

# NIPOMO COMMUNITY SERVICES DISTRICT

## AGENDA

March 18, 1998 7:00 P.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

### BOARD MEMBERS

ALEX MENDOZA, **PRESIDENT**  
KATHLEEN FAIRBANKS, **VICE PRESIDENT**  
AL SIMON, **DIRECTOR**  
ROBERT BLAIR, **DIRECTOR**  
GENE KAYE, **DIRECTOR**

### STAFF

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

**NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.**

### **CALL TO ORDER AND FLAG SALUTE**

### **ROLL CALL**

### **APPROVAL OF MINUTES**

1. REGULAR MEETING OF MARCH 4, 1998

### **PUBLIC COMMENTS PERIOD**

2. PUBLIC COMMENTS

Members of the public, wishing to address the Board on matters other than scheduled items, may do so when recognized by the Chairperson. The Board will listen to all communications; however, in compliance with the Brown Act, the Board cannot act on items not on the agenda. **Presentations are limited to three (3) minutes.**

### **BOARD ADMINISTRATION** (The following may be discussed and action may be taken by the Board.)

3. PROPOSED PROCLAMATION - MONTH OF THE CHILD  
Consideration of proclaiming April the Month of the Child at the April 1, 1998 Board Meeting
4. PROPOSED ANNEXATION NO. 17 (NEWDOLL)  
Review proposed annexation #17, 10 acres on Hazel Lane near Tefft Street
5. COUNTY ELECTION OFFICE REQUEST - USE OF DISTRICT FACILITIES  
Request use of the Board Room for June 2 and November 3, 1998 elections
6. TRACT 2282 (COOL) - INTENT-TO-SERVE  
A request for an Intent to Serve letter for a 9 lot subdivision on Juniper Street near Lema Dr.
7. TIME EXTENSION OF INTENT TO SERVE LETTER - CO 90-208 (PRUITT)  
A request for a time extension of the Intent to Serve letter for Parcel Map CO 90-208
8. TRACT 1736 (COLT LANE) ACCEPTANCE OF IMPROVEMENTS  
Consideration of adopting Resolution accepting water and sewer improvements
9. AUDIT PROPOSALS  
Review proposals for audit services for three consecutive years and award contract
10. ACQUISITION OF PROPERTY  
Resolutions approving purchase of approx. 6 acres at Sun Dale Way and Camino Caballo Rd.

### **FINANCIAL REPORT**

11. APPROVAL OF WARRANTS

### **OTHER BUSINESS**

12. MANAGER'S REPORT
  1. Sacramento Government Affairs Day - April 27, 1998
  2. State WRCB approval of SRF Loan for sewer expansion
  3. Woodland Project - Draft EIR in office for review
  4. Compliment and Complaint Log
13. DIRECTORS COMMENTS

### **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL**

Existing litigation GC§ 54956.9

1. NCSD vs. Shell Oil, et. al. Case No. CV 077387
2. Conference with real property negotiator, Dana-Doty Water line easement GC§ 54956.8
3. Deferville/NCSD arbitration

### **ADJOURN**

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

March 4, 1998 7:00 P.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

### BOARD MEMBERS

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**NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.**

### **CALL TO ORDER AND FLAG SALUTE**

President Mendoza called the March 4, 1998 meeting to order at 7:05 p.m. and led the flag salute.

### **ROLL CALL**

At roll call all Board members were present.

### **APPROVAL OF MINUTES**

1. REGULAR MEETING OF FEBRUARY 18, 1998

Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approved the Minutes of the February 18, 1998 Regular Meeting.

### **PUBLIC COMMENTS PERIOD**

2. PUBLIC COMMENTS

President Mendoza opened the meeting to Public Comments.

During this agenda item the following person spoke:

Sue Hardy-Family Child Care Association Nipomo Network- She requested that the Board of Directors read a proclamation for the Month of the Child at the April 1, 1998 Board Meeting.

Director Mendoza directed staff to have this item placed on the March 18, 1998 agenda for consideration.

### **BOARD ADMINISTRATION** (The following may be discussed and action may be taken by the Board.)

3. REIMBURSEMENT AGREEMENT - TRACT 1901 (KATHY JAMES)

Request from Kathy James for a reimbursement agreement for installing sewer line in Grande Ave.

Mr. Jones explained the request from Kathy James (Owner/Developer) of Tract 1901. She is requesting a sewer reimbursement agreement for installing a sewer main line from the corner of the Bonita Homes Tract to across the front of her property. Mr. Jones explained the methodology of the reimbursement spread which is consistent with the Bonita Homes reimbursement agreement spread.

Public Comments

During this agenda item the following person spoke:

Kathy James-Owner/Developer – She is not comfortable with the reimbursement spread. She suggested that there is an inequity since the District required her to install the sewer line across the front of her property and the District did not require the same of Bonita Homes. She also stated that she was required to install two sewer laterals to other properties to avoid the tearing up of the street again in the future. The cost of the two sewer laterals and the cost of tearing up and replacing the street are not included in the reimbursement spread.

Director Fairbanks suggested that the rationale for the Bonita Homes sewer installation may be in the minutes. Upon motion of Director Fairbanks and seconded by Director Kaye, the Board unanimously agreed to form a committee to determine why Bonita Homes was not required to extend the sewer main line across the front of their property and to have Ms. James submit the final costs for the project to the District. Director Fairbanks and Director Kaye volunteered to serve on this committee. There was no further public comment. The motion passed unanimously.

4. ANNEXATION NO. 17

Review proposed Annexation No. 17 - 10 acres on Hazel Lane near Tefft St.

Mr. Jones explained that an application for annexation has been received. This item is being presented to the Board as an information item only since there hasn't been enough time for staff to complete the Statement of Findings and Resolution for the Board's consideration. In addition, annexation agreements and appropriate fees have not been received by the District. LAFCO is scheduled to consider this application on March 19, however, Mr. Paul Hood, LAFCO Director has indicated to Mr. Seitz that LAFCO would like all of the above approved by NCSD as a pre-condition to LAFCO approval. It is preferable that the applicant comes to NCSD for approval prior to submitting an application to LAFCO.

Public Comments

During this agenda item the following people spoke:

Robert Newdollar-Applicant – He stated he thought all of the information was submitted. He asked if NCSD took action on March 18, could it still be considered by LAFCO on March 19? It was suggested that Mr. Newdollar ask LAFCO for a continuance to their April meeting.

John Snyder 662 Eucalyptus Rd. Nipomo – He is glad there is a retrofit requirement. He also suggested the Board refer to and consider Appendix A of the South County Area Plan when considering the annexation since NCSD relied on this plan when adopting the negative declaration for the Sun Dale well.

Upon the motion of Director Kaye and seconded by Director Blair, the Board unanimously agreed to continue this item to the next meeting and direct staff to bring back the Resolution with draft findings and the annexation agreement for the Board's approval.

