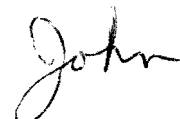


NIPOMO COMMUNITY SERVICES DISTRICT AGENDA



REGULAR BOARD MEETING OCTOBER 16, 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 OCTOBER 2, 1996

PUBLIC COMMENTS PERIOD

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

BOARD ADMINISTRATION

3. BLACK LAKE WATER INTER-TIE (Discussion/Action)
Recommendation to acquiesce to Black Lake preference of independence by having an inter-tie only for pure emergencies
4. LAFCO MODIFICATION OF ANNEXATION NO. 15 (NEWDOLL/HASTINGS) (Discussion/Action)
Review LAFCO's additional area added to Annexation No. 15 for District review and approval
5. WATER USE - MR. FORD (Discussion/Action)
Review a request by Mr. Ford for an adjustment for high water use.
6. BOARD OF DIRECTORS BYLAWS (Discussion/Action)
Review a policy by the Board of Directors for establishing Board officers, meeting schedule and general admission.
7. SAFETY MEETING MINUTES (Discussion/Action)
Review and approve 10/9/96 Safety Meeting Minutes

FINANCIAL REPORT

8. INVESTMENT POLICY - QUARTERLY REPORT
9. APPROVAL OF WARRANTS

OTHER BUSINESS

10. MANAGER'S REPORT
 1. NIPOMO CHAMBER OF COMMERCE TRADE FAIR - NOV. 9, 1996
 2. WOODLAND SPECIFIC PLAN - NOTICE OF PREPARATION SUPPLEMENT TO EIR
 3. MINUTES OF BLACK LAKE ADVISORY COMMITTEE, 10/1/96
11. DIRECTORS COMMENTS
12. 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. Existing Litigation, Pratt vs. NCSD Case No. CV 79715 GC§54956

*GC§ refers to Government Code Sections

ADJOURN

NIPOMO COMMUNITY SERVICES DISTRICT

AGENDA ITEM

1

MINUTES

OCT 16 1996

REGULAR BOARD MEETING OCTOBER 2, 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

Vice President Fairbanks called the Regular Meeting of October 2, 1996 to order at 7:08 p.m. and led the flag salute.

ROLL CALL

At Roll Call the following Board members were present:

Directors Simon, Blair and Fairbanks
Directors Small and Mendoza were absent.

APPROVAL OF MINUTES

1. REGULAR MEETING OF SEPTEMBER 18, 1996
Upon motion of Director Blair, seconded by Director Simon the Board unanimously approved the Minutes of the September 18, 1996 Regular Meeting.

PUBLIC COMMENTS PERIOD

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

Vice President Fairbanks opened the meeting to Public Comments.

No one from the audience commented

BOARD ADMINISTRATION

3. **ANNUAL AUDIT REPORT (Discussion/Action)**
Mr. Carlos Reynoso, CPA, will make his financial audit report to the Board.

Mr. Jones introduced Mr. Carlos Reynoso, CPA. Director Fairbanks turned the meeting over to Mr. Reynoso. He explained that the District is required to have an independent audit performed on its financial statements. Mr. Reynoso thoroughly explained his report to the Board. He said that the books were kept well. No adjustments needed to be made.

Director Fairbanks opened the meeting to public comment.

John Snyder asked about the depreciation schedule of the water tank.

Upon motion of Director Simon, seconded by Director Blair, the Board unanimously accepted the audit report for June 30, 1996.

4. **OUTSIDE DISTRICT WATER SERVICE (R. JONES) (Discussion/Action)**
Request for water service outside District based on hardship.

Manager Jones explained the request from Mr. Ralph Jones for water service to his residence located at the corner of Sundale Way and Willow Road (outside District boundaries). Mr. Ralph Jones explained that he had the pump motor for his well go out 5 times in 10 years. Mr. Seitz explained that LAFCO must approve service to parcels outside the District. Director Fairbanks asked for public comments. Mr. Gene Kaye wanted Mr. Jones to know that he would have to pay double the District rates. Mr. Jones was aware of that. Upon motion of Director Blair and seconded by Director, the Board unanimously approved the request for water service with the following conditions.

- a. Applicant process his request for service to LAFCO for approval. Applicant is to be responsible for all necessary LAFCO applications and payment of appropriate fees.
- b. Applicant is to comply with the District's retrofit program before receiving water services.
- c. The water rates outside the District boundary would be double the rates for similar service inside boundary.
- d. Pay all appropriate District fees.

5. **TRACT NO. 2151 - WATER SERVICE LINES (Discussion/Action)**
(continued from 9/18/96 meeting)

Review District requirements and Black Lake Adv. Committee recommendations.

Mr. Jones reviewed this item which was continued from the last meeting. Mr. Jack Stoddard explained the position of the developer, Charles Pratt. Mr. Seitz explained that Mr. Pratt has filed litigation against the District. Mr. Jones explained that the Schedule 40 fittings could be replaced with Schedule 80 fittings. Mr. Seitz explained that if the Board accepts the Black Lake Advisory Committee recommendation to allow Mr. Pratt to change only a portion of each service from Sch. 40 to Sch. 80, it DOES NOT mean the District has accepted anything else related to his tract. Director Fairbanks asked for public comment. There was none. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved to accept the recommendation of the Black Lake Advisory Committee to replace the a section of Schedule 40 pipe with Schedule 80 pipe to each lot as shown in the attached drawing.

6. **TREATMENT PLANT EXPANSION AND FUNDING (Discussion/Action)**

1) Continuance from Sept. 18 meeting. Environmental review of the negative declaration for the Southland Wastewater Treatment Plant expansion. (PUBLIC HEARING)

A Public Hearing was held on September 18, 1996 to discuss the environmental review of the Southland Wastewater Treatment Plant Expansion. The hearing was continued to this meeting to comply with the CAL-EPA comment expiration date of Sept. 27.

Vice President Fairbanks opened the meeting to a Public Hearing at 7: 56 p.m.. There were no public comments. The Public Hearing portion was closed.

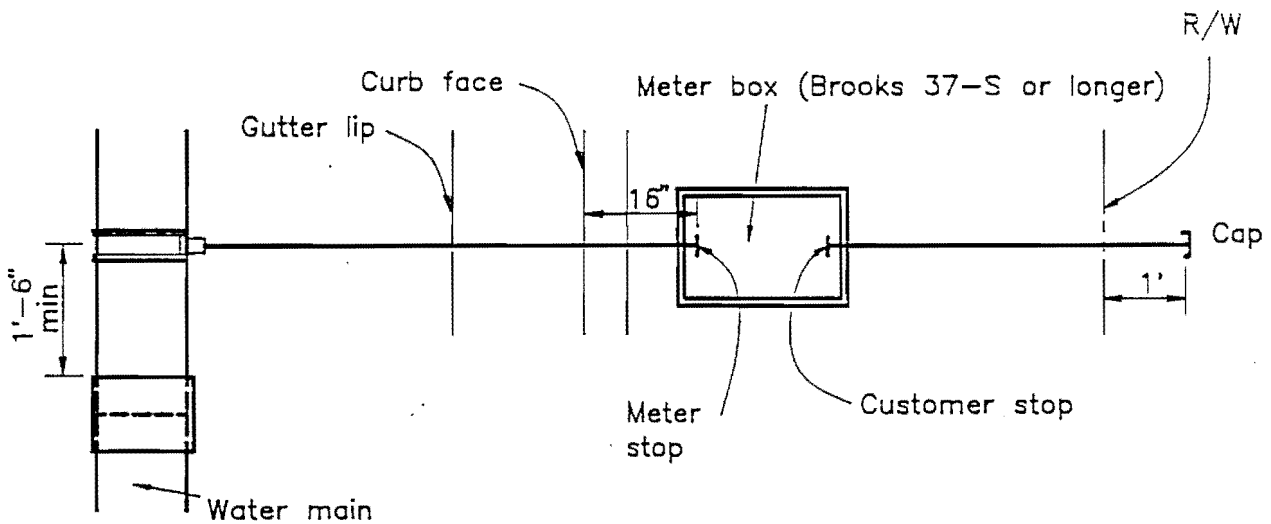
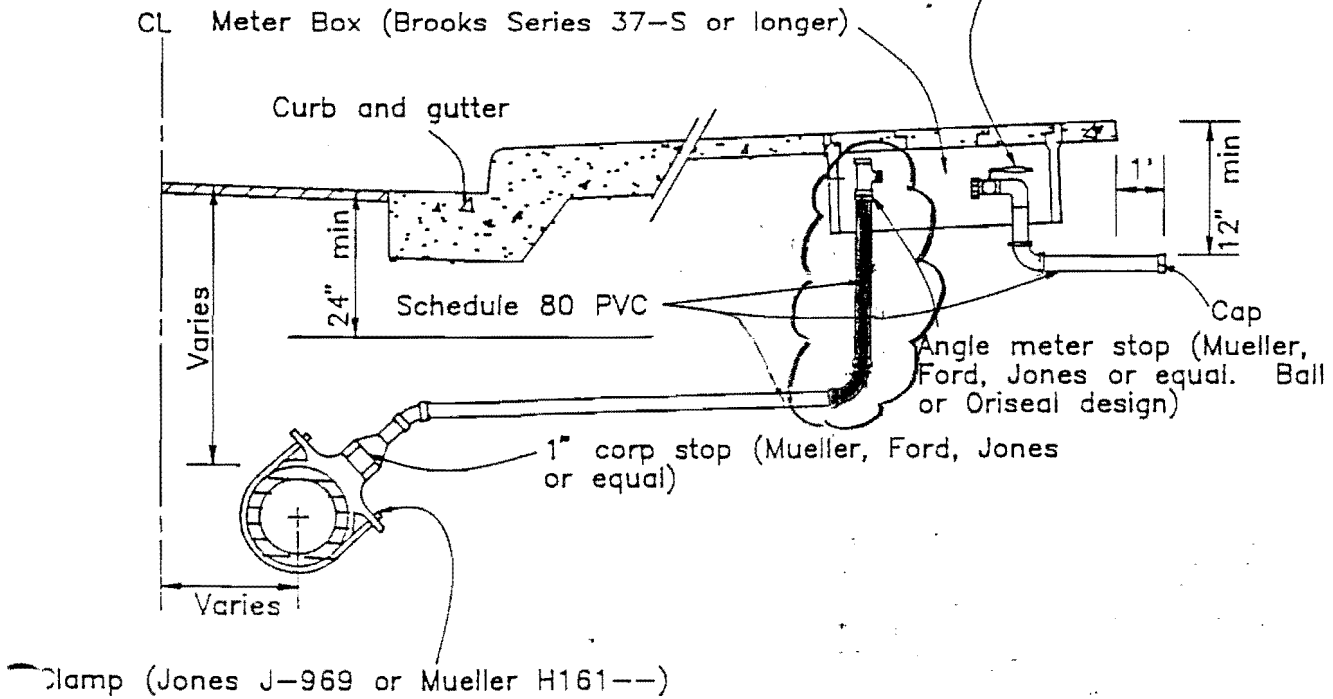
2) Resolution requesting State Revolving Fund Loan was also reviewed.

