

John

NIPOMO COMMUNITY SERVICES DISTRICT
AGENDA

ADJOURNED BOARD MEETING MAY 29, 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 15, 1996

PUBLIC COMMENTS PERIOD

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

BOARD ADMINISTRATION

3. WATER AND SEWER RATE STUDY
Review water and sewer rate increases.
Presentation by Perry Louck, CPA, Financial consultant (Discussion/Information)
- 3A. INTRODUCTION OF ORDINANCE TO MODIFY WATER AND SEWER RATES
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING TITLE 3 AND TITLE 4 OF THENIPOMO COMMUNITY SERVICES DISTRICT CODE TO:
 1. ESTABLISH MONTHLY RATES FOR WATER AND SEWER SERVICE;
 2. ESTABLISH CAPACITY CHARGES FOR WATER AND SEWER SERVICE;
 3. AMEND ADMINISTRATIVE PROCEDURES (Discussion/Action)
4. NEW OFFICE BUILDING DESIGN
Architect, Barry Williams, presentation of the proposed design. (Discussion/Information)
5. AGREEMENT FOR PROFESSIONAL SERVICES
Approve engineering & financial services in acquiring a zero percent loan from
the State Revolving Fund. (Discussion/Action)
6. DISTRICT 1996-97 FISCAL YEAR PROPOSED BUDGET
Set a time and place for a study session to review proposed budget. (Discussion/Action)
7. NOTICE OF COMPLETION - TEFFT STREET/HWY 101 - OVERCROSSING PROJECT
File Notice of Completion of work completed by R. Baker, Inc. (Discussion/Action)

FINANCIAL REPORT

8. APPROVAL OF WARRANTS

OTHER BUSINESS

9. MANAGER'S REPORT
 1. Correspondence from Senator Jack O'Connell
 2. Nipomo Chamber of Commerce Mixer
 3. Cypress Ridge EIR correspondence
10. DIRECTORS COMMENTS
11. PUBLIC COMMENTS

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

1. Existing litigation GC§ 54956.9
NCSD vs. Shell Oil, et. al. Case No. CV 077387
2. Anticipated litigation GC§ 54956.9(b) One case

ADJOURN

*GC§ refers to Government Code Sections

NIPOMO COMMUNITY SERVICES DISTRICT
MINUTES

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
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STAFF

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

CALL TO ORDER AND FLAG SALUTE

President Small and Vice President Fairbanks were absent. Director Mendoza called the May 15, 1996 meeting to order at 7:20 p.m. and led the flag salute. With both the President and Vice President absent, a chair person was chosen. Upon motion of Director Blair and seconded by Director Simon, the Board chose Director Mendoza as the Acting Chairman for this meeting.

ROLL CALL

At Roll Call the following Board members were present:

Directors Mendoza, Blair and Simon. Directors Fairbanks and Small had previously planned their absence at this meeting.

APPROVAL OF MINUTES

1. REGULAR MEETING OF MAY 1, 1996
ADJOURNED MEETING OF MAY 6, 1996

Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved the Minutes of the May 1 and May 6, 1996 meetings after J. Frederick asked that the subject matter of the Public Comments be included in the Minutes.

PUBLIC COMMENTS PERIOD

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

Chairman Mendoza opened up the meeting to Public Comments.

No one from the audience responded.

5. ACCEPTANCE OF EASEMENTS

Accept offers of utility easements for Tracts 1981 and 2212 (Discussion/Action)

Mr. Jones explained that Tract 1981 and 2212 are constructing a sewer line from their tract to Tefft St. where it travels through private property. The owners have offered easements through their property for the construction of the sewer line. Upon motion of Director Simon and seconded by Director Blair the Board unanimously approved Resolution No. 96-580 after it heard the comments from Frank Hirsch in the audience.

RESOLUTION NO. 96-580
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING UTILITY EASEMENTS FOR TRACTS 1981 AND 2212

6. WATER AND SEWER RATE STUDY

Review the proposed water and sewer rate increased based on financial consultant's recommendations (Discussion/Information)

Mr. Jones presented a revised rate schedule sent by Mr. Perry Louck, the financial consultant hired by the District to perform a water and sewer rate study and develop a comprehensive financial plan. Board members asked questions about rate adjustments and capacity fee changes. Mr. Hirsch asked who Mr. Louck is and what is his specialty. Mr. Snyder, felt like the rate study, based on the Boyle Report, was a double shell game. J. Frederick asked if the Board had evaluated the Boyle Report. Ms. Frederick asked if the agenda was published in the newspaper. Mr. Louck will be at the May 29, 1996 meeting to discuss the report. No action was taken. This item for information only.

FINANCIAL REPORT

7. APPROVAL OF WARRANTS

Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved the Warrants presented at the May 15, 1996 meeting. Mr. Snyder asked if there were any Hatch and Parent bills. No.

OTHER BUSINESS

8. MANAGER'S REPORT

Manager Doug Jones presented information on the following items:

1. New Office Building Proposed Layout

J. Frederick asked that the design concept for the new NCSD building conform to the concept that the downtown Nipomo group has in the planning stage.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 29, 1996

AGENDA ITEM
MAY 29 1996



WATER AND SEWER RATE STUDY

Mr. Perry Louck, CPA, the District's financial consultant who prepared the water and sewer rate study and financial plan, will be making a presentation to your Honorable Board. His presentation will be a summary of the presentation he gave to the Board on April 27. Mr. Louck will review the financial needs of the District to maintain its solvency. He will answer questions the Board or audience may have on the proposed rate adjustments and fees.

Enclosed is Gov. Code §66013 which states that fees or charges cannot exceed the estimated costs without a two-thirds electoral vote on the issue along with a past Board letter outlining the proposed fees and charges..

An ordinance has been prepared for the Board's consideration, which would adopt the proposed rates and fees. After your Honorable Board has reviewed the ordinance and made any adjustments it sees fit, the ordinance may be introduced at this meeting . If the ordinance is introduced with its first reading, then the Board should set a Public hearing and second reading of the ordinance at the Board meeting to be held on June 19, 1996.

**NIPOMO COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 96-81**

- AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING TITLE 3 AND TITLE 4 OF THE
NIPOMO COMMUNITY SERVICES DISTRICT CODE TO:**
- 1. ESTABLISH MONTHLY RATES FOR WATER AND SEWER SERVICE;**
 - 2. ESTABLISH CAPACITY CHARGES FOR WATER AND SEWER SERVICE;**
 - 3. AMEND ADMINISTRATIVE PROCEDURES**

WHEREAS, it is a major responsibility of the Nipomo Community Services District ("District") to maintain adequate levels of revenue, equitably collected from all classes of utility customers, to meet the District's financial commitments; and

WHEREAS, the District commissioned Perry R. Louck, Certified Public Accountant, to perform a water and wastewater comprehensive financial plan ("Financial Plan"). The Financial Plan includes an analysis of both operating and non-operating District rates and charges. The purpose of the Financial Plan is to assess the District's revenue requirements and provide an independent evaluation of the fairness and equity of the District's rate and charge structure; and

WHEREAS, the Financial Plan was received and filed on April 27, 1996, and has been available to the public since that date; and

WHEREAS, the Financial Plan demonstrates the necessity to modify the District's connection and capacity charges to the District's domestic water and sewer system, and to increase monthly charges for water and sewer service; and

WHEREAS, based upon facts and analysis presented by Perry R. Louck, the Financial Plan, the Staff Report, and public testimony received, the Board of Directors finds:

A. This public meeting has been properly noticed pursuant to Government Code Section 54954.2 (The Brown Act); and that the District has complied with the requirements of Government Code Section 66016; and

B. The fees, rates and charges that are the subject of this Ordinance do not exceed the estimated reasonable cost of providing the services for which the fees and/or charge or charges are imposed; and

C. That the public benefits from the logical, long-range approach to financing of public facilities:

NOW, THEREFORE, BE IT ORDAINED, by the Board of Directors of the District as follows:

Section 1. Authority.