5. MANHOLE REHABILITATION

Review the bid results to rehabilitate sewer manholes

Mr. Jones presented the bid results for the rehabilitation of the sewer manholes. The manholes along the main trunk lines are deteriorating due to gases attacking the concrete. The manholes were not coated when the sewer project was originally installed. The proposed coating is in the District's Standards and Specifications, has a five year warranty and is established within the industry. There were no public comments.

Upon the motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously approved Resolution 98-638.

**RESOLUTION NO. 98-638**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AWARDING SEWER MANHOLE REHABILITATION TO  
B & W PRECAST CONSTRUCTION, INC.**

6. NO-SMOKING RESOLUTION

Prohibit smoking in District facilities and equipment

Mr. Jones explained that this No-Smoking Resolution was prepared to prohibit smoking and the inhalation of second hand smoke and to promote a healthy environment within District facilities.

There were no public comments.

Upon the motion of Director Blair and seconded by Director Simon, the Board approved Resolution 98-639, with Director Fairbanks voting no.

**RESOLUTION NO. 98-639**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
PROHIBITING SMOKING IN DISTRICT-OWNED FACILITIES,  
VEHICLES AND EQUIPMENT**

**FINANCIAL REPORT**

9. APPROVAL OF WARRANTS

There were no Public Comments. Upon the motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously approved the Warrants presented at the March 4, 1998 meeting.

**OTHER BUSINESS**

10. MANAGER'S REPORT

Manager Doug Jones presented information on the following items:

1. Special General Election March 10 District office
2. AWWA - Annual Conference
  
3. Foundation for Community Design
4. Cal/EPA Letter of approval

There were no public comments

11. DIRECTORS COMMENTS

Director Blair stated that the SLO County Board of Supervisors approved the Turn-Out for the Nipomo Valley Mutual Water Company.

Director Mendoza requested that a study session of the Board be established, possibly on a quarterly basis. The first items to be addressed in a study session should be Summit Station and the review of the Boyle Master Plan. The study session is tentatively scheduled for Friday, March 27. Director Fairbanks will check her schedule and get back to staff.

Director Kaye stated he spoke with Kurt Souza of the Department of Health Services. Mr. Souza suggested that Mr. Kaye make a motion to direct staff to report the Summit Station pressures on a monthly basis rather than a quarterly basis.

Staff will submit the Summit Station pressures to the Department of Health Services on a monthly basis rather than on a quarterly basis as Mr. Souza previously requested.

During this agenda item the following people spoke:

John Snyder 662 Eucalyptus Road, Nipomo – He attended the WRAC meeting that afternoon and gave the Board a brief synopsis of his interpretation of the DRW Report presentation. He suggested that NCSD try to get a Draft copy of the report and find out how comments on the draft will be handled.

Jon Seitz, District Legal Counsel, explained the need to go into Closed Session for the item below.

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL**

Existing litigation GC§ 54956.9

1. Conference with real property negotiator, Dana-Doty Water line easement GC§ 54956.8
2. Deferville/NCSD arbitration

The Board came back into open session. There was no reportable action.

**ADJOURN**

President Mendoza adjourned the meeting at 8:48 p.m.

TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: MARCH 18, 1998

**AGENDA ITEM**

**MAR 18 1998**

**3**

PROPOSED PROCLAMATION - MONTH OF THE CHILD

At the Board meeting of March 4, 1998 Sue Hardy of the Family Child Care Association Nipomo Network requested your Honorable Board to consider the proclamation at the Board meeting of April 1, 1998. If the Board so desires to proceed with the proclamation they may so direct staff to put it on their April 1, 1998 Board meeting for appropriate action.

Bd2\proclamation.doc

Family Child Care Association Of SLO County  
Nipomo Chapter  
Month of the Child Committee

Feb. 24, 1998

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

Dear Doug Jones,

We are a committee whose purpose is to plan, coordinate and promote events for April - The Month of The Child - for our growing community of Nipomo. **The Month of the Child** is an annual celebration sponsored by the National Association for the Education of Young Children (NAEYC), the nation's largest organization of early childhood professionals.

The **Month of the Child** started as the **Week of the Young Child** in 1971, recognizing that the early childhood years (birth through age 8) lay the foundation for children's success in school and later life. The **Month of the Child** is a time to focus on the needs of children and families and to plan how we-as citizens of a community, of a state, and of a nation-will better meet the needs of all children and their families

Nipomo's "Kids Day" Celebration is scheduled for Saturday, April 18th from 10AM - 4PM. This years sponsors for "Kids Day" include Family Child Care Association of SLO County, Nipomo Elementary School PTA, Nipomo Book and Toy Lending Library, Copies Plus of Nipomo and McDonalds of Santa Maria.

This letter is a request that you read our proclamation for Month Of The Child at your April 1st Board Meeting. This would be your opportunity to help us celebrate **The Month of the Child** and show the community of Nipomo that we all support its children and families and the programs in which they are involved.

Sincerely,

*Martha De Los Santos*

Martha De Los Santos  
Proclamation Committee Chair  
489 Mercury Dr.  
Nipomo, CA 93444  
(805) 929-3886

RECEIVED

FEB 26 1998

NIPOMO COMMUNITY  
SERVICES DISTRICT

**PROCLAMATION RECOGNIZING APRIL, 1998**

**AS**

**"MONTH OF THE CHILD"**

**AND APRIL 18, 1998**

**AS**

**"DAY OF THE CHILD"**

**DRAFT**

**WHEREAS**, the children and youth of San Luis Obispo County are recognized as an important and vital part of the community and are acknowledged as our most precious resource; and

**WHEREAS**, April being the Month of the Child, a national celebration focusing public attention on the needs of children, youth and their families - particularly their need for high quality programs; and

**WHEREAS**, April 18, 1998, commemorates the 1<sup>st</sup> annual "Day of the Child" celebration in Nipomo during "Kids Day" Celebration at Nipomo Elementary School - a day where children and families interact with agencies and individuals providing care in Nipomo and throughout San Luis Obispo County; and

**WHEREAS**, the activities of this day and month will provide the opportunity to recognize quality early childhood and youth programs and providers in our community and honor their efforts to improve the quality, availability of such programs.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors of the Nipomo Community Services District of San Luis Obispo County, State of California, does hereby Proclaim April 1, 1998 as "Month of the Child" and April 18, 1998 as "day of the Child" and encourages our community to take time to watch, listen and talk with the children and youth of our community.

April 1, 1998

**DRAFT**

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Alex Mendoza, President  
Nipomo Community Services District

Official Seal of  
Nipomo Community Services District



AGENDA ITEM  
MAR 18 1998



TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: MARCH 4, 1998

PROPOSED ANNEXATION NO 17  
(NEWDOLL)

The District received a request from M. Bob Newdoll representing one of four property owners to annex approx. ten (10) acres into the Nipomo Community Services District. The property fronts Hazel Lane near the intersection of Tefft Street. It is shown on the attached map. A Statement of Findings for the proposed annexation is attached for the Board's review and a Resolution for consideration conditionally approving the proposed annexation.