Upon motion by Director Blair, seconded by Director Simon, the Board unanimously approved Resolution No. 96-596

Note: Copper tubing may be used as an alternate for Schedule 80 PVC pipe.

Bronze corporation stop and angle meter stop shall be oriseal or ball design, iron pipe threaded

1" x 3/4" Angle stop Jones J1908 with lever handle or equal



Water Service Connection Detail

**RESOLUTION NO. 96-596
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING AN ENVIRONMENTAL NEGATIVE DECLARATION AND
AUTHORIZING THE GENERAL MANAGER TO FILE A NOTICE OF
DETERMINATION FOR THE SOUTHLAND WASTEWATER
TREATMENT PLANT EXPANSION PROJECT**

Upon motion by Director Blair, seconded by Director Simon, the Board unanimously approved Resolution 96-597

**RESOLUTION NO. 96-597
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REQUESTING A STATE REVOLVING FUND LOAN**

- 7. REPLACEMENT OF STEEL WATER LINES (Discussion/Action)**
Review bids received for replacement of water lines and award contract to low responsive bid.

Mr. Jones reviewed the bids for the replacement of the steel water lines in Price, Bennett, Dana, Burton and Mallagh Streets. Director Fairbanks asked for public comment. There was none. Upon motion of Director Simon, seconded by Director Blair, the Board unanimously approved Resolution No. 96-598

**RESOLUTION NO. 96-598
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AWARDING THE CONTRACT TO T.L.C. BACKHOE
FOR THE INSTALLATION OF WATER LINES**

- 8. NEW OFFICE BUILDING (Discussion/Action)**
Board approval of plans & specifications and request bids to construct new office building

Mr. Jones explained the need to approve the plans and specifications and the need to advertise for bid to construct the new office building. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved the plans and specifications to construct the new office building at 148 S. Wilson St. and approved the Request for Bids to be published.

- 9. WELL PUMP HOUSES (Discussion/Action)**
Filing Notice of Completion for construction of three pump houses.

J. Miller Construction Co. completed the construction of the pump houses for Eureka, Bevington and Via Concha Wells.

Upon motion by Director Blair, seconded by Director Simon, the Board unanimously approved to file the Notice of Completion for the three pump houses.

10. **ANNEXATION NO. 15 - TAX EXCHANGE (Discussion/Action)**

Approval of property tax exchange with SLO Co. for the LAFCO amended boundary for Annex No. 15.

The negotiated tax exchange agreed upon was 4.1858884 percent. Upon motion by Director Simon, seconded by Director Blair, the Board unanimously approved Resolution 96-599.

**RESOLUTION NO. 96-599
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING RENEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE
AND ANNUAL TAX INCREMENT FROM COUNTY OF SAN LUIS OBISPO
TO NIPOMO COMMUNITY SERVICES DISTRICT
FOR ANNEXATION NO. 15 (NEWDOLL/HASTINGS)**

FINANCIAL REPORT

11. APPROVAL OF WARRANTS

Public Comment

John Snyder asked if there were any Hatch and Parent bills on the warrant list.

No

Upon motion by Director Blair, seconded by Director Simon, the Board unanimously approved the Warrants presented at the October 2, 1996 meeting.

OTHER BUSINESS

12. MANAGER'S REPORT

Mr. Jones presented information on the following:

1. Prop 218, Right to Vote Tax Act

Mr. Kaye commented.

2. LAFCO Study Session on Outside User Agreements, Oct. 12, 1996

13. DIRECTORS COMMENTS

14. PUBLIC COMMENTS

John Snyder asked about the WRAC meeting.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

District Counsel, Jon Seitz, explained that a case (Pratt vs. NCSD) was presented to the District after the posting of the agenda and needed attention before the next regular meeting. The Board unanimously agreed to add this item to the Closed Session agenda.

1. Existing litigation GC§ 54956.9
NCSD vs. Shell Oil, et. al. Case No. CV 077387
2. Anticipated Litigation, One Case GC§54956.9 (c)
3. Charles Pratt vs. NCSD (added) CV 79715 GC§54956

The Board came back into open session. The Board of Directors directed legal counsel to defend the case with Pratt vs. NCSD Case No. CV 79715 GC§54956

ADJOURN

*GC§ refers to Government Code Sections

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 16, 1996

AGENDA ITEM
OCT 16 1996

3

BLACK LAKE WATER INTER-TIE

In the Black Lake Specific Plan Area there are two tracts presently under development. Tract 2151, a 40 lot subdivision, and Tract 1912, an 87 lot subdivision. The developers of Tract 2151 have filed litigation against the District associated with the reimbursement fee agreement with the previous developer and the District's capacity charges for water. There has been extensive correspondence between Mr. Pratt (developer of Tract 2151), John Scardino (developer of Tract 1912), Jack Stoddard, and the attorneys in an attempt to reach an amicable resolution to the litigation. The October 10th preliminary hearing has been continued to November 12. On Monday, October 7, the General Manager, District engineer, and District legal counsel met to review the correspondence, the current litigation and the on-going controversy with the inter-tie at Black Lake. It is staff's recommendation at this time to acquiesce to Black Lake's preference for independence, and not institute other than a purely emergency inter-tie for the following reasons:

1. The parties within Black Lake seem comfortable with their own reimbursement agreements and apparently acknowledge payment responsibility between themselves.
2. The District may be in continuing morass of litigation, the uncertainty of final outcome of litigation including unrecoverable costs, and its impact on District capacity fees.
3. In the past, the Black Lake Group has been critical of the inter-tie concept, therefore, this apparently divisive proposal could be withdrawn.
4. The Black Lake Advisory Committee and the developer have both retained the engineering firm of John Wallace and Associates. The District staff can work with JW&A to work out the water supply issues for the Black Lake Specific Plan Area and then refer the conclusions to the Black Lake Advisory Committee for their recommendations to the District Board.
5. While the inter-tie may have once seemed to be a benefit to Black Lake, there now is no clear District-Wide benefit in view of recent events.

The District will have to revise the conditions of the Will-Serve letters for both Tracts 2151 and 1912.

After reviewing this information, the Board may act accordingly. Staff recommends that Your Honorable Board approve a policy supporting Black Lake preference for an independent water supply system.

The issues involving the on-going litigation will be reviewed by legal counsel in closed session.

C:\W:\BD\intertie.DOC

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 16, 1996

MODIFIED ANNEXATION NO. 15, NEWDOLL/HASTING

At the Regular Board meeting of October 2, 1996, Your Honorable Board conditionally approved Annexation No. 15 (Newdoll). The proposed annexation included a retrofit program at a rate of 2:1 to meet the District water requirement needs. This annexation was considered by the LAFCO Commission at their regular meeting held on Sept 19, 1996. The LAFCO Commission modified the Newdoll proposed annexation by including an additional 15+ acres, the previously proposed Annexation No. 12, (Hasting). The modified Annexation No. 15 now consists of 23.7 acres and is contiguous to the District boundary fronting along Tefft Street to Hazel Lane.

The LAFCO Commission conditionally approved the modified Annexation No. 15, and returned it to Your Honorable Board for your review and setting of conditions for the Hastings portion of the annexation.

Staff has prepared the Statement of Findings and supporting documents for the modified Annexation No. 15 which are similar to the original Annexation No. 15 for the Board's consideration.

Staff has prepared the following items with respect to the proposed modified Annexation No. 15 (Newdoll/Hasting).

1. The Statement of Findings and supporting documents with respect to District's annexation policy and LAFCO policy.
2. Resolution No. 96-ANX15 approving the proposed annexation, which include retrofitting at a rate of 2:1 to meet the District's water requirements.

If the Board has reviewed the attached material based on the above, the Board may approve the modified annexation No. 15 by considering adoption of Resolution No. 96-ANX 15.

