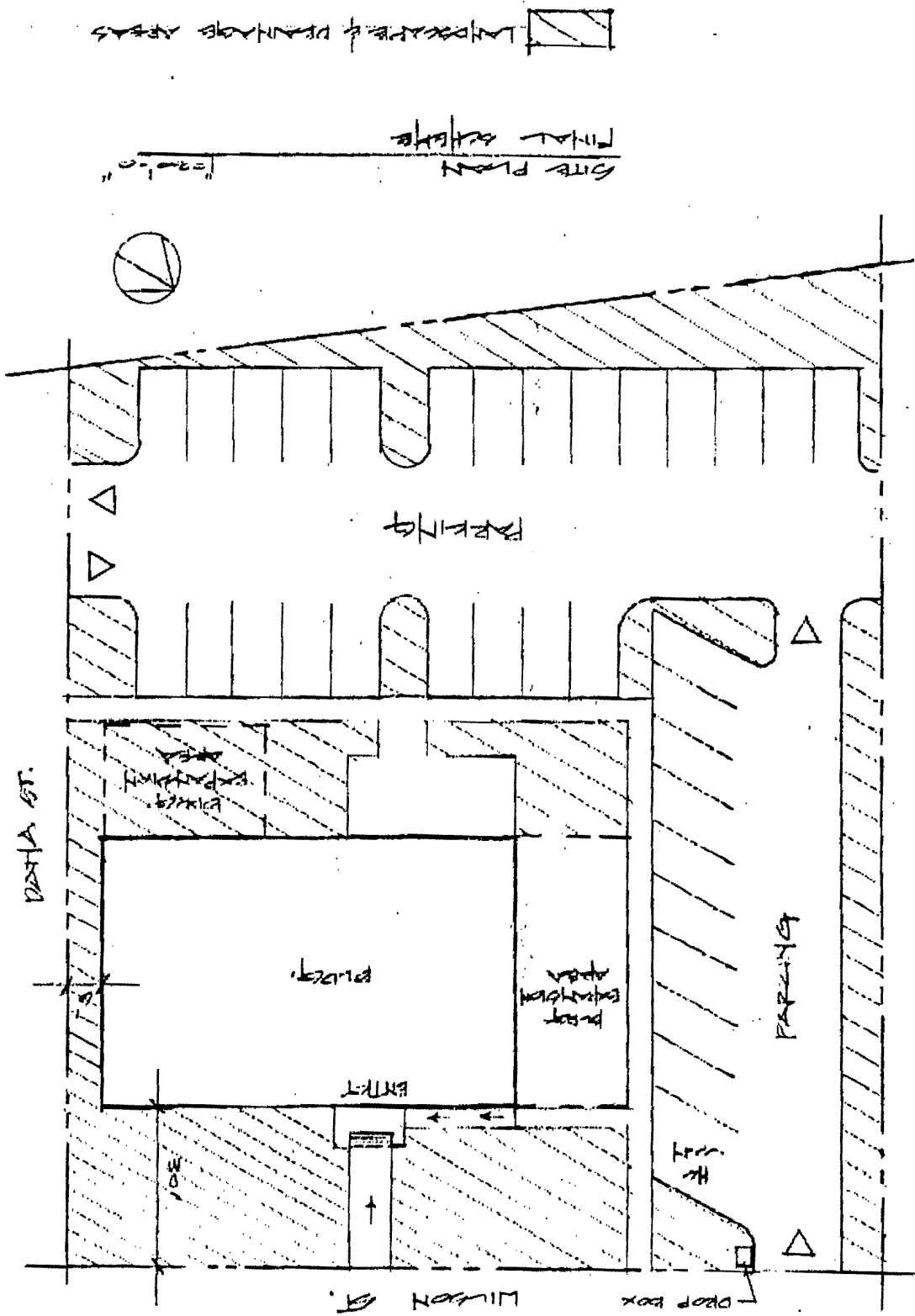
Barry L. Williams

firpln.  
ncsd text



FLOOR PLAN

NEW OFFICE BUILDING





BLACK LAKE FARMS

AGENDA ITEM

3



MAY 15 1996

Nipomo, California / (805) 922-6646 / Post Office Box 365 / Santa Maria, California 93456

May 6, 1996

Mr. Steven A. Small, President  
Nipomo Community Services District  
P. O. Box 326  
Nipomo, CA 93444

Re: Emergency Turnout from Coastal Aqueduct

Dear Mr. Small:

Thank you for including me in your mailing list for your petition to San Luis Obispo Board of Supervisors. Your request has a great deal of merit and is a very responsible thing to do in anticipating the inevitable emergency. You may use my endorsement in support of your petition if you believe an endorsement would be helpful.