Proposed Annexation No. 17 will need approvals from LAFCO and SLO County, prior to coming to the District for final approval. One of the conditions of the District will be that the property owners enter into an annexation agreement similar to the one that was developed for Annexation No. 15. The agreement is enclosed for the Board approval.

If your Honorable Board adopts the Resolution conditionally approving the annexation, it will not be sent to LAFCO until all the property owners sign the agreement and the annexation fees are paid.

C:\w:\annex17.DOC

RESOLUTION 98-annex #17  
EXHIBIT "A"

PROPOSED ANNEXATION NO. 17 - 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(1995), 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.

**RESOLUTION 98-ANNEX #17**

**EXHIBIT "A"**

The District production capacity is presently being expanded. These future improvements will be "capital expenditure" items. The **DISTRICT** capacity fees are established to meet these capital needs for future water and sewer improvements.

The **DISTRICT** is anticipating to begin the expansion of the Southland wastewater treatment facility in the summer of 1998. 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. 17 is approx. 17.5 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 8 units/new dwelling unit.

Sewer flows are estimated to be 0.0084 MGD

- 1.4 The **DISTRICT's** approval of the annexation will be conditioned 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 will need 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 Mesa, a Subarea of Santa Maria 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

**RESOLUTION 98-ANNEX#17  
EXHIBIT "A"**

its area, would enlarge its user base, therefore, taking advantage of the "economy of scale" with respect to all users in the District.

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

**2. SPECIFIC POLICIES - 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})

**RESOLUTION 98-annex #17**  
**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.

**RESOLUTION 98-annex #17**  
**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.

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:  
NIPOMO COMMUNITY SERVICES DISTRICT  
PO BOX 326  
NIPOMO, CA 93444

DRAFT

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**ANNEXATION AGREEMENT  
BETWEEN THE NIPOMO COMMUNITY SERVICES DISTRICT  
AND  
NEWDOLL CONSTRUCTION , INC.**

THIS AGREEMENT is made this \_\_\_\_ day of \_\_\_\_\_, 1998, by and between the Nipomo Community Services District, hereinafter referred to as "District", and Newdoll Construction, Inc. hereinafter referred to as "Applicant" in reference to the following recitals.

**RECITALS:**

A. Applicant is proposing to annex into the District Assessor's Parcel Number \_\_\_\_\_, more particularly described as follows:

LEGAL DESCRIPTION:

B. On \_\_\_\_\_, 1998, District approved Resolution No. 98-ANNEX #17 which states in relevant part:

1. The Applicant to receive all required approvals and clearances from the LAFCO Commission and the County of San Luis Obispo, including but not limited to compliance with the California Environmental Quality Act and the Cortese Knox Local Government Reorganization Act.
2. The issue of the property tax exchange has been resolved between the District and the County of San Luis Obispo.
3. The Applicant enters into an agreement with the District to:
  - (a) Supply infrastructure to and within the proposed area of annexation at no cost to the District.
  - (b) Pay all District fees and costs associated with the annexation, including the District annexation fees.
  - (c) Provide retrofitting at the rate of 2:1 to meet the proposed development and District's water requirement needs. This retrofitting shall be completed within three (3) years from the date the State Board of Equalization approves Annexation #17. If retrofits are not available, a comparable water savings or supply program may be substituted with the approval of the District. No homes may be constructed without this compliance.

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

**NOW, THEREFORE,** the parties hereto mutually agree as follows:

1. Payment of Annexation Fees.

Prior to approval of this Agreement, Applicant shall deliver to District \$2,500.00 as annexation fees.

2. Retrofit Plan.

In compliance with § C(2) of Resolution No. 98-annex #17 the applicant agree as follows:

- A. Prior to District issuing a Will-Serve Letter for future development, Applicant will provide District, to District's satisfaction, a detailed Retrofit Plan, including addresses within the District to be retrofitted and the consent of individual residents/owners.
- B. The Retrofit Plan shall comply with District calculations and projections. The standard water use per 1991 single family resident is approximately 10,700 gallons/month. This is equivalent to retrofitting single family residences. The 2:1 factor means 8 single family residents (or equivalent) is required to be retrofitted to build one single family residence.
- C. The Retrofit Plan shall be implemented and completed by a licensed plumbing contractor whose license shall be lodged with the District prior to the issuing of a Will-Serve Letter.
- D. Prior to connecting any unit to the District's water and/or sewer system, Applicant will provide District with a plumbing contractor's Certification that the Applicant has complied with and completed the Retrofit Plan described in paragraph 2.A, above.
- E. The Retrofit Plan described in paragraphs 2.A, B, C, and D above shall be completed within three (3) years from the date the State board of Equalization approves Annexation #17.
- F. In the event the Retrofit Plan is not completed as provided in section 2.E above, then the District, in its sole discretion, shall have the option to:
  - (1) Deny service to the real property described in recital A above, or
  - (2) Require Applicant to provide District with an alternate water supply plan, to the satisfaction of District, to provide the water savings referenced in paragraph 2.B above.
- G. Applicant agrees to defend, indemnify and hold District and its officers, agents and employees harmless against any and all claims, causes of action,



judgments, damages, liability, losses, costs or expenses, including reasonable attorneys' fees, brought against the District or suffered or incurred by it, arising out of Applicant's, or Applicant's employees or contractors, performance of the Retrofit Plan.

3. District Plan Check and Inspection Agreement.

Prior to the District issuing a Will-Serve Letter for future development of the annexed area, Applicant will enter into District's Standard Plan Check and Inspection Agreement.

4. Water and Sewer Infrastructure.

Applicant agrees to construct and provide water and sewer service to the area of annexation and the development contained therein, along with easements, if necessary, approved by the District, at no cost to the District.

5. District Fees.

Applicant agrees to pay all District fees and charges for water and sewer service associated with the development in the area of annexation.

6. Incorporation.

The terms and conditions of Resolution No. 98- Annex #17 are incorporated herein and made a part of this Agreement by reference.

7. Assignment.

The provisions of this Agreement shall apply to and bind the successors, grantees, and assigns of the respective parties, but no assignment or transfer of this Agreement, or any part hereof, or interest herein by the Applicant shall be valid until and unless approved by the District in writing.

8. Waiver of Rights.

Any waiver at any time by either party hereto of its rights with respect to a breach or default, or any other matter arising in connection with this Agreement, shall not be deemed to be a waiver with respect to any other breach, default or matter.

9. Agreement.

This Agreement is in addition to, and does not supersede, any other agreement or agreements entered into by and between the parties hereto.

10. Severability.

If any provision or condition of this Agreement is held by a court of competent jurisdiction to be either invalid, void, or unenforceable, the remaining provisions of this Agreement shall remain in full force and effect unimpaired by the court ruling.

11. Indemnity.

Applicant agrees to save, indemnify and hold harmless, the Nipomo Community Services District, its officers, employees and agents, from all liabilities, judgments, costs and expenses, due to

any and all activities related to the implementation of the rights and privileges granted in this Agreement.