DRAFT

IN THE LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, September 19, 1996

PRESENT: Commissioners Blakely, Briley, Engels, Gates, Picanco, Chairman Pritchard

ABSENT: Commissioner Laurent

RESOLUTION NO. 96-19

RESOLUTION MAKING DETERMINATIONS APPROVING ANNEXATION NO. 15 TO THE NIPOMO COMMUNITY SERVICES DISTRICT (NEWDOLL)

The following resolution is now offered and read:

WHEREAS, on September 3, 1996 there was filed with this Commission a proposal for Annexation of territory to the Nipomo Community Services District (Newdollar); and

WHEREAS, the Executive Officer has given the notices required by law and has forwarded copies of his report to officers, persons, and public prescribed by law; and

WHEREAS, the matter was duly set for public hearing at 9:00 a.m. on September 19, 1996 and the public hearing was duly conducted and determined and decision was made on September 19, 1996; and

WHEREAS, at said hearing this Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said proposal and report; and

WHEREAS, the Commission received the Negative Declaration recommended by staff for this project, reviewed and considered the information contained herein and all comments received during the public hearing process; and

WHEREAS, the Commission duly considered the proposal and finds that the territory proposed to be annexed is uninhabited; that the distinctive short form designation of the territory proposed to be annexed is "Annexation No. 15 to the Nipomo Community Services District"; that the territory proposed for annexation is located within the sphere of influence and sphere of service of the Nipomo Community Services District; and that the proposed annexation should be approved.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Local Agency Formation Commission of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. The Negative Declaration for this project was adopted in LAFCO Resolution 96-18.
3. That the legal description approved by this Commission is attached thereto, marked Exhibit "A", and incorporated by reference herein as though set forth in full.
4. That Annexation No. 15 to the Nipomo Community Services District (Newdollar) with the amended boundaries as set forth in Exhibit "A" with the condition of the NCSD's approval, by

resolution, of compliance with the District's annexation policies regarding water and sewer service, being further identified in the files of this Commission as File 5-R-96, is hereby approved.

5. The conducting authority for subsequent proceedings is hereby designated as Nipomo Community Services District.

6. The Executive Officer of this Commission is authorized and directed to mail copies of this resolution in the manner by law.

Upon motion of Commissioner Blakely, seconded by Commissioner Briley, and on the following roll call to wit:

AYES: Commissioners Blakely, Briley, Engels, Gates, Picanco, Chairman Pritchard

NOES: None

ABSENT: Commissioners Laurent

ABSTAINING: None

the foregoing resolution is hereby adopted.

Chairman of said Local Agency
Formation Commission

ATTEST

Deputy Executive Officer

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: 
Deputy County Counsel

STATE OF CALIFORNIA)
)
) ss.
COUNTY OF SAN LUIS OBISPO)

I, Robert E. Hendrix, Executive Officer of the Local Agency Formation Commission said County and State, do hereby certify the foregoing to be a full, true and correct copy of the original on file in my office, and that I have carefully compared the same with the original.

WITNESS my hand this _____ day of _____, 19____.

ROBERT E. HENDRIX
Executive Officer

By: _____
Deputy Executive Officer

RESOLUTION NO. 96-ANX15

**A RESOLUTION OF THE
BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING
THE ANNEXATION OF APPROXIMATELY 23.7 ACRES
LOCATED AT THE INTERSECTION OF HAZEL LANE
AND TEFFT STREET, NIPOMO, CALIFORNIA**

WHEREAS, Annexation No. 15, ROBERT NEWDOLL ("Applicant"), is one the property owners of 23.7 acres of certain real property located at the intersection of Hazel Lane and Tefft Street, Nipomo, California; and

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

WHEREAS, Applicant commenced annexation proceedings through the LOCAL AGENCY FORMATION COMMISSION ("LAFCO Commission") in which the LAFCO modified his original request to annex 7.5 acres to include 23.7 acres which was the previously known Annexation No. 12 (Hasting) in Annexation No. 15, and

WHEREAS, LAFCO approved the modified Annexation No. 15 (23.7 acres) on September 19, 1996 conditional upon the District approval by resolution of the proposed annexation; and

WHEREAS, the District and the County have approved the property tax rate exchange for the modified Annexation No. 15; and

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

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

A. That the above recitals are true and correct.

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

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

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

**RESOLUTION NO. 96-ANX15
PAGE TWO**

1. The Applicant has received the required approvals and clearances from the LAFCO Commission and the County of San Luis Obispo, including but not limited to compliance with the California Environmental Quality Act and the Cortese Knox Local Government Reorganization Act.
2. The issue of the property tax exchange has been resolved between the **DISTRICT** and the County of San Luis Obispo.
3. The property owners in Annexation No. 15 enter into an agreement with the **DISTRICT** to:
 - (a) Supply infrastructure to and within the proposed area of annexation at no cost to the **DISTRICT**.
 - (b) Pay all **DISTRICT** fees and costs associated with the annexation, including but not limited to the **DISTRICT** annexation fees.
 - (c) Provide retrofitting at the rate of 2:1 to meet the proposed development and District's water requirement needs.
4. The Applicant complies with all additional conditions that may be imposed by the **DISTRICT** through the date of annexation.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services **DISTRICT** this 16th day of October, 1996, on the following roll call vote:

AYES: Director _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

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

EXHIBIT "A"

PROPOSED MODIFIED ANNEXATION NO. 15 - NEWDOLL STATEMENT OF FINDINGS AND SUPPORTING DOCUMENTATION

A. CONSISTENCY WITH DISTRICT POLICIES

1. DISTRICT GENERAL POLICIES.

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

- 1.1 The owners are willing to accept all conditions for service required by the **DISTRICT**. {District Annexation Policy--Section III(A)}

Yes. See Condition 4 to Resolution.

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

Not applicable. Applicant requesting both water and sewer service.

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

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

EXHIBIT "A"

to meet these capital needs for future water and sewer improvements.

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

The projected water use for the proposed Annexation No. 15 is approx. 32 ac/ft per year. A condition of this annexation, since there is no water source supplied with it, is that the applicant enter into the District's retrofit program to develop a water source for this development. The needed equivalent of retrofitting the developers proposed development on a 2:1 basis is or 8 units/new dwelling unit.

Sewer flows are estimated to be 0.022 MGD

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

The proposed annexation has received the County Property Tax Exchange and LAFCO approvals

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

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

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

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

EXHIBIT "A"

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

2. SPECIFIC POLICIES RE UNDEVELOPED PROPERTY.

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

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

Yes. The subject property is within the **DISTRICT's** sphere of influence and urban service area.

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

The subject property is contiguous to the **DISTRICT'S** boundary. The applicant proposes to provide water and sewer service to the property as follows:

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

The annexation provides that the Applicant is willing to enter into an agreement with the **DISTRICT** to extend and supply adequate facilities to service the proposed annexation at no cost to the **DISTRICT**. See Condition 3(a) to proposed Resolution.

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

EXHIBIT "A"

See Condition 3 & 4 of proposed Resolution and Sec. 1.3.

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

See Resolution Condition 3(b).

3. ANNEXATION FEES.

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

B. CONSISTENCY WITH LAFCO POLICIES.

1. Non-contiguous annexations are discouraged.

This is a contiguous annexation and the property is within the **DISTRICT'S** sphere of influence and within the Urban Service Line.

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

See Section 1.3

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

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

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

See Section 1.3.

EXHIBIT "A"

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

See Section 1.3.

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

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

Attachment 4

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

(Signature of Applicant)

Applicant to mark the appropriate box and initial

NIPOMO COMMUNITY SERVICES DISTRICT

Request For Annexation

Property/Project Information and Proposal
(To be completed by Project Proponents/Owners)

1. Property Owner: Robert H. Newdell
Address: 150 S 16th St Grover Beach 93433
2. Developer: SAME
3. Engineer: Eng. Dev. Assoc.
4. Assessor's Parcel Number: See attached EXHIBIT "A"
5. Location:
A. Text/Legal Description: Attached

B. Provide Map (attachments) Attached.
6. General Description of Project: Annexation of 7 parcels containing 23.7 ac to Nipomo Community Services District for water and sewer service

7. Services Requested from NCS D:
A. Water: _____
B. Sewer: _____
8. Current Zoning: R. SF
9. Identify any proposed or pending zone changes on the property to be annexed (Ref. District Resolution No. 197): None
A. Maximum number of units based on current zoning: 79 SFR Maximum
B. Maximum number of units based on proposed zoning: SAME
10. Proposed number of Residential Units:
(Describe phased construction plan if applicable)
proposed tentative Map 2187
proposed tentative Map 1701

v.	7-15-92
v.	7-8-92
	6-30-92

11. If non-residential use, provide information as to number of plumbing fixtures, manloading, intended use, etc. (Describe phased construction plan if applicable):

N.A.

12. Total acreage of proposed project: 23.7 AC

13. Total acreage of proposed annexation: 23.7 AC

14. If total acreage to be annexed differs from the acreage to be developed, explain the difference:

N.A.

15. Status of water resources available on proposed annexation acreage: None

A. Quantity (pumping log and date: _____)

B. Quality (quality tests and date: _____)

C. Other information: _____

D. Water resources to be dedicated to NCSD: _____

NONE

16. Description of existing and proposed ^{*}wastewater disposal system: existing none proposed

NCSD

17. Reason proponents are requesting annexation: _____

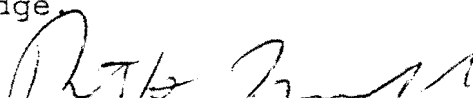
For Development of TRACT 2187

18. Other comments: NONE

Note:

In its effort to make a competent and informed annexation decision, NCSD may, at its sole discretion, request additional information from the proponent(s) of the annexation, and/or revise this checklist as NCSD deems necessary.

By signing below, I certify that I am the Owner of said property, or am empowered to act on the Owner's behalf, and that I understand the information provided herein by me or my representatives is true to the best of my knowledge.

Signed: 

Full Name: Robert H. Newdall

Street Address: _____

Mail Address (If different): 150 50 6th St G.B. CA 93433

Home telephone number:

Work telephone number: 409-4457

Date: Sept 19, 1996

Local Agency Formation Commission
County of San Luis Obispo
Room 370, County Government Center
San Luis Obispo, CA 93408

Commissioners:

This will serve to notify you of our approval of the annexation of
territory to Nipomo Community Services District

which includes our property as listed below.