Thank you again for the notification.

Very truly yours,

Burt Fugate

BF:vjk

RECEIVED

MAY 08 1996

NIPOMO COMMUNITY SERVICES DISTRICT





MAY 15 1996

**WARRANTS  
MAY 15, 1996**

HAND WRITTEN CHECKS

CHECK #	NAME	AMOUNT
17721	Coastal Repro	83.79
17722	D. Bickmore	485.44
17723	B. Deale	35.00
17725	NCSA Asst Dist 93-1	55,400.17
<u>Account Refund</u>		
17724	Sunderland Const.	421.30
<u>NET PAYROLL</u>		
ck# 1950-1957		\$11,570.50

VOIDS

8193  
1948-1949

COMPUTER GENERATED CHECKS

8188	05/06/96	ROBERT BLAIR	\$150.00
8189	05/06/96	KATHLEEN FAIRBANKS	\$100.00
8190	05/06/96	ALEX MENDOZA	\$100.00
8191	05/06/96	ALBERT SIMON	\$150.00
8192	05/06/96	STEVEN SMALL	\$100.00
8194	05/15/96	ALL PURE CHEMICAL CO	\$492.53
8195	05/15/96	AMERICAN WATER WORKS ASSOCIATION	\$70.25
8196	05/15/96	ROBERT BLAIR	\$100.00
8197	05/15/96	BOGNUDA, LISA	\$29.90
8198	05/15/96	CALIFORNIA APPLIED TECHNOLOGIES	\$92.04
8199	05/15/96	CLANIN & ASSOCIATES, INC.	\$127.85
8200	05/15/96	EASTER RENTS	\$103.09
8201	05/15/96	FGL ENVIRONMENTAL ANALYTICAL CHEMIST	\$585.00
<del>8202</del>	<del>05/15/96</del>	<del>KATHLEEN FAIRBANKS</del>	<del>\$100.00</del>
8203	05/15/96	GARING, TAYLOR & ASSOCIATE, INC.	\$2,956.28
8204	05/15/96	GOVERNMENT FINANCE OFFICERS ASSOCIAT	\$115.00
8205	05/15/96	GTE CALIFORNIA INCORPORATED	\$25.80
8206	05/15/96	GROENIGER & COMPANY	\$589.88
8207	05/15/96	LINTEC COMMUNICATIONS	\$55.00
8208	05/15/96	LOUCK, PERRY R.	\$475.00
8209	05/15/96	MCKESSON WATER PRODUCTS	\$26.00
8210	05/15/96	ALEX MENDOZA	\$100.00
8211	05/15/96	MISSION UNIFORM SERVICE	\$134.70
8212	05/15/96	NIPOMO ACE HARDWARE	\$134.11
8213	05/15/96	NIPOMO CHEVRON	\$558.46
8214	05/15/96	NIPOMO GARBAGE COMPANY	\$52.80
8215	05/15/96	NIPOMO MOBIL	\$1,188.04
8216	05/15/96	NIPOMO REXALL DRUG	\$23.69
8217	05/15/96	P E O'HAIR & CO WESTBURNE SUPPLY IN	\$52.69
8218	05/15/96	PARKSON PIPELINE MATERIALS	\$176.50
8219	05/15/96	PERRY'S ELECTRIC MOTORS & CONTROLS	\$700.41
8220	05/15/96	PETTY CASH-MIDSTATE BANK	\$112.49
8221	05/15/96	POSTMASTER	\$600.00
8222	05/15/96	POSTALIA, INC.	\$269.63
8223	05/15/96	RUSSCO	\$586.11
8224	05/15/96	SAN LUIS OBISPO COUNTY CLERK RECORDE	\$11.00
8225	05/15/96	ALBERT SIMON	\$100.00
<del>8226</del>	<del>05/15/96</del>	<del>STEVEN SMALL</del>	<del>\$100.00</del>
8227	05/15/96	STATEWIDE SAFETY & SIGNS, INC.	\$46.06
8228	05/15/96	TAYLOR MADE OFFICE SYSTEMS INC	\$109.26
8229	05/15/96	WILLIAMS, BARRY LORENZ ASSOCIATES	\$4,415.75
8230	05/15/96	WYATT & BAKER, Lawyers	\$4,508.84

C:\WARRANTS\051596.doc