12. Notices.

All notices, statements, reports, approvals, requests, bills or other communications that are required either expressly or by implication to be given by either party to the other under this Agreement shall be in writing and signed for each party by such officers as each may, from time to time, be authorized in writing to so act. All such notices shall be deemed to have been received on the date of delivery if delivered personally or three (3) days after mailing if enclosed in a properly addressed and stamped envelope and deposited in a United States Post Office for delivery. Unless and until formally notified otherwise, all notices shall be addressed to the parties at their addresses as shown below:

**District**

Nipomo Community Services District  
P O Box 326/148 South Wilson Street  
Nipomo, CA 93444

**Applicant**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Headings.

The paragraph headings used in this Agreement are for reference only, and shall not in any way limit or amplify the terms and provisions hereof, nor shall they enter into the interpretation of this Agreement.

14. Cooperation.

Each party to this Agreement agrees to do all things that may be necessary, including, without limitation, the execution of all documents which may be required hereunder, in order to implement and effectuate this Agreement.

15. Interpretation of this Agreement.

The parties acknowledge that each party and its attorney have reviewed, negotiated and revised this Agreement and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or any document executed and delivered by any party in connection with the transactions contemplated by this Agreement.

16. Venue

This Agreement has been executed and delivered in the State of California and the validity, enforceability and interpretation of any of the clauses of this Agreement shall be determined and governed by the laws of the State of California. The duties and obligations of the parties created hereunder are performable in San Luis Obispo County and such County shall be the venue for any action or proceeding that may be brought or arise out of, in connection with or by reason of this Agreement.

NIPOMO COMMUNITY SERVICES DISTRICT  
ANNEXATION AGREEMENT

17. Agreement to be recorded.

Applicant and District intend and consent to the recordation of this agreement in the office of the County Recorder of the County of San Luis Obispo, and such recordation shall serve as constructive notice to all future owners within the annexed area of the obligations Applicant herein.

18. Recitals.

The recitals A and B of this Agreement are incorporated herein by this reference and made a part hereof.

19. Authority to Execute Agreement.

The parties hereby represent that the parties executing this agreement are expressly authorized to do so for and on behalf of the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

AGREED:

Date: \_\_\_\_\_, 1998

\_\_\_\_\_  
Applicant  
(Applicant's signature to be notarized.)

\_\_\_\_\_  
Applicant  
(Applicant's signature to be notarized.)

APPROVED AND ACCEPTED BY THE NIPOMO COMMUNITY SERVICES DISTRICT BY RESOLUTION ADOPTED ON \_\_\_\_\_, 1998, AND CONSENTS TO THE RECORDATION THEREOF BY ITS DULY AUTHORIZED OFFICER:

Dated: \_\_\_\_\_, 1998

\_\_\_\_\_  
President, Board of Directors  
Nipomo Community Services District

ATTESTED:

APPROVED AS TO FORM:

\_\_\_\_\_  
DONNA K. JOHNSON  
Secretary to the Board

\_\_\_\_\_  
JON S. SEITZ  
General Counsel

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 98-annex #17**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
CONDITIONALLY APPROVING  
THE ANNEXATION OF 10 ACRES LOCATED  
ON HAZEL LANE NEAR THE INTERSECTION OF  
TEFFT STREET, NIPOMO, CALIFORNIA**

**WHEREAS**, Property Owners (herein Applicant) have applied to District to annex approximately 10 acres of certain real property located on Hazel Lane near the intersection of Tefft Street, Nipomo, California (herein Annexation No. 17), and

**WHEREAS**, Applicant has commenced annexation proceedings through the LOCAL AGENCY FORMATION COMMISSION ("LAFCO "), and

**WHEREAS**, the District and the County have approved the property tax rate exchange for Annexation No. 17; 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, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:**

1. The Applicant to receive 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.

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 98-annex#17  
PAGE TWO**

3. The property owners in Annexation No. 17 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. Provide the District, to the satisfaction of District, with a development plan of the proposed area of annexation.
5. The Applicant complies with all additional conditions that may be imposed by the **DISTRICT** through the date of annexation.

Now, therefore, be it further resolved, that upon Applicant executing District's annexation agreement and satisfying Conditions #3 (b) & #4, that staff provide LAFCO with this conditional approval of the annexation.

**PASSED AND ADOPTED** by the Board of Directors of the Nipomo Community Services District this \_\_\_\_\_ day of \_\_\_\_\_, 1998, on the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Alex Mendoza, President  
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

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

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

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: MARCH 18, 1998

**AGENDA ITEM**  
**MAR 18 1998**



PRIMARY AND GENERAL ELECTIONS

The District has received correspondence from the County Clerk-Recorders Office with respect to holding the primary election on June 2, 1998 and the general election on November 3, 1998 and requesting the use of the District facilities as a polling place for these elections. In the past the Board has allowed the County Elections Office to hold the elections in the District Board Room with a nominal facility charge of \$20.00.

If you Honorable Board wishes to allow the Elections Office to use the Board room as a polling place may do so by motion and recommend the facility charge of \$20.00 for use of the facility.

Bc2\election1.doc



# office of the county clerk - RECORDER

COUNTY OF SAN LUIS OBISPO

1144 MONTEREY ST. STE. A

SAN LUIS OBISPO, CALIFORNIA 93408 - AC/805 781-5228

JULIE L. RODEWALD  
COUNTY CLERK-RECORDER

JANET HALEY  
DEPUTY REGISTRAR OF VOTERS

REFERENCE: We are requesting the use of:

Name of Facility: Nipomo C.S.D. Office

Address: 261 W. Dana St. Nipomo

as a polling place.

Primary Election: **June 2, 1998** and the General Election: **November 3, 1998**(Mark your calendar for this one early)  
As you are aware, the conduct of an election requires certain equipment be used in conjunction with voting; i.e. tables, chairs, voting booths and ballot boxes. This equipment has to be delivered and set up for use before election day itself. Therefore, your approval for the use of your facility is also your OK for the voting equipment to be delivered on the FRIDAY BEFORE the election. The delivery personnel will set up the equipment at that time if approved on FRIDAY or Monday the day before the election. All equipment will be removed on WEDNESDAY, the day following the election.

On election day, your facilities will need to be open by 6:00 A.M. to allow the election board members entry. The polls remain open until 8:00 P.M. After this time, the election workers have other required duties and are usually out of the building by 10:00 P.M. One of the election board members will contact you before election day regarding election morning entry into the facility. If you have any questions about the delivery schedule, please call us at 781-5236 or 781-5226.

We appreciate your continued cooperation in the successful conduct of elections for San Luis Obispo County.