1.1. This Ordinance is enacted pursuant to Government Code Sections 61600(a) and (b), 61621, 61621.5, 61623, 66013 and 66016.

Section 2. Section 3.03.180.

Section 3.03.180 of the District code is repealed in its entirety and replaced with the following:

"A. Water rates shall be charged as follows:

1. **Minimum Fixed Charges.** A minimum monthly fixed charge shall be paid by each customer for each bi-monthly billing period during which a service connection exists. Such charge for any billing period in which such connection has existed for less than the whole of such period shall be prorated. Minimum monthly charges vary with the size of the meter. That the minimum monthly fixed charge for service is set forth in Appendix A to Chapter 3.03.

2. **Variable Water Rates.** The monthly variable meter rate for water sold, supplied, distributed or transported to customers is set forth in Appendix B to Chapter 3.03.

B. Sewer rates shall be charged as follows:

District monthly sewer charges are set forth in the Appendix to Chapter 4.12 as Exhibit B."

Section 3. Section 3.03.190.

Section 3.03.190 of the District Code is hereby repealed in its entirety and replaced with the following:

"Collection of delinquent charges with taxes.

A. The Board of Directors adopts the procedures for the collection of rates, charges and fees for nonpayment of delinquent bills established in Government Code Sections 61621, 61621.2 and 61621.3 or any successor statutes.

B. Remedies for collection and enforcement for nonpayment of delinquent rates, charges and fees are cumulative and may be pursued alternatively or consecutively by the District. The General Manager or his/her designee is authorized to record a Certificate specifying the amount of such charges and fees and the name and

address of the persons liable therefor, at the time service is disconnected, pursuant to Government Code Section 61621."

Section 4. Appendix A of Chapter 3.03.

4.1. Appendix A of Chapter 3.03 of the District Code is repealed in its entirety and replaced with the following:

Appendix A

**Monthly Minimum Fixed Charges by Meter Size
Section 3.03.180A1**

The monthly minimum fixed fee charge will take effect January 1, 1997. Increases will take effect on January 1st of each consecutive year as follows:

<u>Meter Size or Fire Service</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>
5/8 & 3/4"	\$6.50	\$6.50	\$6.50	\$6.50	\$6.50
1 Inch	\$6.50	\$6.50	\$6.50	\$6.50	\$6.50
1-1/2 Inch	\$16.00	\$17.00	\$18.00	\$19.00	\$20.00
2 Inch	\$23.00	\$26.00	\$28.00	\$31.00	\$33.00
3 Inch	\$37.00	\$43.00	\$50.00	\$56.00	\$63.00
4 Inch	\$60.00	\$70.00	\$80.00	\$90.00	\$100.00
6 Inch	\$80.00	\$110.00	\$140.00	\$170.00	\$200.00

Section 5. Appendix B of Chapter 3.03.

Appendix B of Chapter 3.03 of the District Code is repealed in its entirety and replaced with the following:

Appendix B

Monthly Variable Water Rates
One unit equals 100 cubic feet.
Section 3.03.180A2

The variable water rate will take effect January 1, 1997. The increases will take effect on January 1st of each consecutive year as follows:

TIERS BY METER SIZE - MONTHLY QUANTITIES IN HCF				
<u>METER SIZE</u>	<u>FLOW EQUIVALENT</u>	<u>TIER 1</u>	<u>TIER 2</u>	<u>TIER 3</u>
UP TO 1 INCH	1.0	0-10	10-40	40+
1-1/2 INCH	3.3	0-33	33-132	132+
2 INCH	5.3	0-53	53-212	212+
3 INCH	10.3	0-100	100-400	400+
4 INCH	16.3	0-160	160-660	660+
6 INCH	33.3	0-330	330-1330	1330+

<u>WATER RATES</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>
TIER 1	\$0.97	\$1.00	\$1.07	\$1.16	\$1.28 + 7 1/2%
TIER 2	\$1.30	\$1.34	\$1.42	\$1.54	\$1.71
TIER 3	\$1.75	\$1.81	\$1.92	\$2.08	\$2.31 + 10 1/2%

Section 6. Section 3.04.060A and A1.

Sections 3.04.060A and A1 of the District Code are repealed in their entirety and replaced with the following:

"A. Fees. New connections shall be subject to water connection fees/capacity charges based on the estimated reasonable cost of the district facilities required to provide the service. The fees shall consist of five component parts (i.e.,

capacity charge, installation fee, meter fee, account set-up fee and supplemental charge (if applicable)).

1. For municipal, industrial and irrigation services six inches or less in diameter that do not require a pressure regulator, backflow prevention device or other special facilities, standard schedules of fees are set forth in Appendix A to Chapter 3.04."

Section 7. Section 3.04.120.

Section 3.04.120 of the District Code is repealed in its entirety and replaced with the following:

"All water service connections shall be of at least 5/8ths inch diameter."

Section 8. Section 3.04.140.

Section 3.04.140B2 is repealed in its entirety and replaced with the following:

"Monthly stand-by charges for private fire service shall be 25% of the fixed monthly charge established by Appendix A to Chapter 3.03."
"The capacity charge for private fire service shall be 25% of the water capacity charge established by Appendix A to Chapter 3.04."

Section 9. Section 3.04.150.

Section 3.04.150 is repealed in its entirety.

Section 10. Appendix A to Chapter 3.04.

There is hereby established Appendix A to Chapter 3.04 as follows:

Appendix A to Chapter 3.04

Standard Schedule of Water Capacity and Connection Fees

The Water Capacity Charge will take effect August 1, 1996. The increases will take effect on August 1st of each consecutive year as follows:

Standard Schedule of Capacity Charges are established as follows:

<u>METER SIZE</u>	<u>96/97</u>	<u>97/98</u>	<u>98/99</u>	<u>99/00</u>	<u>00/01</u>
UP TO 1 INCH	\$2,789	\$2,928	\$3,075	\$3,229	\$3,390
1-1/2 INCH	\$9,203	\$9,662	\$10,147	\$10,655	\$11,187
2 INCH	\$14,782	\$15,521	\$16,297	\$17,112	\$17,967
3 INCH	\$29,842	\$31,334	\$32,900	\$34,545	\$36,273
4 INCH	\$46,576	\$48,904	\$51,350	\$53,917	\$56,613
6 INCH	\$92,874	\$97,517	\$102,393	\$107,513	\$112,889

Standard Schedule of Connection Fees are established as follows:

The variable Connection Fees will take effect August 1, 1996.