Lot 59 Rho Nipomo Cplx Div. B

Assessor's Parcel Nos.:

092-123-003
X George B. Hughes

Date: 9/11/96

Local Agency Formation Commission
County of San Luis Obispo
Room 370, County Government Center
San Luis Obispo, CA 93408

Commissioners:

This will serve to notify you of our approval of the annexation of territory to Nipomo Community Services District

which includes our property as listed below.

921 W. Tefft St. Nipomo
ptn Lot 53 Rho Nipomo Cplx Div B.

Assessor's Parcel Nos.:

092-241-009
Emery S. Stevens
Ruby Stevens

lafco.app

Date: 9/11/96

Local Agency Formation Commission
County of San Luis Obispo
Room 370, County Government Center
San Luis Obispo, CA 93408

Commissioners:

This will serve to notify you of our approval of the annexation of
territory to Nipomo Community Services District

which includes our property as listed below.

921 W. Tefft St. Nipomo
ptn Lot 53 Rho Nipomo Cplx Div B.

Assessor's Parcel Nos.:

092-241-009
Emery S. Stevens
Ruby Stevens

Date: Sept 11th 96

Local Agency Formation Commission
County of San Luis Obispo
Room 370, County Government Center
San Luis Obispo, CA 93408

Commissioners:

This will serve to notify you of our approval of the annexation of territory to Nipomo Community Services District

which includes our property as listed below.

Lot 58 Rho Nipomo C/mx Div. B
Frank Masaluso

Assessor's Parcel Nos.:

092-123-002

Date: 9/12/96

Local Agency Formation Commission
County of San Luis Obispo
Room 370, County Government Center
San Luis Obispo, CA 93408

Commissioners:

This will serve to notify you of our approval of the annexation of
territory to Nipomo Community Services District

which includes our property as listed below.

Lot 57 Rho Nipomo C/mx Div. B

Assessor's Parcel Nos.:

092-123-001
Drew A. Hong 9/12/96

Date: Jan. 9, 1995

Local Agency Formation Commission
County of San Luis Obispo
Room 370, County Government Center
San Luis Obispo, CA 93401

Commissioners:

This will serve to notify you of our approval of the annexation of territory

to Nipomo Community Service Dist.

which includes our property as listed below.

Concetta Cavanna
Emma L. Chovarrin

Assessor's Parcel Nos.

092-123-031

Date: _____

Local Agency Formation Commission
County of San Luis Obispo
Room 370, County Government Center
San Luis Obispo, CA 93401

Commissioners:

This will serve to notify you of our approval of the annexation of
territory

to Nipomo Community Services Dist.

which includes our property as listed below.

* Rene J. Salmeron
+ Mary Lou Salmeron

Assessor's Parcel Nos.

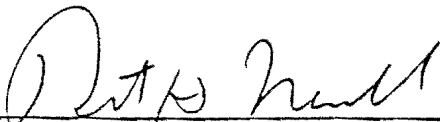
092-123-030

Date: _____

Local Agency Formation Commission
County of San Luis Obispo
Room 370, County Government Center
San Luis Obispo, CA 93401

Commissioners:

This will serve to notify you of our approval of the annexation of
territory
to Nipomo Community Services District
which includes our property as listed below.



ROBERT H. NEWDELL

Assessor's Parcel Nos.

092-173-005

THE ANNEXATION POLICY
OF THE
NIPOMO COMMUNITY SERVICES DISTRICT

FEBRUARY 2, 1983

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

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

low cost water, sewerage and other authorized services for the residents of the Nipomo Community Services District.

efficient governmental services for orderly land use development within the District, conservation of natural and environmental resources, including local water resources; its availability and quality, growth consistent with the General Plan of San Luis Obispo County and the established policies of the Local Agency Formation Commission, including specifically the Commission's adopted spheres of service and influence for Nipomo.

III. GENERAL POLICIES

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

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

B. In order to evaluate the impacts of a potential annexation upon the Nipomo Community Services District, this Board of Directors will consider only annexation requests which include the submittal of a comprehensive use or development plan for the subject property in sufficient detail to provide a complete picture of the full impact of the annexation in the foreseeable future upon the District's long term water resources, water distribution facilities, sewerage services, financial program and other services required.

If any such use or development plan requires future county approvals (for example, zoning or subdivision), the district's approval of the annexation shall be conditioned upon the owners obtaining such County approvals before the annexation becomes effective.

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

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

The proposed annexation will provide identified benefits to: (1) the future residents and property owners within the annexed area; and (2) the residents and property owners of the remainder of the Nipomo Community Services District.

IV. ANNEXATIONS OF DEVELOPED PROPERTIES—SPECIFIC POLICIES

- A. "Developed properties" are lands which are already developed to the maximum land use intensity permitted by the County's General Plan.
- B. In order to be considered for annexation:

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

The lands must be immediately adjacent to Nipomo Community Services District facilities or the land owners must be willing to extend adequate facilities at no cost to Nipomo Community Services District.

The lands must be capable of service from current excess Nipomo Community Services District capacity without unreasonably reducing the potential for service to lands already inside of Nipomo Community Services District.

The proponents of such annexations must pay all applicable fees.

V. ANNEXATIONS OF UNDEVELOPED PROPERTIES—SPECIFIC POLICIES

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

- B. In order to be considered for annexation:

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

The lands must be immediately adjacent to Nipomo Community Services District facilities or the

land owners must be willing to extend adequate facilities at no cost to Nipomo Community Services District.

In addition the land owners shall pay for, or provide on site, facilities approved by the district to satisfy estimated demands for services to the proposed annexation without reducing the ability of the Nipomo Community Services District to service properties already inside of the District. For example,

The Nipomo Community Services District may require that sufficient proven water well capacity to meet project needs be available at the development site or other approved location, and dedicated to the Nipomo Community Services District.

The land owners must pay all applicable fees; provided that the land owners and the District may agree to the exchange of other assets (for example, a proven water well with excess capacity), in lieu of at least a portion of the applicable fees.

VI. SUBMITTAL OF ANNEXATION REPORT

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

ANNEXATION — ASSESSMENT OF FEE.

- A. All property hereafter annexed to the district shall be assessed a fee to be paid by the developer to the district at the time of application for annexation.
- B. The fee shall be five hundred dollars per acre, or, per parcel less than one acre.
- C. If the board fails to adopt an annexation resolution within a reasonable time after payment of the fees, the fee shall be returned to the person or persons paying the same, less an amount necessary in preparing the necessary forms of the district, not to exceed fifty dollars.
- D. All other provisions of this chapter shall be in full force and affect from the time of acceptance of the annexation by the board.

(Ord. 79-35 § 14, 1979; Ord. 78-27 § 18, 1978)

RESOLUTION NO. 96 - 576

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING THE EXISTING ANNEXATION POLICY

WHEREAS, the Nipomo Community Services District receives most of its water from the Groundwater basin underlying the Nipomo Mesa, and

WHEREAS, District acknowledges a number of reliable engineering reports indicating that the Nipomo Mesa ground water area is in state of overdraft, and

WHEREAS, the District wishes to maintain a water supply for its existing users and potential use within its boundaries, and

WHEREAS, the District wishes to modify its annexation ordinance recognizing the potential limited water supply from the Nipomo Mesa groundwater basin.

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

Sections IV (B) and V (B) of its present annexation policy is repealed in its entirety and replaced with the following:

B. In order to be considered for annexation:

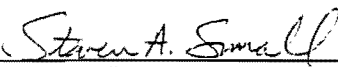
- (1) the lands must be located within those portions of the sphere of influence zone as approved by both the Local Agency Formation Commission and this District; and
- (2) the lands must be immediately adjacent to Nipomo Community Services District facilities or the land owners must be willing to extend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

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

- (1) A well (s) with a historical 5 year pumping record; or
- (2) A reduction of District water usage by retrofitting on a 2:1 basis; or
- (3) A supplemental water supply.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services District this 1st day of May, 1996, on the following roll call vote:

AYES: Directors Mendoza, Simon, Blair, Fairbanks and Small
NOES: None
ABSTAIN: None
ABSENT: None



Steven Small
President of the Board
Nipomo Community Services District

Copy of document found at www.NoNewWipTax.com

ATTEST: APPROVED AS TO FORM:

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 16, 1996

FORD WATER USE
ACCOUNT #4136

Mr. Ford's water use between the period of 5/1/96 to and 5/7/96 indicated 60,300 cubic feet. His bill for his water use was \$690.45. Mr. Ford paid his bill in full. After receiving the water bill, Mr Ford requested the meter be tested for accuracy. The meter was taken to the City of Arroyo Grande meter shop and tested. The test results shows that at minimum flow ($\frac{3}{4}$ gallons per minute) was registering at 100% accuracy. While at normal flow (15 gallons per minute) was registering $2\frac{1}{2}$ percent over normal meter accuracy. Normal meter accuracy has a variance of $1\frac{1}{2}$ percent above or below the 100% registration. As shown by the meter test report from the City of Arroyo Grande, dated July 17, 1996, it was indicated that the meter was over registering by 1%.

In a letter dated July 26, 1996, staff wrote to Mr. Ford, in which a $2\frac{1}{2}$ % credit was given on his water bill.

After receiving this information, Mr. Ford was still not satisfied that he had used that amount of water. The attached correspondence is on this matter. Mr. Ford has asked that his concerns be taken to Your Honorable Board for consideration. Mr. Ford, in his September 19, 1996 letter, said that he lives out of town and that his work schedule is such that he cannot attend the Board meetings. He asked that the Board consider this matter without his attendance.

Staff has followed the regulations on billing procedures and disputes set down by Your Honorable Board, and does not recommend an adjustment to Mr. Ford's bill.

TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: OCTOBER 16, 1996

DIRECTOR BY-LAWS

The District is a member of the Special District Risk Management Authority (SDRMA). SDRMA provides the District with its insurance coverage and monitors the District for compliance with its programs. SDRMA provides the District with an opportunity to receive credit against its annual premiums by earning points via the SDRMA Credit Incentive Program. The Credit Incentive Program is optional, however, staff feels it is prudent to earn as many points as allowable.