Sincerely,  
JULIE L. RODEWALD, County Clerk-Recorder

By  Deputy  
Craig R. Driver

(cut here and mail bottom portion back)

The delivery, set up and removal of the voting equipment will require access to your facility on the Friday or Monday before the election and Wednesday the day after the election. To facilitate the work crews please fill out the following information:

1. Use of: Nipomo C.S.D. Office  
Yes \_\_\_\_\_ No \_\_\_\_\_
2. Free of Charge  
Yes \_\_\_\_\_ No \_\_\_\_\_
3. Facility Charge, \$20.00 County nominal fee  
Yes \_\_\_\_\_ No \_\_\_\_\_
4. Building hours: (be specific for the Friday and Monday before the election and the Wednesday following)  
\_\_\_\_\_
5. Will someone be present at the facility from 8 A.M. to 5 P.M. for the setup and delivery crew on the designated dates: Yes \_\_\_\_\_ No \_\_\_\_\_ If not, at what time would they be available: \_\_\_\_\_
6. Primary Contact person & Phone number:  
\_\_\_\_\_
7. Emergency Contact person(s) & Phone number(s):  
\_\_\_\_\_
8. Are a set of Keys available to facilitate the setup crew:  
Yes \_\_\_\_\_ No \_\_\_\_\_

Special Delivery and Setup instructions:

\_\_\_\_\_  
\_\_\_\_\_

Please return by: **March 2, 1998**

Print Authorizing Name: \_\_\_\_\_ Signature: \_\_\_\_\_

TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: MARCH 18, 1998

TRACT 2282 (COOL) - INTENT TO SERVE

The District has received a request from Jim McGillis of San Luis Engineering representing the property owner of Monte Cool requesting an Intent to Serve letter for Tract 2282. An Intent to Serve letter was previously issued to this tract under the tract number 1726 on May 25, 1998. The time allowed to process that tract has expired and, therefore, a new tract is being proposed under Tract 2282 which is a nine lot subdivision.

It is staff's recommendation that an Intent to Serve Letter be issued to Tract 2282 with the following conditions to be completed prior to acceptance by the District.

1. Developer enter into the District's plan, check and inspection agreement and pay the appropriate fee.
2. Improvement plans be submitted to the District for approval and be prepared in accordance with the District's Standards and Specification.
3. All appropriate District water and sewer fees be paid.
4. A 3/4 inch conduit be placed between the meter and the phone jack on the house for future automatic meter reading.

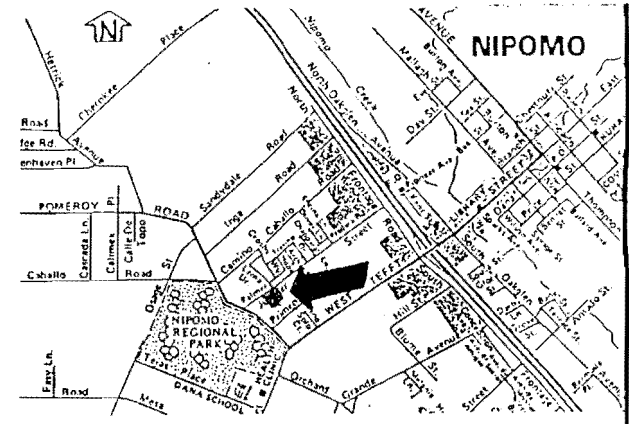
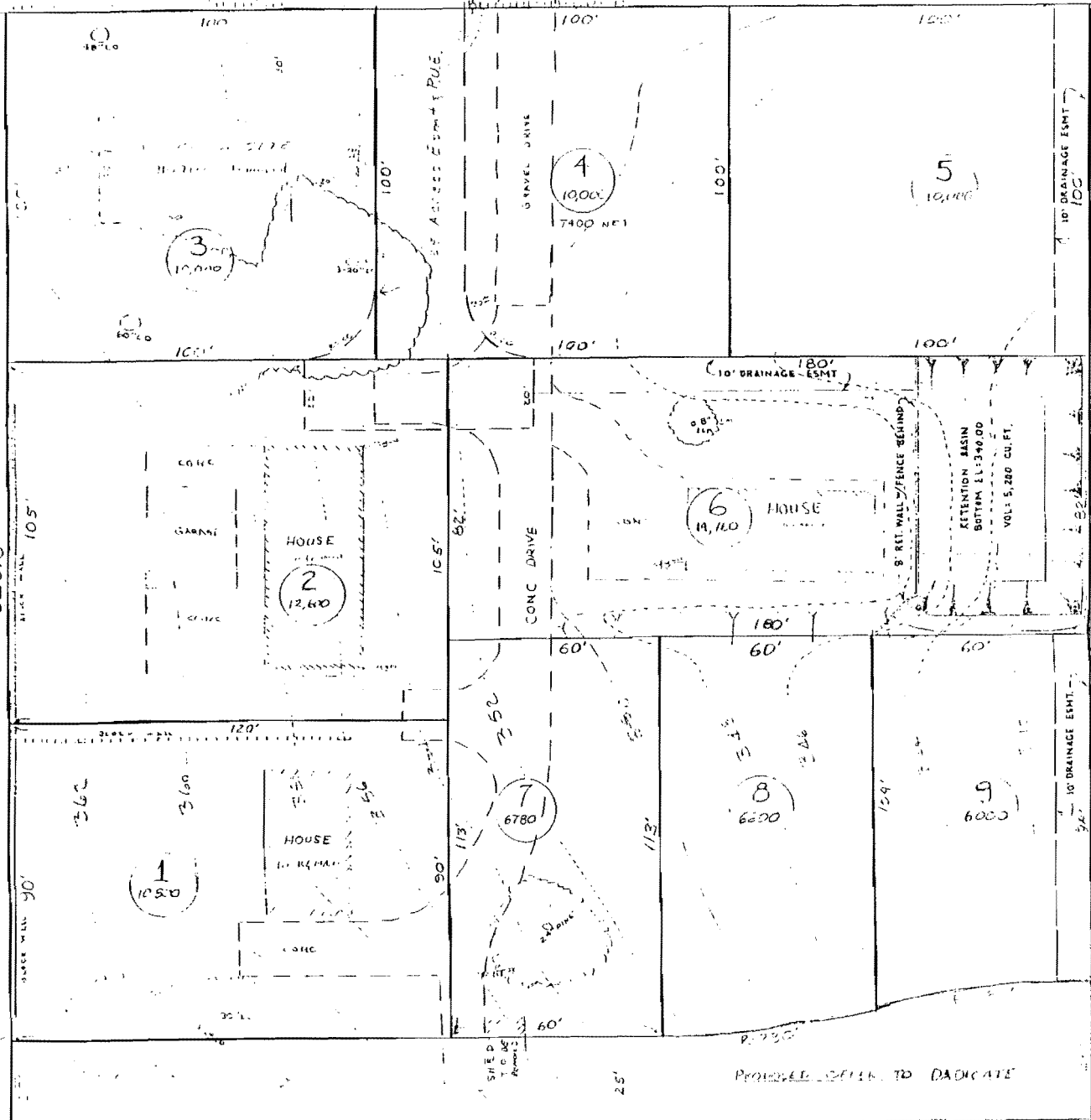
Upon the Board's review of these items, they may make a motion to approve an Intent to Serve letter with the above mentioned conditions.

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


JUNIPER ST.