<u>METER SIZE</u>	<u>INSTALLATION</u>	<u>METER FEE</u>	<u>ACCOUNT FEE</u>
1 INCH or less	\$760	\$170	\$10
1-1/2 INCH	\$835	\$450	\$10
2 INCH	\$995	\$510	\$10
3 INCH AND LARGER	AT COST	AT COST	\$10

Section 11. Section 3.20.035A.

Section 3.20.035A is repealed in its entirety and replaced with the following:

“The charge for water provided pursuant to District Code Section 3.20.030 A shall be charged at the Tier 3 rate, in accordance with Appendix B to Chapter 3.03. Payment is due upon delivery. In the case of use of fire hydrant water meters, the district will bill monthly for the water used and meter rental charges. Payment is due upon receipt. If payment is not made within thirty days of billing date, then the meter is subject to seizure and a five dollar late fee shall be assessed.”

Section 12. Section 4.12.150A.

Section 4.12.150A is repealed in its entirety and replaced with the following:

"A. A monthly sewer service charge as set forth in the Appendix to this Chapter 4.12 as Exhibit B;"

Section 13. Appendix to Chapter 4.12, Exhibit A.

Appendix to Chapter 4.12, Exhibit A of the District Code is repealed in its entirety and replaced with the following:

Appendix to Chapter 4.12

Exhibit A

**Cost of Sewer Capacity Charge - Nipomo Division
per Dwelling Unit Equivalent (DUE)**

The Sewer Capacity Charge will take effect August 1, 1996. The increases will take effect on August 1st of each consecutive year as follows:

	<u>96/97</u>	<u>97/98</u>	<u>98/99</u>	<u>99/00</u>	<u>00/01</u>
PER DUE	\$2,086	\$2,190	\$2,300	\$2,415	\$2,535

Section 13. Monthly Sewer Service Charges.

Appendix to Chapter 4.12

Exhibit B

Monthly Sewer Charge Per Dwelling Unit Equivalent (DUE)

The Monthly Sewer Service Charge will take effect August 1, 1997. The increases will take effect on August 1st of each consecutive year as follows:

<u>NIPOMO DIVISION</u>					
	<u>96/97</u>	<u>97/98</u>	<u>98/99</u>	<u>99/00</u>	<u>00/01</u>
PER DUE	\$16.75	\$17.55	\$18.50	\$19.61	\$20.92
<u>BLACK LAKE DIVISION</u>					
	<u>96/97</u>	<u>97/98</u>	<u>98/99</u>	<u>99/00</u>	<u>00/01</u>
PER DUE	\$19.20	\$23.04	\$27.65	\$29.25	\$29.25

Section 14. CEQA Finding

The Board of Directors of the District finds that the adoption of this ordinance does not constitute a "project" under the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 *et seq.*) or its implementing Guidelines (14 California Code of Regulations Section 15000 *et seq.*) ("CEQA Guidelines"). The Board further finds that the adoption of this ordinance falls within the activities described in Section 15378(b)(3) of the CEQA Guidelines which are deemed not to be "projects". Even if the adoption of this ordinance were a "project" for purposes of CEQA, the District Board finds that it is exempt from review pursuant to Section 15061(b)(3) which provides that an activity is not subject to CEQA review where it can be seen with certainty that there is no possibility that it may have a "significant effect on the environment." The District Board finds that it can be seen with certainty that there is no possibility that the adoption of this ordinance and the approval of the provisions contained herein may have a significant effect on the environment. The District General Manager is authorized to prepare, execute and file a notice of exemption pursuant to the above provisions.

Section 15. Repeal of Prior Ordinances and Resolutions

All ordinances, sections of ordinances and resolutions that are inconsistent with this ordinance are hereby repealed.

Section 16. Repeal Shall not Revive any Ordinances.

The repeal of ordinances and sections of ordinances herein shall not repeal the repealing clause of such ordinances or revive any ordinances which have been repealed thereby.

Section 17. Effect of Repeal on Past Actions and Obligations.

This ordinance does not affect prosecutions for ordinance violations committed prior to the effective date of this ordinance, does not waive any fee, rate, charge or penalty due and unpaid on the effective date of this ordinance, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any ordinance.

Section 18. Severance Clause.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, ineffective or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this ordinance. The Governing Board of the District hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsection, sentence, clause or phrase be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

Section 19. Effect of Headings in Ordinance.

Title, division, part, chapter, article, and section headings contained herein do not in any manner affect the scope, meaning, or intent of the provisions of this Ordinance.

Section 20. Effective Date.

This ordinance shall take effect and be in full force and effect thirty (30) days after its passage except that the fees, rates, and charges shall effect at the dates prescribed. Before the expiration of fifteen (15) days after passage it shall be posted in three (3) public places with the names of the members voting for and against the ordinance and shall remain posted thereafter for at least one (1) week. The ordinance shall be published once with the names of the members of the Board of Directors voting for and against the ordinance in the Five Cities Times Press Recorder.

Introduced at a regular meeting of the Board of Directors held on _____, and passed and adopted by the Board of Directors of the Nipomo Community Services District on the ____ day of _____, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

STEVEN SMALL
President of the Board
Nipomo Community Services District

ATTEST:

DONNA JOHNSON
Secretary to the Board

APPROVED AS TO FORM:

JON S. SEITZ
District Legal Counsel

AGENDA ITEM

MAY 29 1996



TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 29, 1996

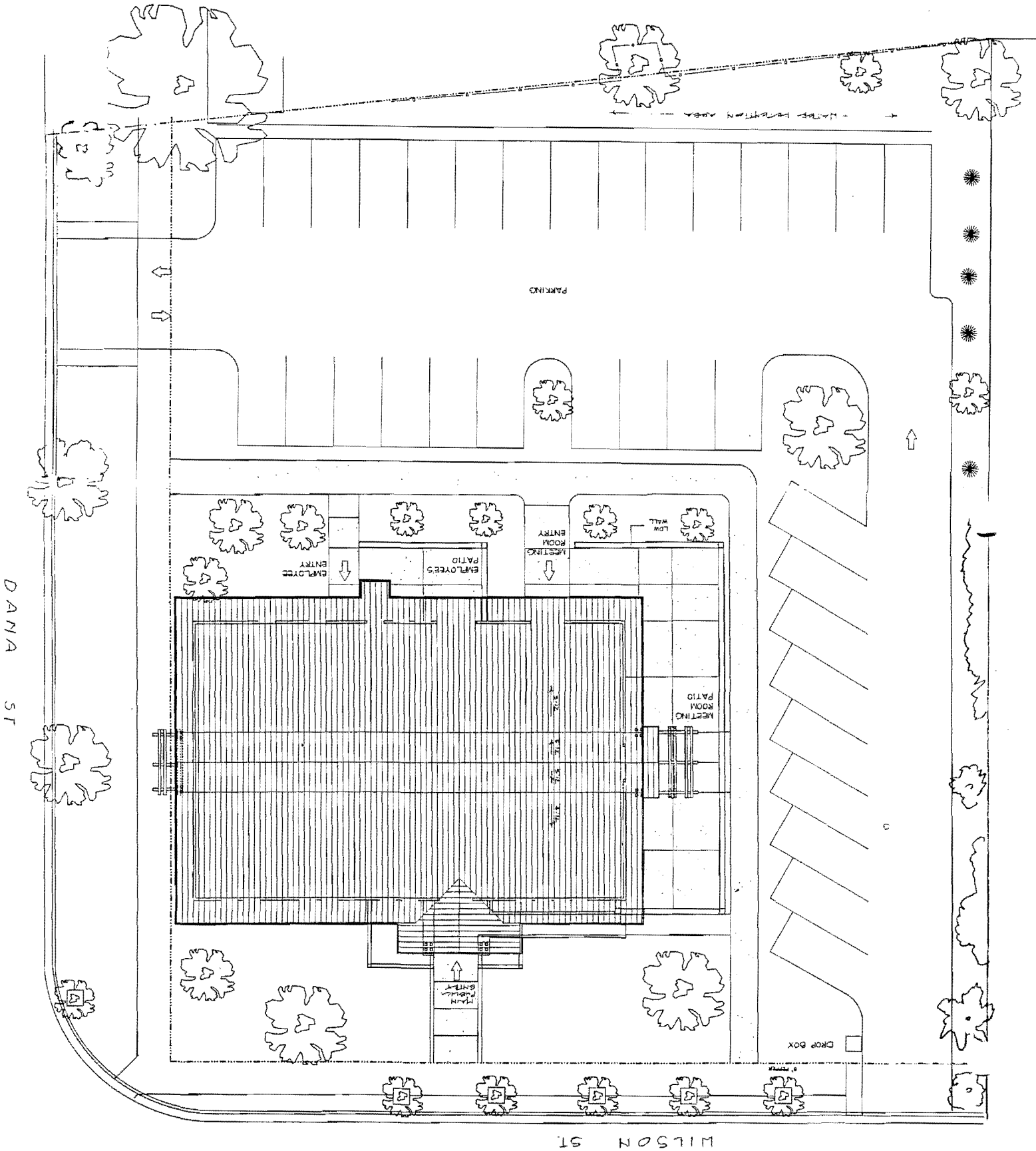
NEW OFFICE BUILDING

Mr. Barry Williams, the architect hired by the District to design the new District office building, will be making a presentation to your Honorable Board of it's status. Enclosed in your packet is the site plan, along with the four elevations of the building and its floor plan.

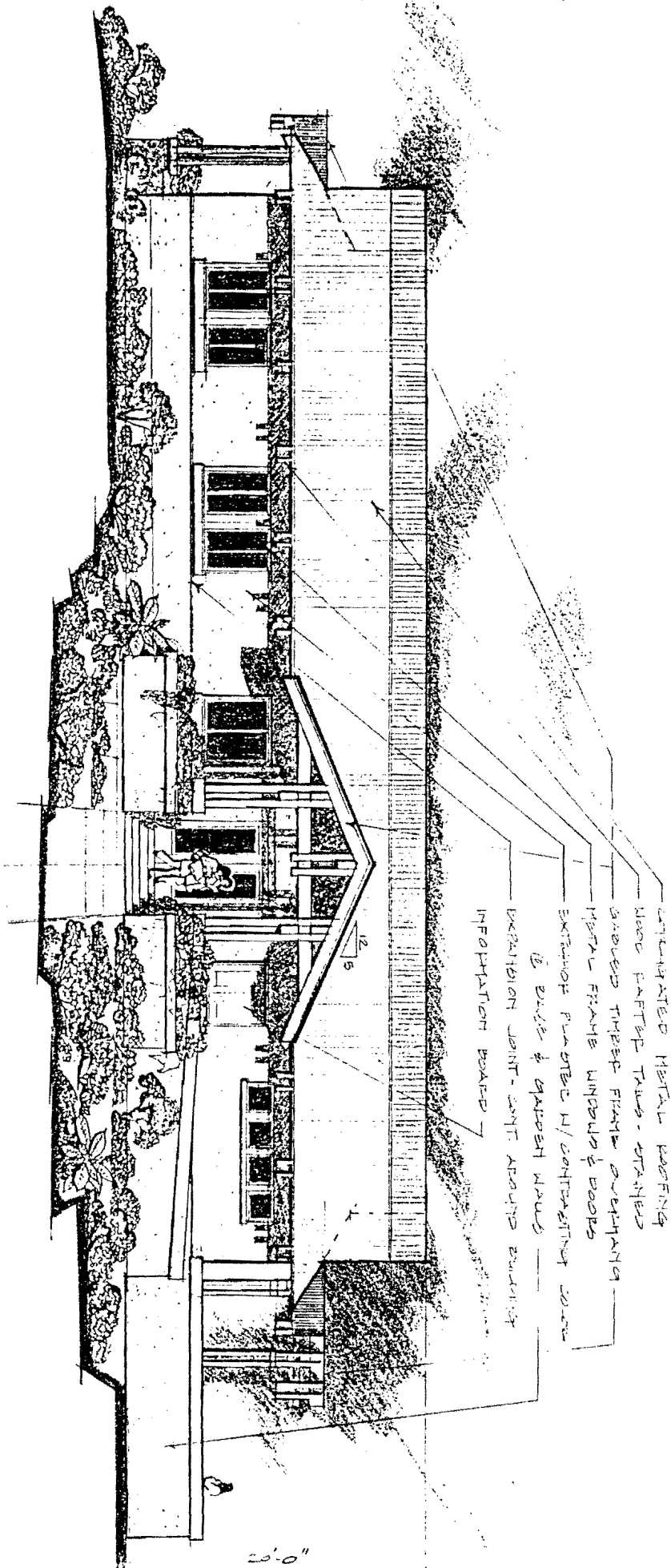
This is an information item. No action is requested from the Board.