This year the Credit Incentive Program includes the development, adoption and following of a written Board Policy and Procedures Manual (Director's By-Laws). Staff has prepared the attached Resolution for the Board's consideration.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 96-**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING BOARD BYLAWS**

WHEREAS, the Board of Directors of Nipomo Community Services District is committed to providing excellence in legislative leadership that results in the provision of the highest quality of services to its constituents.

WHEREAS, in order to assist in the government of the behavior between and among members of the Board of Directors, the following rules shall be observed.

WHEREAS, the District is a member of the Special District Risk Management Authority (SDRMA). The District participates in the SDRMA Credit Incentive Program which includes the adoption of Board policies and procedures (Directors By-laws) for the District to receive a one point credit.

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

NIPOMO COMMUNITY SERVICES DISTRICT BOARD OF DIRECTOR BYLAWS

1. OFFICERS OF THE BOARD OF DIRECTORS

1.1 The officers of the Board of Directors are the President and Vice President.

1.2 The President of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

1.3 In the absence of the President, the Vice President of the Board of Directors shall serve as chairperson over all meetings of the Board. If the president and Vice President of the Board are both absent, the remaining members present shall select one of themselves to act as chairperson of the meeting.

1.4 The President and Vice President of the Board shall be elected annually at the last regular meeting of each calendar year.

1.5 The term of office for the President and Vice President of the Board shall commence on January 1 of the year immediately following their election.

1.6 The Board President shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

RESOLUTION NO. 96-BYLAWS
PAGE 2

2. MEETINGS

2.1 Regular meetings of the Board of Directors shall be held on the first and third Wednesday of each calendar month in the Board Room at the District Office.

2.2 Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.

2.3 The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors. Any Director may call the General Manager and request an item to be placed on the agenda no later than 4:30 o'clock p.m.. one week prior to the meeting date.

2.4 No matters other than those on the agenda shall be finally acted upon by the Board; provided, however, matters deemed to be emergencies or of an urgent nature may be added to the agenda under the procedures of the Brown Act.

2.5 The President, or in his/her absence the Vice President shall be the presiding officer at District Board meetings. He/she shall conduct all meetings in a manner consistent with the policies of the District. He/she shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board. He/she shall announce the Board's decision on all subjects. He/she shall vote on all questions and on roll call his/her name shall be called last.

2.6 A majority of the Board shall constitute a quorum for the transaction of business. A majority of the Board is sufficient to do business, however motions must be passed unanimously if only three attend. When there is no quorum for a regular meeting, the President, Vice President, or any Board member shall adjourn such meeting, or, if no Board member is present, the District secretary shall adjourn the meeting.

2.7 A roll call vote shall be taken upon the passage of all ordinances, resolutions, and orders for the payment of money and shall be entered in the minutes of the Board showing those Board members voting aye, those voting no and those not voting or absent. A roll call vote shall be taken and recorded on any vote not passed unanimously by the Board. Unless a Board member states that he or she is not voting because of a conflict of interest, his or her silence shall be recorded as an affirmative vote.

3. MEMBERS OF THE BOARD OF DIRECTORS

3.1 Directors shall prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings.

3.2 Information that is exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

3.3 Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.

RESOLUTION NO. 96-BYLAWS

PAGE 3

3.4 Directors may request for inclusion into minutes brief comments pertinent to an agenda item, only at the meeting that item is discussed.

3.5 Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.

3.6 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

4. AUTHORITY OF DIRECTORS

4.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.

4.2 Directors do not represent any fractional segment of the community, but are, rather, a part of the body which represents and acts for the community as a whole.

4.3 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

5. DIRECTOR GUIDELINES

PROCEDURES OF THE BOARD OF DIRECTORS:

5.1 In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.

5.2 In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.

5.3 In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager.

5.4 When approached by District personnel concerning specific District policy, Directors should direct inquires to the appropriate staff supervisor. The chain of command should be followed.

5.5 Directors and General Manager should develop a working relationship so that current issues, concerns and District projects can be discussed comfortably and openly.

RESOLUTION NO. 96-BYLAWS
PAGE 4

5.6 When responding to constituent request and concerns, Directors should respond to individuals in a positive manner and route their questions through appropriate channels and to responsible management personnel.

5.7 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

6. RESTRICTIONS ON RULES

6.1 The rules contained herein shall govern the Board in all cases to which they are applicable, and in which they are not inconsistent with State or Federal laws or any other rules, regulations, resolutions, or ordinances of the District.

6.2 It is understood that these rules have been adopted for the sole purpose of assisting the conduct and decorum of the District's Board meetings. If at any time the Board deems it appropriate, the Board may suspend or amend these rules by a 3/5 vote of the elected members.

Upon motion of Director _____, seconded by Director _____ on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby passed and adopted this _____ day of October, 1996.

STEVEN SMALL
President of the Board
Nipomo Community Services District

ATTEST:

APPROVED:

DONNA JOHNSON
Secretary to the Board

JON S. SEITZ
District Legal Counsel

c:\wbd\bylaws

AGENDA ITEM
OCT 16 1996



TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 16, 1996

MINUTES FROM SAFETY MEETING

The Minutes from the Safety Meeting of October 9, 1996 are presented to the Board of Directors for your review. After review and comments, the Board of Directors may direct the Board Secretary to acknowledge their receipt, review, and comments in the minutes of tonight's regular Board Meeting.

This is a procedural item so that the District may receive credit on its insurance premium.

C:\W:\BD\safetymtg.DOC

NIPOMO COMMUNITY SERVICES DISTRICT

POST OFFICE BOX 326 NIPOMO, CA 93444

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

NIPOMO CSD SAFETY MINUTES

October 9, 1996

Present: Kathy Beltran, Lisa Bognuda, Donna Johnson, Butch Simmons,
Lee Douglas, Roger Gomes and Ernest Thompson

Four safety videos were viewed. They were as follows:

1. The Choice is Ours
2. When Your Least Expect It

After the videos were viewed, driving techniques mentioned in the video were discussed. The proper maintenance and safety of the District vehicles were addressed. It was also emphasized that the District vehicles are highly visible within our community and safe driving should be a top priority.

C:\MINUTES\SAFETY

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 16, 1996

INVESTMENT POLICY - QUARTERLY REPORT

The Board of Directors adopted the 1996 Investment Policy for NCSD on February 21, 1996. The policy states that the Finance Officer shall file a quarterly report that identifies the District's investments and their compliance with the District's Investment Policy. The quarterly report must be filed with the District's auditor and considered by the Board of Directors within thirty (30) days after the end of each quarter (i.e., by May 1, August 1, November 1, and February 1) (California Government Code Section 53646).

Pursuant to paragraph 7 (B) of the 1996 Investment Policy, if the District has placed all of its investments in the Local Agency Investment Fund (LAIF) or in a Federal Deposit Insurance Corporation, insured accounts in a bank or savings and loan association, in a County investment pool, or any combination of these, the Finance Officer may submit to the Board of Directors and the auditor of the District the most recent statements in lieu of the information required in paragraph 7 (A).

Attached is the most recent bank statements from the following institutions:

- Local Agency Investment Fund - August 31, 1996
- Mid-State Bank Money Market Account - September 30, 1996
- Mid-State Bank Savings Account - September 30, 1996
- Mid-State Bank Money Market Account (Assessment District 93-1) - Sept. 30, 1996

The Finance Officer is pleased to report to the Board of Directors that the District is in compliance with the 1996 Investment Policy.

After Board consideration and public comment, it is recommended that your Honorable Board accept the quarterly report by motion and minute order.

C:\bd\invpol

OFFICE OF THE TREASURER
SACRAMENTO



LOCAL AGENCY INVESTMENT FUND
P.O. BOX 942809
SACRAMENTO, CA 94209-0001
AUGUST, 1996 STATEMENT

Date: 08/31/96
Page: 01

ACCOUNT NUMBER: 16-40-002

COMMUNITY SERVICES DISTRICT
OF NIPOMO
ATTN: MANAGER
P.O. BOX 326
NIPOMO CA 93444

EFFECTIVE DATE	TRANSACTION DATE	TRAN TYPE	CONF NO	AUTH CALLER	TRANSACTION AMOUNT	BALANCE
BEGINNING BALANCE - REG						\$4,331,512.38
08/08/96	08/07/96	RD	702	LB	\$60,000.00	\$4,391,512.38
08/20/96	08/19/96	RD	703	LB	\$45,000.00	\$4,436,512.38
08/29/96	08/28/96	RW	704	LB	-\$413,000.00	\$4,023,512.38
ENDING BALANCE - REG						\$4,023,512.38
GRAND TOTAL						\$4,023,512.38

SUMMARY

	TRAN COUNT	TOTAL DEPOSIT AMT	TOTAL WITHDRAWAL AMT
REG	3	\$105,000.00	-\$413,000.00

RECEIVED

OCT 02 1996

NIPOMO COMMUNITY SERVICES DISTRICT

POOLED MONEY INVESTMENT ACCOUNT

SUMMARY OF INVESTMENT DATA

A COMPARISON OF AUGUST 1996 WITH AUGUST 1995

(Dollars in Thousands)

	AUGUST 1996	AUGUST 1995	CHANGE
Average Daily Portfolio	\$28,156,866	\$25,261,428	+\$2,895,438
Accrued Earnings	\$133,116	\$126,448	+\$6,668
Effective Yield	5.566	5.910	- .344
Average Life--Month End (in days)	258	300	- 42
Total Security Transactions			
Amount	\$15,881,484	\$24,323,070	- \$8,441,586
Number	391	564	- 173
Total Time Deposit Transactions			
Amount	\$343,200	\$194,695	+ \$148,505
Number	26	21	+ 5
Average Workday Investment Activity	\$737,486	\$1,065,990	- \$328,504
Prescribed Demand Account Balances			
For Services	\$126,379	\$142,310	- \$15,931
For Uncollected Funds	\$157,925	\$155,891	+ \$2,034

LOCAL AGENCY INVESTMENT FUND*

SUMMARY OF ACTIVITY

AUGUST 1996

BEGINNING BALANCE	DEPOSITS	WITHDRAWALS	MONTH END BALANCE
\$10,265,236,388.49	\$1,036,469,000.00	\$1,104,153,781.40	\$10,197,551,607.09

*Local Agency Investment Fund Invested Through Pooled Money Investment Account



6 TEFFT ST
 NIPOMO CA 93444
 473-7788
 1-800-473-7788

J00110003751

STATEMENT DATE
 9/30/96

PAGE 1

NIPOMO COMMUNITY SERVICES DIST
 PO BOX 326
 NIPOMO CA 93444

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Statement of Accounts

SUMMARY FOR MONEY MARKET CHECKING ACCOUNT # 000800288601.....