OWNER-APPLICANT:  
**MONTE COOL**  
 1577 EL CAMINO REAL  
 ARROYO GRANDE CA 93420

SURVEYOR:  
**J. M. McGillis, LS4442**

JOB # 89-301		133 Bridge Street, Suite C P. O. Box 1127 Arroyo Grande, Calif. 93420 Phone 805/489-4343
<b>TENTATIVE TRACT MAP</b> <b>TRACT 2282</b> <b>VESTING TENTATIVE MAP</b>		
A SUBDIVISION OF PARCEL 2 OF C076-551, IN THE COUNTY OF SAN LUIS OBISPO, CALIF		
7-27-89 4-27-89 3-3-89	<b>APN 92-134-03</b>	

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: MARCH 18, 1998

AGENDA ITEM  
MAR 18 1998



PARCEL MAP CO 90-208, REQUEST FOR EXTENSION OF TIME

District has received a request from Don Pruitt requesting an extension of time of the Intent to Serve Letter issued on January 14, 1997 for parcel map 90-208 which is a mini storage facility located on Inga Road located near North Frontage Road.

Attached is a copy of the January 14, 1997 Intent-to-Serve letter for your review.

It would be staff's recommendation that the Intent to Serve Letter dated January 14, 1997 be renewed for another year with the following added conditions included in item #1 so the looping can be accomplished.

- a. A 20' utility easement on the northerly property line be granted to the District.
- b. The Developer acquire a utility easement from the northerly end of the project to Camino Caballo so the utility service(s) may be looped to Camino Caballo.

B:\tr94-208.doc

# PRUIT PROPERTIES

P. O. BOX 920 - NIPOMO, CA 93444  
(805) 929-1984

February 27, 1998

Nipomo Community Services District  
Att: Doug Jones  
P.O. Box 326  
Nipomo, CA 93444

Re: Parcel Map CO-90-208  
Extension of Time to Intent to Serve Lot Split  
APN 091-327-041, 091-327-042

Dear Mr. Jones:

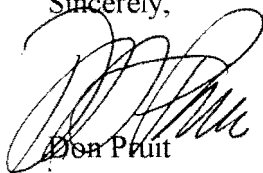
I would like to request an extension of time to the Intent to Serve Letter dated January 14, 1997 for Parcel Map CO-90-208.

The Intent to Serve letter for this property expired on January 14, 1998, but we were not able to make any improvements on the property until the development plan had been approved. Fortunately, The San Luis Obispo County Planning Commission just approved our plan on February 26, 1998, for a mini-storage facility located on the southwesterly end of Inga Road (APN 091-327-041 and 091-327-042). Therefore, we are now ready to go forward with the planning process and we will be needing an intent to serve letter from the Nipomo Community Services District.

Please let me know if there is anything else that needs to be done to obtain this letter.

Thank you for your time.

Sincerely,



Don Pruitt

RECEIVED

MAR 04 1998

NIPOMO COMMUNITY  
SERVICES DISTRICT

# NIPOMO COMMUNITY SERVICES DISTRICT

P O BOX 326 NIPOMO, CA 93444  
(805) 929-1133 FAX (805) 929-1932

January 14, 1997

Julie Cattaneo  
Westland Engineering Company  
75 Zaca Lane, Suite 100  
San Luis Obispo, CA 93401

SUBJECT: PARCEL MAP CO-90-208  
INTENT TO SERVE LOT SPLIT  
TWO PARCELS WITH REMAINDER  
APN 091-327-041, 091-327-042  
PRUITT PROPERTY

At their Regular Meeting on January 8, 1997, the Board of Directors of the Nipomo Community Services District considered your request for water service for Parcel Map CO 90-208. The Intent-to-Serve for two (2) lots with a remainder to be split at a later date was granted subject to the following conditions:

1. Installation of an eight (8) inch water line in Camino Caballo and Inga Rd and looped on the westerly side of the property.
2. The water meter size will be determined by the Uniform Plumbing Code.
3. Enter into a Plan Check and Inspection Agreement.
4. Submit improvement plans to the District for approval.
5. Pay all appropriate District fees.
6. A minimum three fourths inch (3/4") phone line conduit must be installed from the water meter box to the house telephone jack for future phone meter reading capabilities.
7. Enter into an agreement to participate in future sewers for this area.

Julie Cattaneo  
Westland Engineering  
January 14, 1997  
Page Two

**The County Planning & Building Department is directed to withhold the building permit until the District's fees have been paid.**

At the time a request for final approval is made to this District, the Board of Directors may agree to provide earlier service as provided at Section 2 of Ordinance No. 86-49.

This "Intent-to-Serve" letter shall be subject to the current and future rules, regulations, fees, resolutions and ordinances of the Nipomo Community Services District. This "Intent-to-Serve" letter may be revoked as a result of conditions imposed upon the District by a Court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors for the protection of the health, safety, and welfare of the District. The District reserves the right to revoke this "Intent-to-Serve" letter at any time.

**A ONE YEAR EXPIRATION DATE IS IN EFFECT.**

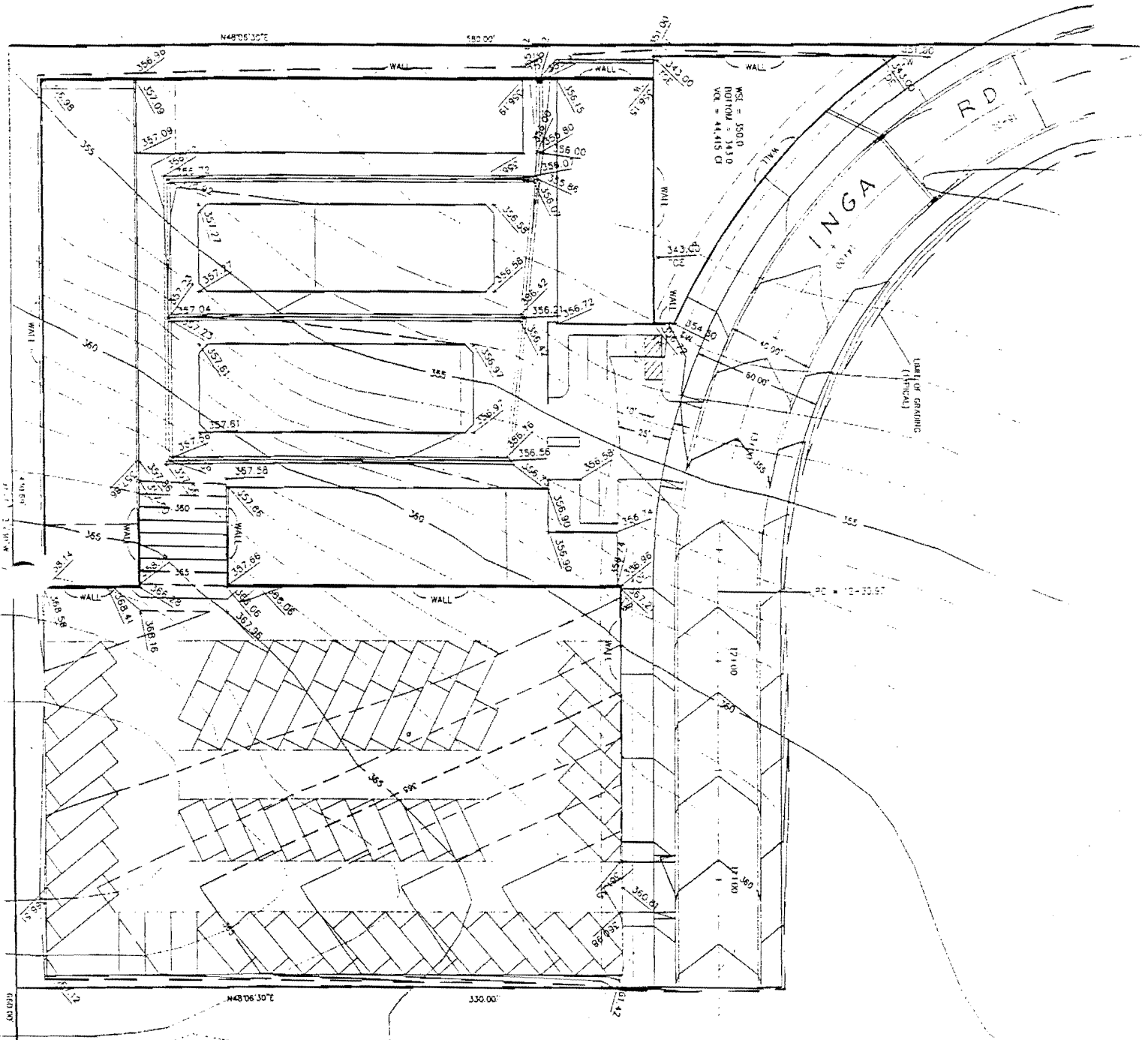
Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT