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SITE PLAN



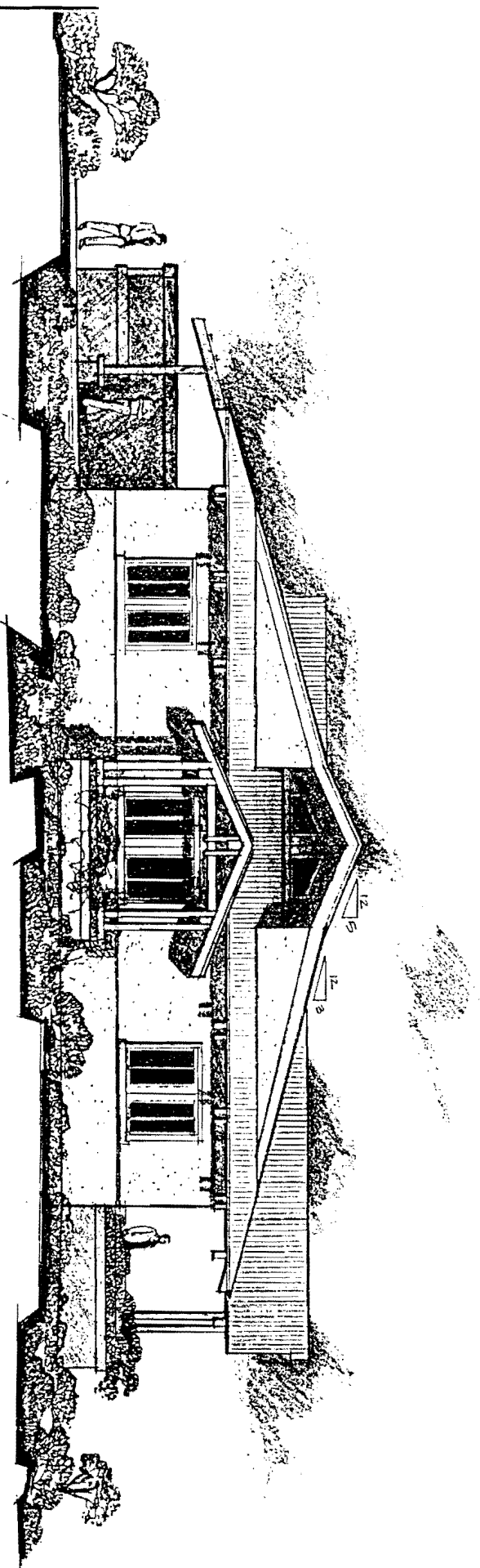
NORTHEAST ELEVATION • WILSON ST



1/8" = 1'-0"

20'-0"

SOUTHEAST ELEVATION . DANA ST.



1/8" = 1'-0"

WILSON ST.

PED. STREET

RAMP

STORAGE

LOBBY

COUNTER

COUNTER

DONNA

KATHY

MEETING ROOM

WOMEN

MEN

CONFERENCE

LUNCH ROOM

TVAC MEETINGS

BOOKSHELVES

JAN

FIELD WORKER

COPYER FAX MAIL ETC.

4' X 6' WORK TABLE
FLAT FILES

EXTRA

LISA'S OFFICE

DOUG'S OFFICE

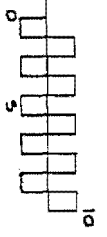
3' X 3' SLIDING PANEL

EMPLOYEE ENTRY FROM PARKING

Handwritten notes:
Front of T...
C...
Commercial grade carpet

DANA ST.

FLOOR PLAN



SCALE 1" = 10'

MAY 29 1996



TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 29, 1996

AGREEMENT FOR PROFESSIONAL SERVICES

On April 3, 1996, your Honorable Board directed staff to pursue a zero percent loan from the State Revolving Fund for the expansion of the Wastewater Treatment Plant. Attached, for your reference, is the flow chart of steps to be followed to meet the State requirements. Staff has completed step one by having NCSD placed on the Priority List for funding. Funding is anticipated on October 1, 1996. The second step is to prepare and submit the Facilities Plan, including the Project Report, Environmental Documents, Draft Revenue Plan, Water Conservation Plan, and Loan Application.

Proposals to prepare the above required documents were presented to the Board on May 1, 1996. The proposal from Garing, Taylor and Associates to prepare the engineering related documents was \$34,500 and the proposal from Perry Louck, CPA, to prepare the Revenue Plan was not to exceed \$5075.

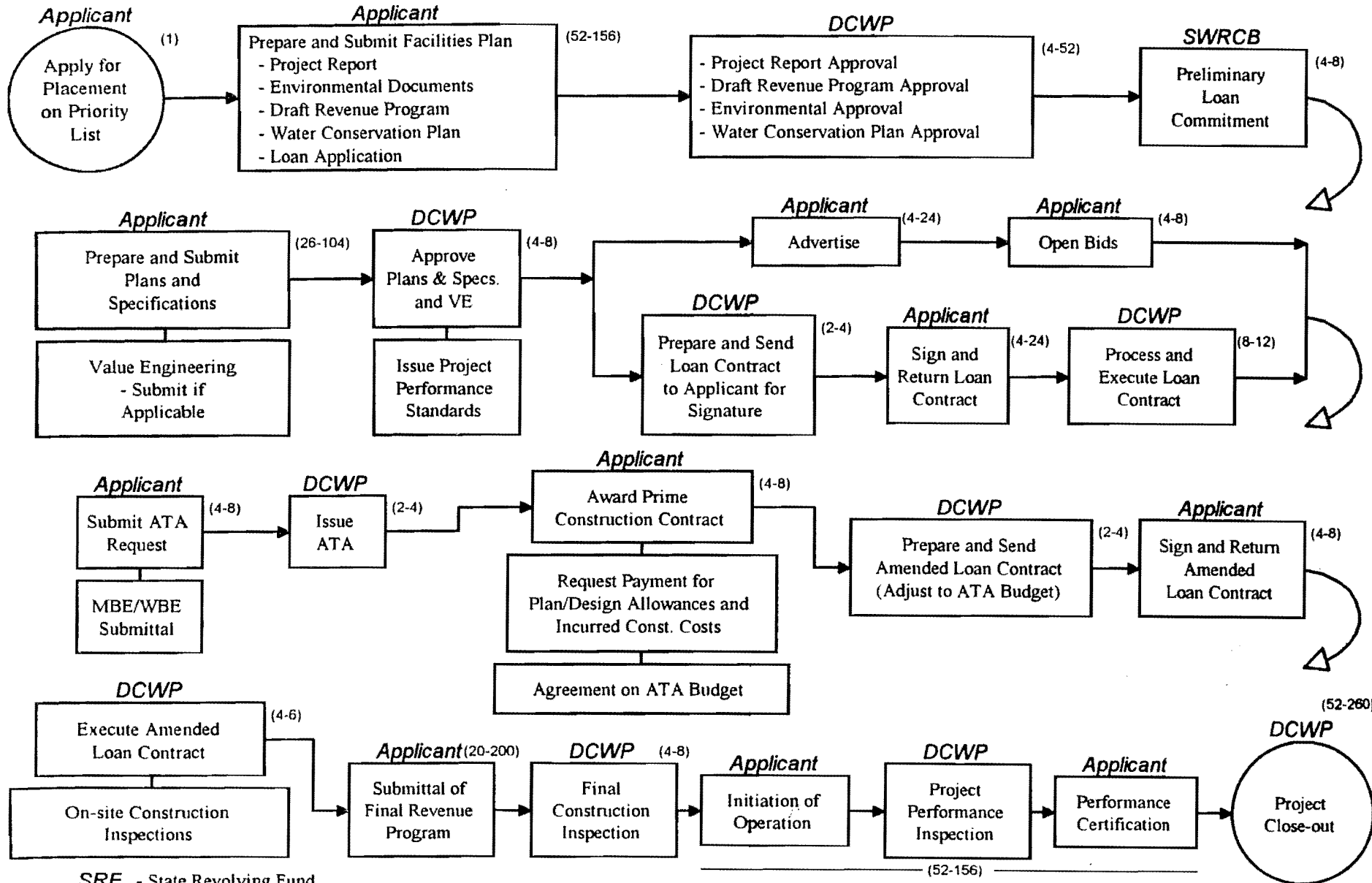
It is staff's recommendation that your Honorable Board approve the attached resolution to approve the Consultant Service Agreements and authorize the President to execute them.