BEGINNING BALANCE	8/31/96	17118.60
29 DEPOSITS AND OTHER CREDITS		248497.61
104 CHECKS AND OTHER DEBITS		247025.70
SERVICE CHARGE		.00
1 INTEREST PAID		20.90
NSF AND OVERDRAFT FEES		.00
ENDING BALANCE		18611.41
INTEREST PAID ON DAILY COLLECTED BALANCE OF		24209.62
YTD INTEREST	235.07	YTD WITHHOLDING .00

THE INTEREST EARNED ON YOUR ACCOUNT DURING THE
 PERIOD 9/01/96 THROUGH 9/30/96 WAS 20.90.
 THE ANNUAL PERCENTAGE YIELD EARNED WAS 1.06%.

MONEY MARKET CHECKING ACCOUNT TRANSACTIONS.....

DATE	AMOUNT	TRANSACTION DESCRIPTION
9/03	607.51 DB	SEP GP INS THE GUARDIAN
9/04	1105.57 CR	DEPOSIT
9/04	13464.83 CR	DEPOSIT
9/05	6523.83 CR	DEPOSIT
9/06	8559.00 CR	DEPOSIT
9/06	13030.59 CR	DEPOSIT
9/09	48.00 CR	DEPOSIT
9/09	6139.15 CR	DEPOSIT
9/10	4866.35 CR	DEPOSIT
9/10	54358.75 CR	DEPOSIT
9/11	1471.61 CR	DEPOSIT
9/11	50000.00 DB	WIRE TRANSFER FUNDS DEBIT
9/12	10000.00 CR	TFR FROM SAV ACCT # 800288621
9/12	4123.53 CR	DEPOSIT



MID-STATE BANK
MEMBER F.D.I.C.

J00110003752

9/30

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NIPOMO COMMUNITY SERVICES DIST

Statement of Accounts

CONTINUATION OF MONEY MARKET CHECKING ACCOUNT # 800288601....

MONEY MARKET CHECKING ACCOUNT TRANSACTIONS.....

DATE	AMOUNT	TRANSACTION DESCRIPTION	SAV ACCT #	800288621
9/13	821.50	CR DEPOSIT		
9/13	10206.08	CR DEPOSIT		
9/16	25000.00	DB TFR TO	800288621	
9/16	12418.72	CR DEPOSIT		
9/17	4514.90	CR DEPOSIT		
9/18	112.97	CR DEPOSIT		
9/18	5876.47	CR DEPOSIT		
9/19	3621.02	CR DEPOSIT		
9/20	200.00	CR DEPOSIT		
9/20	12245.35	CR DEPOSIT		
9/23	7000.00	CR TFR FROM	800288621	
9/23	6445.90	CR DEPOSIT		
9/25	11793.59	CR DEPOSIT		
9/26	2956.15	CR DEPOSIT		
9/27	1450.30	CR DEPOSIT		
9/27	34280.00	CR DEPOSIT		
9/30	67.15	DB CHECK/FEE	RETURN DEP ITEMS	
9/30	3.00	DB CHECK/FEE	RETURN DEP ITEMS	
9/30	1891.50	CR DEPOSIT		
9/30	8971.95	CR DEPOSIT		
9/30	30000.00	DB WIRE TRANSFER FUNDS DEBIT		
9/30	20.90	CR INTEREST		

YOUR CHECKS IN SERIAL NUMBER ORDER.....

DATE...CHECK NO.....AMOUNT	DATE...CHECK NO.....AMOUNT
9/13 2036 2230.92	9/30 2048 1496.79
9/18 2037 1188.87	9/30 2049 962.62
9/13 2038 1496.79	9/30 2050 1624.16
9/13 2039 962.62	9/30 2051 1897.60
9/13 2040 1218.93	9/30 2052 1357.47
9/13 2041 1846.70	9/30 2053 1142.74
9/13 2042 1661.94	9/13 8344* 1836.32
9/13 2043 1425.53	9/23 8364* 205.90
9/30 2046* 2230.92	9/03 8411* 1039.00
9/30 2047 1204.12	9/03 8413* 150.00



NIPOMO COMMUNITY SERVICES DIST

Statement of Accounts

CONTINUATION OF MONEY MARKET CHECKING ACCOUNT # 800288601.....
 YOUR CHECKS IN SERIAL NUMBER ORDER.....

DATE...CHECK NO.....AMOUNT	DATE...CHECK NO.....AMOUNT
9/04 8420* 817.38	9/09 8458 2912.98
9/09 8421 100.00	9/20 8459 4369.00
9/05 8422 100.00	9/10 8460 95.75
9/09 8425* 50.00	9/13 8461 6110.43
9/23 8426 205.90	9/25 8463* 100.00
9/04 8427 1931.28	9/24 8464 8355.22
9/09 8429* 126.00	9/23 8465 126.90
9/09 8430 483.53	9/25 8466 114.73
9/10 8431 124.87	9/24 8467 330.00
9/05 8432 100.00	9/20 8468 71.55
9/12 8433 538.06	9/25 8469 75.20
9/10 8434 120.00	9/20 8470 150.00
9/12 8435 237.33	9/25 8471 11039.39
9/09 8436 112.88	9/24 8472 25.82
9/10 8437 285.20	9/24 8473 653.54
9/09 8438 100.00	9/30 8474 198.46
9/16 8439 223.08	9/26 8475 54.32
9/09 8440 22.50	9/20 8476 100.00
9/10 8441 28.92	9/19 8477 3793.64
9/10 8442 11.70	9/24 8478 146.73
9/06 8443 100.00	9/26 8479 235.28
9/12 8444 20.00	9/25 8480 52.80
9/12 8445 1.50	9/19 8481 74.49
9/13 8446 29656.03	9/24 8482 7985.00
9/16 8447 3006.76	9/23 8483 500.00
9/13 8448 2496.80	9/24 8485* 28.02
9/10 8449 138.08	9/24 8486 441.83
9/13 8450 4865.00	9/23 8487 189.74
9/09 8451 100.00	9/19 8488 100.00
9/09 8452 100.00	9/23 8489 150.00
9/12 8453 16.86	9/25 8490 40.94
9/10 8454 23.94	9/26 8491 121.41
9/09 8455 35.00	9/20 8492 82.50
9/06 8456 65.00	9/25 8493 408.98
9/16 8457 495.00	9/23 8494 1779.29



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NIPOMO COMMUNITY SERVICES DIST

Statement of Accounts

CONTINUATION OF MONEY MARKET CHECKING ACCOUNT # 800288601....
 YOUR CHECKS IN SERIAL NUMBER ORDER.....

DATE...CHECK NO.....AMOUNT	DATE...CHECK NO.....AMOUNT
9/30 8497* 300.00	9/11 17803 4675.00
9/30 8498 3760.20	9/16 17804 1936.58
9/03 17787* 2523.95	9/20 17806* 2842.13
9/12 17802* 90.00	9/24 17808* 187.70

* INDICATES A SKIP IN SEQUENTIAL CHECK NUMBERS

DAILY BALANCES.....

DATE.....BALANCE	DATE.....BALANCE	DATE.....BALANCE
8/31 17118.60	9/11 59605.81	9/20 23600.99
9/03 12798.14	9/12 72825.59	9/23 33889.16
9/04 24619.88	9/13 28045.16	9/24 15735.30
9/05 30943.71	9/16 9802.46	9/25 15696.85
9/06 52368.30	9/17 14317.36	9/26 18241.99
9/09 54412.56	9/18 19117.93	9/27 53972.29
9/10 112809.20	9/19 18770.82	9/30 18611.41

SUMMARY FOR SAVINGS ACCOUNT # 000800288621.....

DATE	AMOUNT	DESCRIPTION	BALANCE
8/31		BEGINNING BALANCE	29520.30
9/12	10000.00	TFR TO CHKG# 800288601	19520.30
9/16	25000.00	TFR FROM CHKG# 800288601	44520.30
9/23	7000.00	TFR TO CHKG# 800288601	37520.30
9/30	250.42	INTEREST PAID	37770.72
9/30		ENDING BALANCE	37770.72



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NIPOMO COMMUNITY SERVICES DIST

Statement of Accounts

CONTINUATION OF SAVINGS ACCOUNT # 800288621....
THE INTEREST EARNED ON YOUR ACCOUNT DURING THE
PERIOD 9/01/96 THROUGH 9/30/96 WAS 69.74.
THE ANNUAL PERCENTAGE YIELD EARNED WAS 2.53%.

IF YOU WANT A NEW OR USED CAR, MID-STATE BANK HAS THE MONEY
TO HELP YOU BUY IT! PLUS YOUR INTEREST RATE CAN BE REDUCED
BY HAVING YOUR PAYMENT AUTOMATICALLY DEDUCTED FROM A SAVINGS
OR CHECKING ACCOUNT! TALK TO US ABOUT AN AUTO LOAN TODAY!