Doug Jones  
General Manager

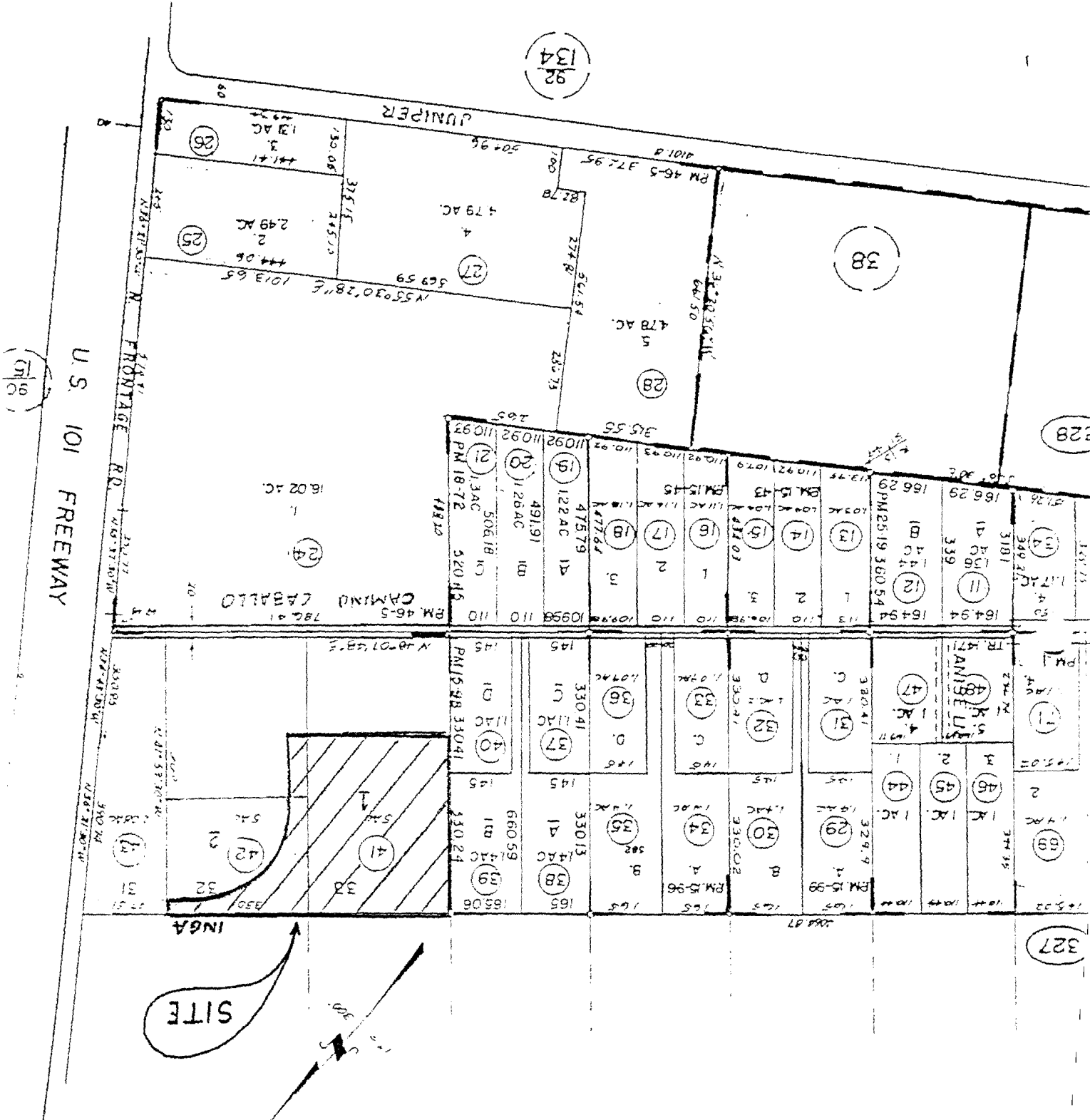
DJ:d



**WE** WESTLAND ENGINEERING COMPANY  
 CONSULTING CIVIL ENGINEERING (805) 541-2394  
 75 ZACA LN., SUITE 100, SAN LUIS OBISPO, CA 93401  
 PREPARED FOR: DON PRUIT