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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

RESOLUTION NO. 96-581

**A RESOLUTION OF THE
BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT APPROVING
1) A CONTRACT FOR ENGINEERING SERVICES WITH
GARING, TAYLOR AND ASSOCIATES
2) A CONTRACT FOR A REVENUE PLAN WITH
PERRY LOUCK, CPA**

WHEREAS, at its Regular Meeting of April 3, 1996, the Board of Directors of the Nipomo Community Services District, directed the General Manager to enter into contract negotiations with GARING, TAYLOR AND ASSOCIATES and PERRY LOUCK, CPA in conformance with their proposals to obtain a State Revolving Fund Loan to expand the wastewater treatment plant; and

WHEREAS, staff has prepared said contracts attached hereto as Exhibit "A" and Exhibit "B".

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

1. The contract with Garing, Taylor and Associates for engineering services is approved in the amount of \$34,500.00.
2. The contract with Perry R. Louck, CPA for a Revenue Plan is approved in the amount of \$5,075.00.
3. The President of the Board is instructed to execute the contracts on behalf of the District.

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

AYES _____

NOES _____

ABSENT _____

ABSTAIN _____

the foregoing resolution was passed and adopted this _____ day of May, 1996.

Steven A. Small, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
District Legal Counsel

AGENDA ITEM

6

MAY 29 1996

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 29, 1996

1996-97 FISCAL YEAR
PROPOSED BUDGET

The proposed budget for the 1996-97 Fiscal Year was previously presented to your Honorable Board for review. It is suggested that the Board set a Study Session to review the proposed budget in light with the revenue program the District is establishing. It is suggested that the Study Session be held either June 10, or June 11 at a convenient time for the Board.

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MAY 29 1996



TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 29, 1996

NOTICE OF COMPLETION
TEFFT STREET/HWY 101

On February 15, 1995 your Honorable Board approved a contract with R. Baker, Inc. to install water and sewer improvements in the new overcrossing of Hwy 101 at Tefft Street.

The water and sewer improvements have been installed in the overcrossing and completed.

At the end of a construction project, a Notice of Completion is filed and recorded with the County of San Luis Obispo. If no claims are filed against the contractor for a period of 35 days, the retention funds are then released to the contractor.

At this time, it would be appropriate for your Honorable Board to make a motion to file a Notice of Completion of the Tefft St./Hwy 101 overcrossing Improvements for the District.

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R. BAKER, INC.

PIPE LINE AND UTILITY CONSTRUCTION

POST OFFICE BOX 419

PHONE: 805 / 489-8711

ARROYO GRANDE, CALIFORNIA 93421-0419

CONTRACTOR'S LICENSE NO. 372751

INVOICE DATE: MAY 21, 1996

TO: NIPOMO COMMUNITY SERVICES DISTRICT

ADDRESS: PO BOX 326
NIPOMO, CA 93444

cc: GARING, TAYLOR & ASSOC.
141 S. ELM ST.
ARROYO GRANDE CA 93420

INVOICE NO: 96-05-281
JOB NO: 598

RE: CONSTRUCTION OF TEFT ST/ HWY 101 OVERCROSSING
NO. 49-0133. ADDITION OF 2 CONCRETE COLLAR VALVES
PER REQUEST BY LEE DOUGLAS.

REQUEST PAYMENT FOR: FINAL BILLING #5

RECEIVED

MAY 23 1996

NIPOMO COMMUNITY
SERVICES DISTRICT

CONTRACT:	72,500.75
CHANGE ORDERS:	2,872.75
REVISED CONTRACT:	75,373.50
TOTAL COMPLETED TO DATE:	75,373.50
LESS 10% RETENTION:	7,502.35
LESS PREVIOUS PAYMENTS:	67,164.12
LESS UNPAID INVOICES:	0
TOTAL DUE THIS INVOICE:	707.03

Balance is now due and payable. Interest at 2% per month
will be added to amounts outstanding over thirty days:

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

NIPOMO COMMUNITY SERVICES DISTRICT
P.O. Box 326
Nipomo, CA 93444

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion.

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is Nipomo Community Services District
3. The full address of the owner is P O Box 326
Nipomo, CA 93444
4. The nature of the interest or estate of the owner is: In fee.
Public Improvements
(If other than fee, strike "In fee; and insert, for example, "purchaser under contract of purchase," or "lessee")
5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

NAMES	ADDRESSES
<u>None</u>	
6. A work of improvement on the property hereinafter described was completed on _____. The work done was:
Water and sewer improvements in Tefft St./ Hwy 101 overcrossing
7. The name of the contractor, if any, for such work of improvement was _____
R. Baker, Inc.
8. The property on which said work of improvement was completed is in the city of Nipomo Community Services District
County of San Luis Obispo, State of California, and is described as follows: _____
Water and sewer improvements in Tefft St/Hwy 101 overcrossing
9. The street address of said property is None

Dated: _____
Verification for Individual Owner

Signature of owner or corporate officer of owner
named in paragraph 2 or his agent

VERIFICATION

I, the undersigned, say: I am the Manager of Nipomo Community Services the declarant of the foregoing I
("President of", "Manager of", "A partner of", "Owner of", etc.)

notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 19____, at Nipomo, California.
(Date of signature) (City where signed)

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

AGENDA ITEM

9

MAY 29 1996

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 29, 1996

MANAGER'S REPORT

Enclosed for your information are the following:

1. Correspondence from Senator Jack O'Connell
2. Nipomo Chamber of Commerce Mixer
3. Cypress Ridge EIR correspondence

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OFFICE
ROOM 2187
NIPOMO, CA 95814
(805) 445-5405

SAN LUIS OBISPO OFFICE
1460 CHORRO STREET, SUITE A
SAN LUIS OBISPO, CA 93401
(805) 547-1800

SANTA BARBARA OFFICE
108 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

May 14, 1996

Douglas Jones, General Manager
Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444

Dear Mr. Jones:

I am writing to invite you to join my annual budget briefing to help explain the Legislature's budget options for Fiscal Year 1996-97. Once again, Ms. April Manatt, Consultant to the Senate Local Government Committee, will join me to discuss this year's budget and how local governments may be impacted. In this briefing we hope to focus on trial court funding programs, current tax cutting proposals now before both houses of the Legislature, ongoing mandated programs and overall funding levels for local government entities. Of course, I also plan on providing an update on my Senate Bill 1590 which relates to last December's Guardino decision made by the State Supreme Court.

The briefing will take place on Thursday, June 6th in the District Meeting Room of the San Luis Coastal Unified School District, Central Office Administrative Building, located at 1499 San Luis Drive in San Luis Obispo. It will run from 5:00 p.m. to 6:00 p.m.

Space is limited, so please contact Geoff Weg at my office to make your reservation. The number is 547-1800.