6. TEFFT ST
 NIPOMO CA 93444
 473-7788
 1-800-473-7788

00120013415
 STATEMENT DATE
 9/30/96

PAGE 1

NIPOMO COMMUNITY SERVICES DIST
 DBA ASSESS DIST93-1 IMPROVEMENT FUND 20
 PO BOX 326
 NIPOMO CA 93444

Statement of Accounts

SUMMARY FOR MONEY MARKET INVESTMENT ACCOUNT #000817702301.....

BEGINNING BALANCE	8/31/96	425788.62
DEPOSITS AND OTHER CREDITS		.00
20 CHECKS AND OTHER DEBITS		421207.07
SERVICE CHARGE		.00
1 INTEREST PAID		80.02
NSF AND OVERDRAFT FEES		.00
ENDING BALANCE		4661.57
INTEREST PAID ON DAILY COLLECTED BALANCE OF		40607.37
YTD INTEREST	239.62	YTD WITHHOLDING .00

THE INTEREST EARNED ON YOUR ACCOUNT DURING THE PERIOD 9/01/96 THROUGH 9/30/96 WAS 80.02.
 THE ANNUAL PERCENTAGE YIELD EARNED WAS 2.42%.

MONEY MARKET INVESTMENT ACCOUNT TRANSACTIONS.....

DATE	AMOUNT	TRANSACTION DESCRIPTION
9/03	387266.25	DB PRIORITY DEBIT
9/30	80.02	CR INTEREST

YOUR CHECKS IN SERIAL NUMBER ORDER.....

DATE...CHECK NO....AMOUNT	DATE...CHECK NO....AMOUNT
9/04 168 1000.00	9/11 182 2111.45
9/12 172* 2111.45	9/09 183 2111.45
9/11 173 2111.45	9/11 184 1076.25
9/09 174 1730.46	9/10 185 2111.45
9/26 177* 1845.98	9/05 186 1816.56
9/06 178 2111.45	9/09 187 1696.45
9/10 179 2111.45	9/05 188 2111.45
9/06 180 2111.45	9/16 189 1782.12
9/09 181 2032.53	9/10 190 1816.56



00120013416

9/30

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NIPOMO COMMUNITY SERVICES DIST

Statement of Accounts

CONTINUATION OF MONEY MARKET INVESTMENT ACCOUNT # 817702301....

YOUR CHECKS IN SERIAL NUMBER ORDER.....

DATE...CHECK NO.....	AMOUNT	DATE...CHECK NO.....	AMOUNT
9/18	191		140.86

* INDICATES A SKIP IN SEQUENTIAL CHECK NUMBERS

DAILY BALANCES.....

DATE.....	BALANCE	DATE.....	BALANCE	DATE.....	BALANCE
8/31	425788.62	9/09	21800.57	9/18	6427.53
9/03	38522.37	9/10	15761.11	9/26	4581.55
9/04	37522.37	9/11	10461.96	9/30	4661.57
9/05	33594.36	9/12	8350.51		
9/06	29371.46	9/16	6568.39		

IF YOU WANT A NEW OR USED CAR, MID-STATE BANK HAS THE MONEY TO HELP YOU BUY IT! PLUS YOUR INTEREST RATE CAN BE REDUCED BY HAVING YOUR PAYMENT AUTOMATICALLY DEDUCTED FROM A SAVINGS OR CHECKING ACCOUNT! TALK TO US ABOUT AN AUTO LOAN TODAY!

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 16, 1996

MANAGER'S REPORT

1. NIPOMO CHAMBER OF COMMERCE TRADE FAIR - NOV. 9, 1996

The attached information is for the Board's review.

2. WOODLAND SPECIFIC PLAN - NOTICE OF PREPARATION SUPPLEMENT TO EIR

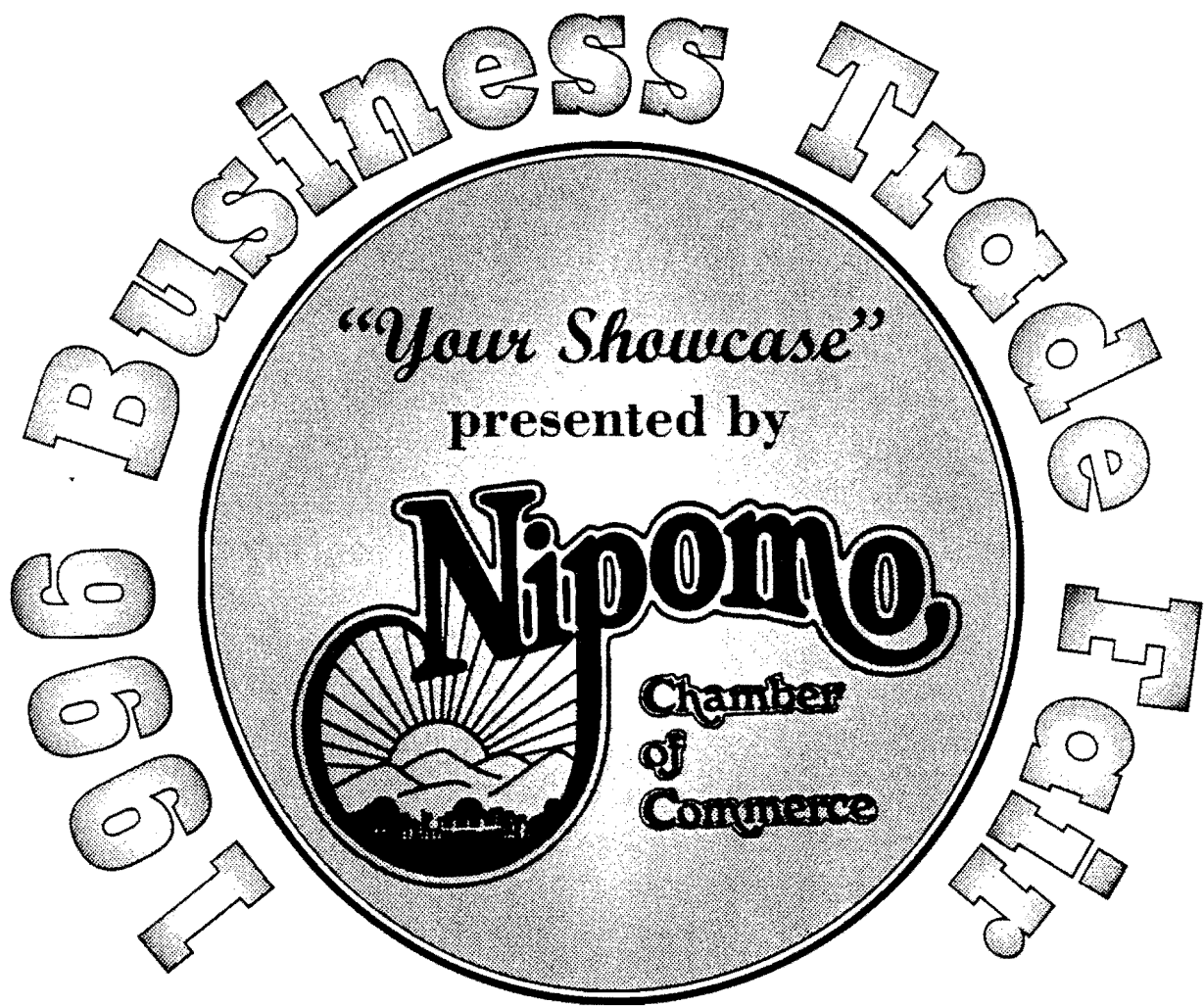
The Board has a copy of the Woodlands water resources, and wastewater section from the Environmental Assessment and Constraints Analysis. The Board may establish a sub-committee to review this matter and develop comments with respect to this project. The full document is in the District office for your review.

3. MINUTES OF BLACK LAKE ADVISORY COMMITTEE

Attached are the October 1, 1996 minutes of the Black Lake Advisory Committee (BLAC).

c:\w\bd\mr101696

An Invitation to Exhibit!
“Your Showcase”
First Annual



Saturday, November 9, 1996
11 a.m. to 3 p.m.
held at
Nipomo Recreation Center

Register Early!
Get the Best Visibility for
Your Business!



REGISTRATION FORM

1st Annual Business Trade Fair

Nipomo Recreation Center

Saturday, November 9, 1996

11:00 AM to 3:00 PM

APPLICATION FOR BOOTH

Name of Business _____

Address _____

City _____ Zip _____

Telephone _____ Fax _____

TRADE FAIR FEE SCHEDULE

One 8x10 Booth at \$40.00

With Electrical Service \$45.00

Booth includes 8x10 space with 8' backdrop, 3' pipe/drapery sidewalls, 1 table draped, with 2 chairs provided by Chamber. Electrical service on request.

I/We wish to rent 1 booth, with _____ or without _____ Electrical Service.

I/We enclose \$40.00 _____ or \$45.00 _____.

Signed _____ Title _____

Date _____

Please Submit Application by October 24, 1996

County of San Luis Obispo
Environmental Division
County Government Center, Room 310
San Luis Obispo, CA 93408

TO: Doug Jones, NCSD
FROM: John McKenzie, Environmental Specialist *JMK*
DATE: October 3, 1996
SUBJECT: Woodlands Specific Plan - Notice of Preparation Supplement to EIR; ED95-026,
G940005S

Respond by: October 18, 1996

An NOP was sent to you on 3/3/95 (see attached). If your department responded to this NOP, your response is also attached. Since the time this NOP was sent 1) the Constraints Analysis has been completed (see attached); and 2) the project description has changed somewhat where acreage for business parks has been added (36 acres proposed, 18 additional acres possible); and 3) a more detailed site plan has been prepared (see attached). If you have any additional comments, please submit them at your earliest convenience. **If you do not respond we will assume that you have no concerns or your previous comments are still valid and have not changed.** It is expected that preparation of the EIR will begin in about three weeks.