I look forward to seeing you on June 6th. And, as always, please do not hesitate to contact me with any questions on local government concerns.

Sincerely,


JACK O'CONNELL

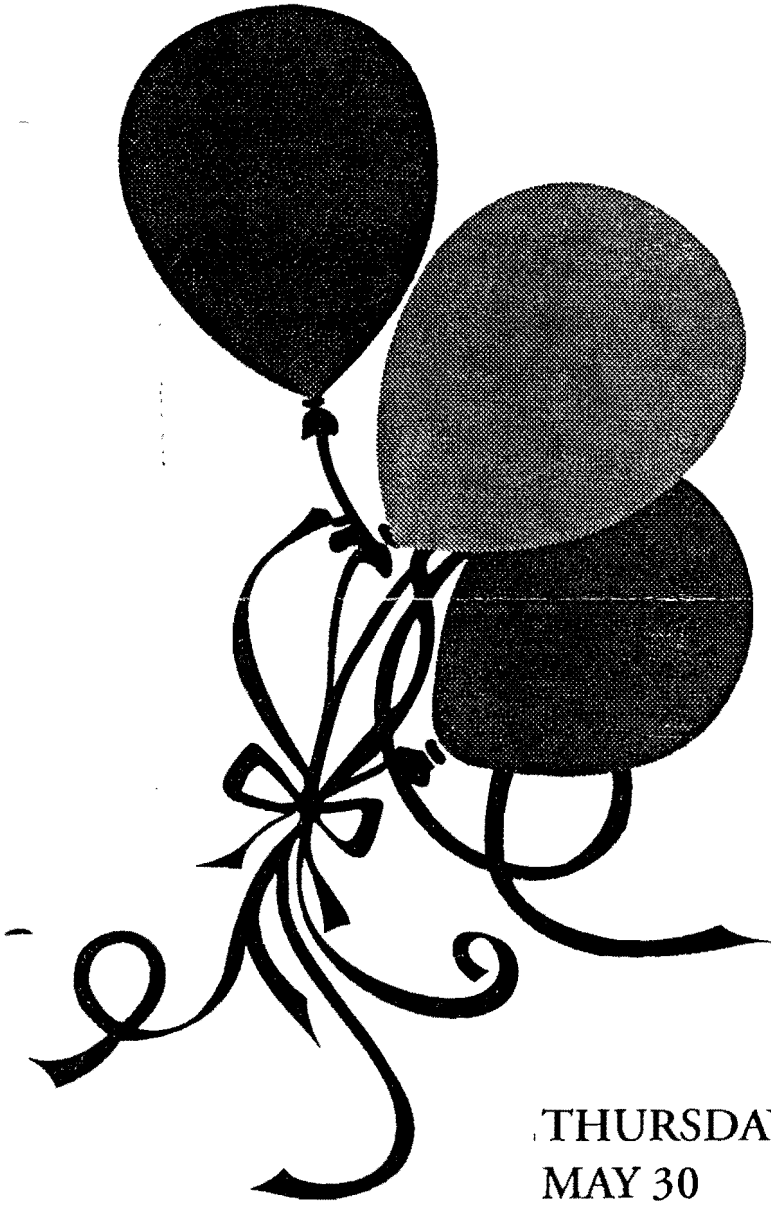
JO:pasj

RECEIVED

MAY 17 1996

NIPOMO COMMUNITY
SERVICES DISTRICT

2



MIXER
at the
**NIPOMO
RECYCLING
CENTER**

**THURSDAY
MAY 30
5:00 to 6:30 PM**

hosted by
**NIPOMO CHAMBER of COMMERCE
NIPOMO GARBAGE CO.
SOUTH COUNTY SANITARY**

refreshments by
PACO'S

RECEIVED

MAY 17 1996

Nipomo Recycling Center • 325 Frontage Road NIPOMO COMMUNITY SERVICES DISTRICT

DONALD O. ASQUITH, PhD
Consulting Engineering Geologist and Geophysicist
362 Travis Drive
Los Osos, California 93402
805/528-2187

May 10, 1996

Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444
Fax 929-1932

ATTN: Mr. Doug Jones

SUBJECT: Cypress Ridge EIR

Dear Mr. Jones:

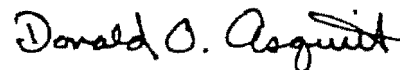
I am in the process of preparing responses to the District's comments on the Draft EIR for the Cypress Ridge project, and I have the following areas of concern:

1. In the interests of accurately interpreting the comments, would you please provide the pages and paragraphs in which the six referenced reports listed in your Comment 8 conclude that the Nipomo Mesa sub-area is "in an overdraft condition".
2. The attached map by LFM, referenced in the comments as Exhibit A, is very difficult to read, particularly the points of control on which the map is based. If you or Chuck can provide a better copy, I would appreciate that.

Water resources is a major issue of concern with this project, and I want to be sure that I respond accurately to the District's comments.

Thank you for your assistance in this matter.

Sincerely,



Donald O. Asquith

cc: Melissa Mooney

NIPOMO COMMUNITY SERVICES DISTRICT

POST OFFICE BOX 326 NIPOMO, CA 93444

(805) 929-1133 FAX (805) 929-1932

May 17, 1996

Donald O. Asquith, PhD
Consulting Engineering Geologist and Geophysicist
362 Travis Drive
Los Osos, CA 93402

SUBJECT: CYPRESS RIDGE EIR

Per your request of May 10, 1996 concerning the District's comments on the Draft EIR for the Cypress Ridge project, the following information is provided:


1. The Department of Water Resources Report (Ground water in the Arroyo Grande area, dated June 1979) indicated that the Nipomo Mesa Sub-area was in an overdraft condition.
2. The JMM, (Groundwater Availability for the proposed Black Lake Golf Course Development Project, dated June 1992) page E-3, #6 ¶ 1)
3. Laurence, Fisk & McFarland, Inc. 1987 Report (Lopez Report) Pg. 3 Table 1
4. Laurence, Fisk & McFarland, Inc. (Engineering Consideration of Groundwater Yields on the Nipomo Mesa Sub-area, dated Oct. 93) pg. V-2 #4
5. Santa Barbara County Water Agency (Santa Maria Valley Water Resources Report, dated April 94) Pg. 43 ¶ 4
6. DWR Bulletin (160-93, dated Oct. 94) Vol. 1 pg. 84 Table 4-2

Enclosed is a large map of water levels developed by Laurence, Fisk and McFarland, Inc. in the area of the proposed Cypress Ridge project.

Hopefully this information is adequate to meet your needs. Please let me know if you need any additional information.

Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT


Doug Jones
General Manager

DONALD O. ASQUITH, PhD
Consulting Engineering Geologist and Geophysicist
362 Travis Drive
Los Osos, California 93402
805/528-2187

May 21, 1996

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

ATTN: Mr. Doug Jones

SUBJECT: Cypress Ridge EIR

Dear Doug:

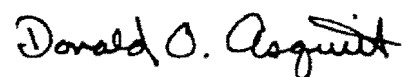
Thanks for sending me the more specific references for your comments on the overdraft issue and the better of copy of the LFM map. Of the 6 items, I have the DWR report, of course, the JMM 1982 report that Chuck Lawrance prepared for them, and also a later report by Chuck, as LFM, for the South County Update that you have not referenced.

Since much of this comes from Chuck, my intent was to contact him, talk about the differences, and get most of the references from him. However, his office number is now disconnected, and he hasn't returned my message on his home phone. I heard he retired, and I guess he is off somewhere.

I checked County Engineering's library today, and all I got was the DWR 160-93, Table 4-2 reference. That appears to provide information only on the total Santa Maria basin which references the most recent study as 1991, I assume by the SBCo Water Agency. So, I am missing your references 3, 4 and 5, and if you want me to respond specifically to these references, you will have to send me the referenced pages. I have exhausted my readily accessible sources.

Frankly, I've been trying to find a way to minimize conflict on the overdraft issue, but I haven't found it. I presume that you are aware of my position as it is pretty well laid out in this EIR and my previous EIRs in the area. You and your Board have a different position, so I guess we will just have to go at it. I guess it can't be avoided.

Sincerely,



Donald O. Asquith

3

NIPOMO COMMUNITY SERVICES DISTRICT
POST OFFICE BOX 326 NIPOMO, CA 93444
(805) 929-1133 FAX (805) 929-1932

May 23, 1996

Donald O. Asquith, PhD
Consulting Engineering Geologist and Geophysicist
362 Travis Drive
Los Osos, CA 93402

SUBJECT: CYPRESS RIDGE EIR

Please find enclosed the pages associated with references numbers 3, 4 and 5 with respect to your letter of May 21, 1996 referencing the Nipomo Sub-Area and the Santa Maria Basin as in the state of overdraft.

Hopefully this information is what you are looking for. If I can be of further assistance, please contact me.

Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT



Doug Jones
General Manager

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3. (Lopez Report)

TABLE 1

Summary of Estimated Inflow and Outflow
off the Nipomo Mesa Sub-Unit
of the Arroyo Grande Ground Water Basin
(acre-feet per year)

<u>INFLOW</u> ¹	<u>1985</u>	<u>2005</u>
Deep percolation of precipitation	3,300	3,300
Subsurface seepage	500	500
Agriculture irrigation return ³	1,240	2,130
Urban/Rural land use return ⁴	820	1,870
Total Inflow =	<u>5,860</u>	<u>7,800</u>
 <u>OUTFLOW</u>		
Agricultural pumpage ³	3,100	3,100
Urban/Rural pumpage ⁴	2,340	5,340
Industrial pumpage (cooling) ¹	650	650
Outflow to Arroyo Grande Valley ²	300	300
Outflow to Santa Maria Valley ²	2,800	2,800
Outflow to the ocean ²	350	350
Total Outflow =	<u>9,540</u>	<u>12,540</u>
 <u>DIFFERENCE BETWEEN THE INFLOW AND OUTFLOW</u>		
Inflow	5,860	7,800
Outflow	<u>9,540</u>	<u>12,540</u>
Overdraft	<u>-3,680</u>	<u>-4,740</u>

Notes:

1. "Ground Water in the Arroyo Grande Area," Department of Water Resources (1979), p. 48.
2. "Final Environmental Impact Report for the Black Lake Specific Plan" (ED 81-220), p.67, Envicom Corporation.
3. "Ground Water in the Arroyo Grande Area," Department of Water Resources (1979), p. 10, interpolated between 1980 and 1990, projected to remain constant.
4. Update of DWR 1979 report based on 1985 population estimate and .170 af/yr. Return water is 35% of urban outflow and is shown above under "inflow".

Under the analytical methods used by LFM, it appeared that the deep percolation of rainfall should probably be considered as about double the value used by DWR. However, the analysis did not suggest that the DWR subsurface outflow figure should be changed materially.

4. Based upon the parametric analysis of data analyzed, it appears that the safe (dependable) yield of NMSA for pumpage is in the order of 8,000 AFY and that the overpumpage currently is in the order of 1,200 AFY.
5. When returns are taken into account, it is found that the total current NMSA net pumpage is slightly above 5,500 AFY (7,292 AFY gross - 1,749 AFY returns).
6. The total 1992 safe yield of NMSA under current conditions, for consumptive use, according to data analyzed, is calculated as 4,480 AFY (numbers not yet rounded).
7. The safe yield(s) of NMSA cited above are premised upon a continuation of substantial subsurface outflow to adjoining sub-areas within the Arroyo Grande Groundwater Basin, especially into the Santa Maria Valley Sub-Area. However, this condition reflects the nature of the topography, history of pumping, and other hydrologic factors of NMSA and its adjoining sub-areas. There is no physical or legal requirement that such outflow continue at current levels, although it is essential that the subsurface outflow to the Pacific Ocean continue at significant quantities in order to repel seawater intrusion. When the total subsurface outflow leaving NMSA is reduced (arbitrarily) to 50 percent of its current estimated levels, it increases the safe yield of NMSA for consumptive use by some 1,525 AFY to a value of 6,005 AFY (number not yet rounded). Subsurface outflow will not actually decrease until the groundwater level gradients have diminished sufficiently to cause this, and this will not occur until the NMSA groundwater has been drawn down significantly.
8. NCSD has been recharging the NMSA with treated wastewater treatment plant effluent in generally increasing amounts since 1987. It is estimated that the net recharge during the 5-year period, 1988-92 (after deducting evaporation from treatment and percolation ponds) have amounted to 760 AF.

*From: Santa Maria Valley Water Resources Report
Ref. # 5*

volumes. For the Santa Maria Ground Water Basin, the groundwater underflow loss to the Pacific Ocean has been estimated to be significant (as high as 16,000 AFY in 1918 with a very full basin). With a 1991 basin storage volume, the subsurface outflow is calculated to be about 5,500 AFY.

A consequence of this relationship is that the basin storage directly influences the amount of subsurface water that flows into and out of the basin, and thus the overdraft. As the storage of the basin drops, the ground water gradient toward the ocean within the aquifer decreases and subsurface outflow also decreases, thus increasing the basin yield. The higher the ground water level in storage, the higher the sub-surface outflow to the ocean, and the lower the yield.

It may thus seem desirable to have the average basin storage maintained at low levels, but such a policy would likely be unwise. Low operating levels could induce seawater encroachment into the aquifers, seriously reduce water well pumping rates, substantially increase pumping costs, attract poor quality connate water (water trapped in sediments during deposition) into the basin, reduce the export of salts from the basin to the sea, and possibly cause land subsidence.

Using the water budget model, the SBCWA estimates the current overdraft within the basin to be about 20,000 AFY, accurate to one significant figure (20,000 AFY plus or minus 5,000 AFY). As previously mentioned, this estimate makes use of data from earlier studies by the USGS and others, and ongoing surface and ground water monitoring programs. Estimates of the sources of basin recharge made by the USGS in 1945 conform closely to those made by the SBCWA in 1977 and 1992.⁶ As expected, the overdraft estimated in the 1945 USGS study is different (12,000 AFY) due mainly to the increased pumpage and the addition of Twitchell Reservoir since that time.