Please respond to the following questions:

1. Do you have any comments based on the addition of business park/commercial use or the specific design or the Constraints Analysis?

Please call the agent (Dierdre Calloway, RRM Group; 543-1794) or the applicant (Keith McCoy, USI Properties; (415)296-9363) if you wish to schedule an on-site meeting.

If you require additional information, please do not hesitate to contact me at (805)781-5600.

PLEASE RETURN CONSTRAINTS ANALYSIS IF NOT NEEDED.

Thank you for your time and consideration.

C:\WP51\PROJ\WOODLAND\ADEIR\NOP2REF.

RECEIVED

OCT 07 1996

NIPOMO COMMUNITY
SERVICES DISTRICT

Minutes of the Meeting

BLACKLAKE ADVISORY COMMITTEE To The Nipomo Community Services District (Initial Advisory Committee Meeting)

Date and Time: October 1, 1996, 7:00 P.M.
Place: Black Lake Residents Clubhouse, 1490 Golf Course Lane Nipomo, CA.

BlackLake Management Association Special Board Meeting

1. Call to Order at 6:57 P.M.
2. Board Members Present: Jack Stoddard, Andy Andersen, Hugh Martin, Gene Haupt, Si Ely, John McInerney, and Del Simon.
3. Public Comments Period Announced.
 - 3.1. Public comments were invited on matters other than the scheduled items; presentations were limited to three (3) minutes.
 - 3.2. No public comments were forthcoming.
4. President Jack Stoddard Declared Conformity of Meeting With the Brown Act.
5. Purpose of the Special Board Meeting:
 - 5.1. Announced as the formation of a BlackLake Advisory Committee to the Nipomo Community Services District.
 - 5.2. The Advisory Committee was authorized by the District September 18, 1996.
6. The BLMA Board Meeting adjourned at 7:15 PM, to meet as the BlackLake Advisory Committee.

BlackLake Advisory Committee Meeting

1. Call to Order of BlackLake Advisory Committee of the NCS D at 7:16 PM.
2. Election of Officers - the following officers were elected by the Committee after each nomination was made and seconded :
 - 2.1. President - Jack Stoddard
 - 2.2. Vice-President - Andy Andersen
 - 2.3. Secretary - Si Ely
3. The Chair recognized and introduced the NCS D District Manager, and Directors present:
 - 3.1. Doug Jones - General Manager
 - 3.2. Robert Blair - Director
 - 3.3. Al Simon - Director
4. The Chair introduced other interested parties present:
 - 4.1. Phillip Sheridan - Greens Superintendent for American Golf and the BlackLake Resort
 - 4.2. Charles Pratt - Co-Developer of Tract 2151
 - 4.3. Pat Speer - Co-Developer of Tract 2151
 - 4.4. Brad Breckwald - John Wallace & Associates; Advisor to the Committee
5. Adoption of Advisory Committee Bylaws
 - 5.1. It was moved, seconded, and approved that the BLMA bylaws be adopted for the Committee, with the following proviso:
 - 5.2. As part of the motion, such bylaws will be adapted to the Committee's purpose, and made to conform to the Brown Act by appropriate language changes and additions. The Committee attorney Mr. Lyons will assist. Said bylaws to be submitted to NCS D for their approval after their adoption by the Committee.
6. Review Background of the District's water service line requirements of Tract 2151.
 - 6.1. The District "Will Serve" Letter had required Schedule 80 PVC pipe.
 - 6.2. Developer Pratt had appealed the requirement on the grounds that the existing Schedule 40 had passed all tests, and was in fact the SLO County standard.

BlackLake Advisory Committee Meeting 10/1/96, Cont'd.

- 6.3. District Manager Doug Jones responded by letter dated Sept. 18, suggesting several alternative requirements to be considered by the NCS D Board. The matter was brought to the BlackLake Advisory Committee by the NCS D for review and recommendation.
7. Chairman Stoddard reported that he made an inspection of a sample site last Friday, with Mr. Pratt assisting. One complete service was excavated at random, and exposed to see what was there, and to analyze the possible need for changing the service pipes or fittings.
 - 7.1. A report of the findings followed, and comments were made by developer Pratt, and by Committee Consulting engineer Brad Breckwald.
 - 7.2. The Chair inquired of Mr. Pratt about a 1991 letter from Tony Boyd, rejecting all work on Tract 1409, as to how it might affect the Committee's recommendation in the current issue if the Engineer of Work had not certified the work beyond that date.
 - 7.3. Mr. Pratt agreed to check on the certification question.
8. In light of the facts at hand, and the testimony of the parties present, the Chair recommended to the Committee the following action, contingent on the clearing up of the certification issue.
 - 8.1. Recommend that the NCS D approve all existing service installations, after the following work has been performed by the developer on each service:
 - 8.1.1. Excavate down to the 90 degree elbow at the base of the riser, and replace that elbow and all piping from that point upward with schedule 80 fittings and schedule 80 pipe, including the adapter at the top where it connects with the meter stop. The balance of the service will be left intact.
 - 8.1.2. Perform hydrostatic tests on the system, if required.
 - 8.1.3. The Chair commented that NCS D's standard for schedule 80 pipe and fittings for future developments seemed appropriate, in light of the small differential in cost.
 - 8.1.4. The Committee was assured that the recommended action, if approved by the BLMA, would require no changes in the service lines of existing housing at BlackLake.
 - 8.2. Discussion of the proposal ensued, and favorable comments were forthcoming from NCS D Directors and developers present.
 - 8.3. It was moved, seconded, and unanimously approved by the Committee that the recommendation of the Chair be adopted.
9. As "Information Only", the Chair offered the following alternative plans to supply water for future developments at BlackLake, to include Tracts 1912, and 2151. The Committee will discuss the options and make recommendation at its next meeting, to be held October 15:
 - 9.1. Supply the water via two interties with the NCS D lines in Pomeroy and Willow respectively, as outlined in the "Will-Serve" letter for Tract 1912. This would be independent of the present hydrosystem and wells system at BlackLake.
 - 9.2. Develop whatever added water wells and appurtenances needed within the area of the BlackLake Specific Plan to independently supply water for future development here.
 - 9.3. Develop an "emergency" tie-in that might allow the import of NCS D water from the Willow Street mains to supply water on an "as needed" basis to supplement the water from the BlackLake wells, but still conform with the BlackLake Annexation agreement.
10. Mr. Breckwald will review and advise the Committee on the aforesaid matter, and issue a staff report before the October 15 Committee meeting.
11. The Chair announced there has been a lawsuit filed by Mr. Pratt, which may have bearing on future matters relative to Tract 2151; therefore, disposition of that matter will be required before any other matters relative to said Tract are considered by this Committee.
12. The next meeting of the Committee was set for October 15, 1996 at 7:00 PM at the BlackLake Clubhouse, 1490 Golf Course Ln., Nipomo, CA 93444.
13. The Meeting was adjourned at 8:10 PM.

Minutes by:


Silas J. Ely, Secretary

WARRANTS OCTOBER 16, 1996

HAND WRITTEN CHECKS

<u>CHECK #</u>	<u>NAME</u>	<u>AMOUNT</u>
17814	NCSD	333.93
17815	USA	107.00
17816	W.S.S.A.	55.00

VOIDS

8536
8561
2054-2055

NET PAYROLL

ck# 2056-2063 \$12,177.33

COMPUTER GENERATED CHECKS

8537	10/16/96	ALL PURE CHEMICAL CO	\$483.53
8538	10/16/96	AMERICAN WATER WORKS ASSOCIATION	\$35.00
8539	10/16/96	ROBERT BLAIR	\$100.00
8540	10/16/96	BLUEPRINT EXPRESS	\$765.77
8541	10/16/96	BOGNUDA, LISA	\$140.00
8542	10/16/96	CALIFORNIA APPLIED TECHNOLOGIES	\$246.68
8543	10/16/96	FGL ENVIRONMENTAL ANALYTICAL CHEMIST	\$150.40
8544	10/16/96	KATHLEEN FAIRBANKS	\$100.00
8545	10/16/96	GARING, TAYLOR & ASSOCIATE, INC.	\$12,274.47
8546	10/16/96	GTE CALIFORNIA INCORPORATED	\$25.88
8547	10/16/96	GROENIGER & COMPANY	\$569.07
8548	10/16/96	JOHNSON, DONNA	\$133.45
8549	10/16/96	ALEX MENDOZA	\$100.00
8550	10/16/96	MILLER, JOHN R. CONSTRUCTION	\$1,130.00
8551	10/16/96	MILLS-KOEHLER	\$40.00
8552	10/16/96	MISSION UNIFORM SERVICE	\$159.82
8553	10/16/96	NIPOMO ACE HARDWARE	\$165.98
8554	10/16/96	NIPOMO REXALL DRUG	\$14.58
8555	10/16/96	POSTMASTER	\$500.00
8556	10/16/96	CARLOS J. REYNOSO, CPA	\$151.25
8557	10/16/96	SAN LUIS OBISPO COUNTY HEALTH DEPART	\$1,683.00
8558	10/16/96	ALBERT SIMON	\$100.00
8559	10/16/96	STEVEN SMALL	\$100.00
8560	10/16/96	STATE WATER RESOURCES CONTROL BOARD	\$100.00
8561	10/16/96	TAABS-UTILITY BILLING SPECIALISTS, I Void	\$50.00
8562	10/16/96	TAYLOR MADE OFFICE SYSTEMS INC	\$40.09
8563	10/16/96	TIMES PRESS RECORDER	\$52.50
8564	10/16/96	U S POSTAL SERVICE	\$1,063.20
8565	10/16/96	WILSON, LEE ELECTRIC COMPANY	\$242.00
8566	10/16/96	WIRSING GRAPHICS & TYPESETTING	\$946.22