**CONCEPTUAL GRADING PLAN**  
 PORTION LOTS 32 & 33 OF 1-MB-23

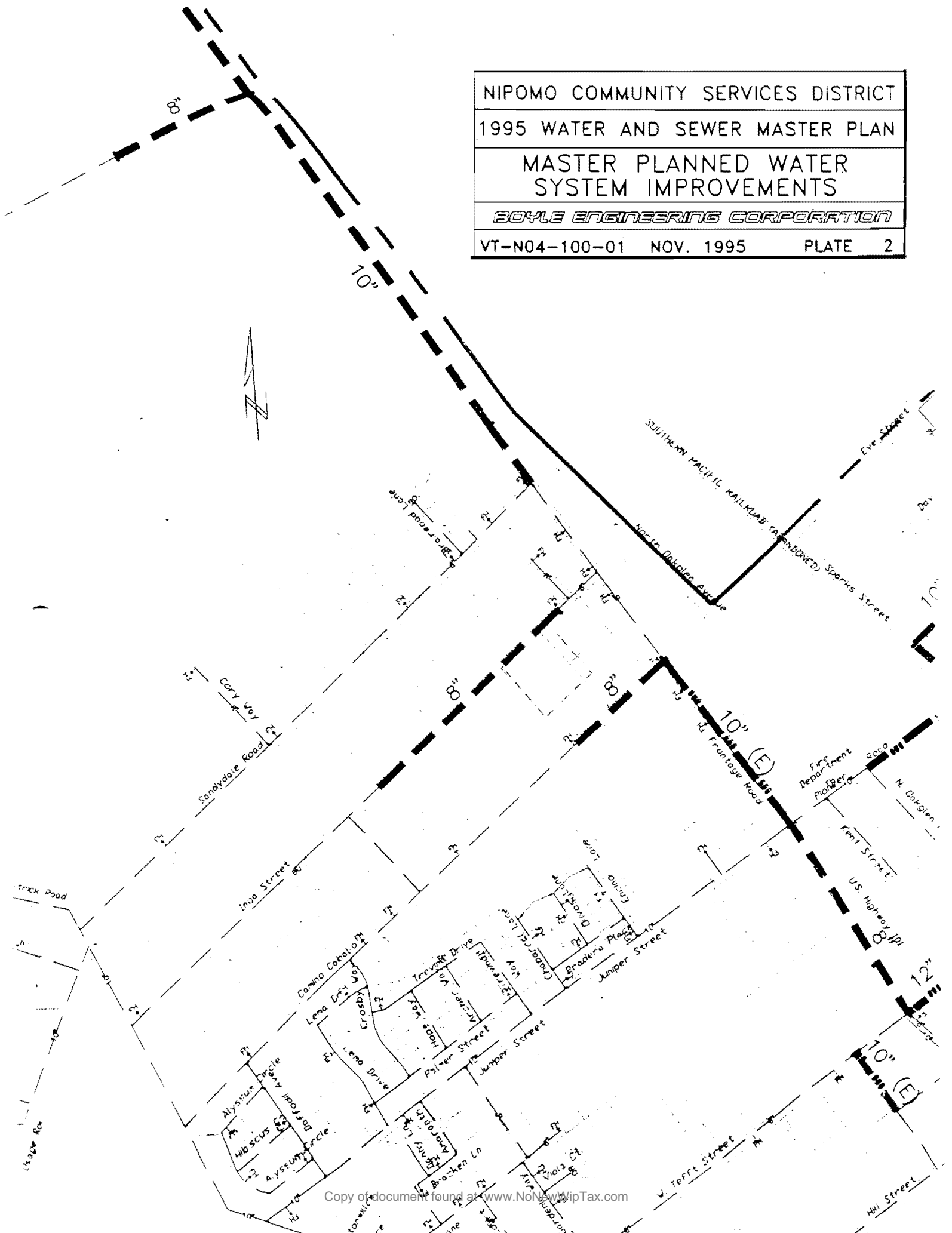
COUNTY CHECKER:	APPROVED:
DATE: 9/1	COUNTY ENGINEER, RCE 26598 EXP. 3-31-2000
DESIGNER:	RECOMMENDED FOR APPROVAL:
J.P.C.	DEPUTY COUNTY ENGINEER, RCE 30789 EXP. 5-31-2000
JOB NO.:	CHECKED BY:
90 015	TERENCE F. DOTUM, PE 21607 EXP. 9-30-97



TAX AREA CODE NO 91-327  
 328



NIPOMO COMMUNITY SERVICES DISTRICT  
 1995 WATER AND SEWER MASTER PLAN  
 MASTER PLANNED WATER  
 SYSTEM IMPROVEMENTS  
 BOYLE ENGINEERING CORPORATION  
 VT-N04-100-01 NOV. 1995 PLATE 2



TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: MARCH 18, 1998

ACCEPTING WATER and SEWER IMPROVEMENTS FOR  
TRACT 1736 (COLT LANE-BONITA HOMES)

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer for Tract 1736, a twenty-one (21) lot development on Colt Lane., has installed water and sewer improvements and has met the District's conditions of installing the improvements, paid associated fees and providing the necessary paperwork, including the Offer of Dedication and the Engineer's Certification. Attached is a resolution accepting the water and sewer improvements for Tract 1736.

It is staff's recommendation that your Honorable Board approve Resolution 98-Tract 1736.

C:\W:\BD\tr1736acceptance.DOC

**RESOLUTION NO. 98-tract1736**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ACCEPTING THE WATER AND SEWER IMPROVEMENTS FOR TRACT 1736**

**WHEREAS**, on July 8, 1989, the District Board of Directors did conditionally approve water and sewer improvements for Tract 1736 (Colt Lane), and

**WHEREAS**, the District approved and signed the construction plans on March 12, 1996 for the water improvements to be constructed, and

**WHEREAS**, the water improvements have been constructed and said improvements are substantially complete, and

**WHEREAS**, on February 23, 1998, the Owner offered the water and sewer improvements to the Nipomo Community Services District, and

**WHEREAS**, this District has accepted such offer without obligation except as required by law, and

**WHEREAS**, all water fees for service, required in conformance with District Ordinances, have been paid in full for Tract 1736, and

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

That the water improvements constructed to serve the lots created by Tract 1736 are accepted by this District.

On the motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_ and on the following roll call vote, to wit:

AYES:  
NOES:       None  
ABSENT:     None  
ABSTAIN:    None

the foregoing resolution is hereby adopted this 18th day of March 1998.

\_\_\_\_\_  
Alex Mendoza, Vice President  
Nipomo Community Services District

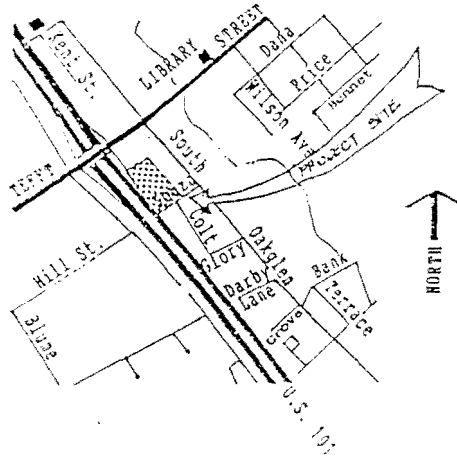
ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Jon S. Seitz  
General Counsel

# REVISED MAP



VICINITY MAP (NOT TO SCALE)

## VESTING TENTATIVE TRACT NO. 1736

COUNTY OF SAN LUIS OBISPO

LEGAL DESCRIPTION: THAT PORTION OF LOT 12 OF THE RESUBDIVISION OF THE WESTERLY PART OF LOT 25 OF THE WIPOMO RANCHO IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

**SURVEYOR'S STATEMENT**

This map was prepared by me or under my supervision and, to the best of my knowledge, complies with the lot division ordinance of the County of San Luis Obispo.

By: William P. Ryan Date: 2/2/90

PREPARED FOR:  
BS&K PARTNERS

839 DUGAN DRIVE  
PISMO BEACH, CA. 93449

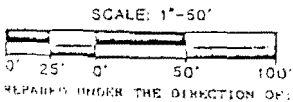
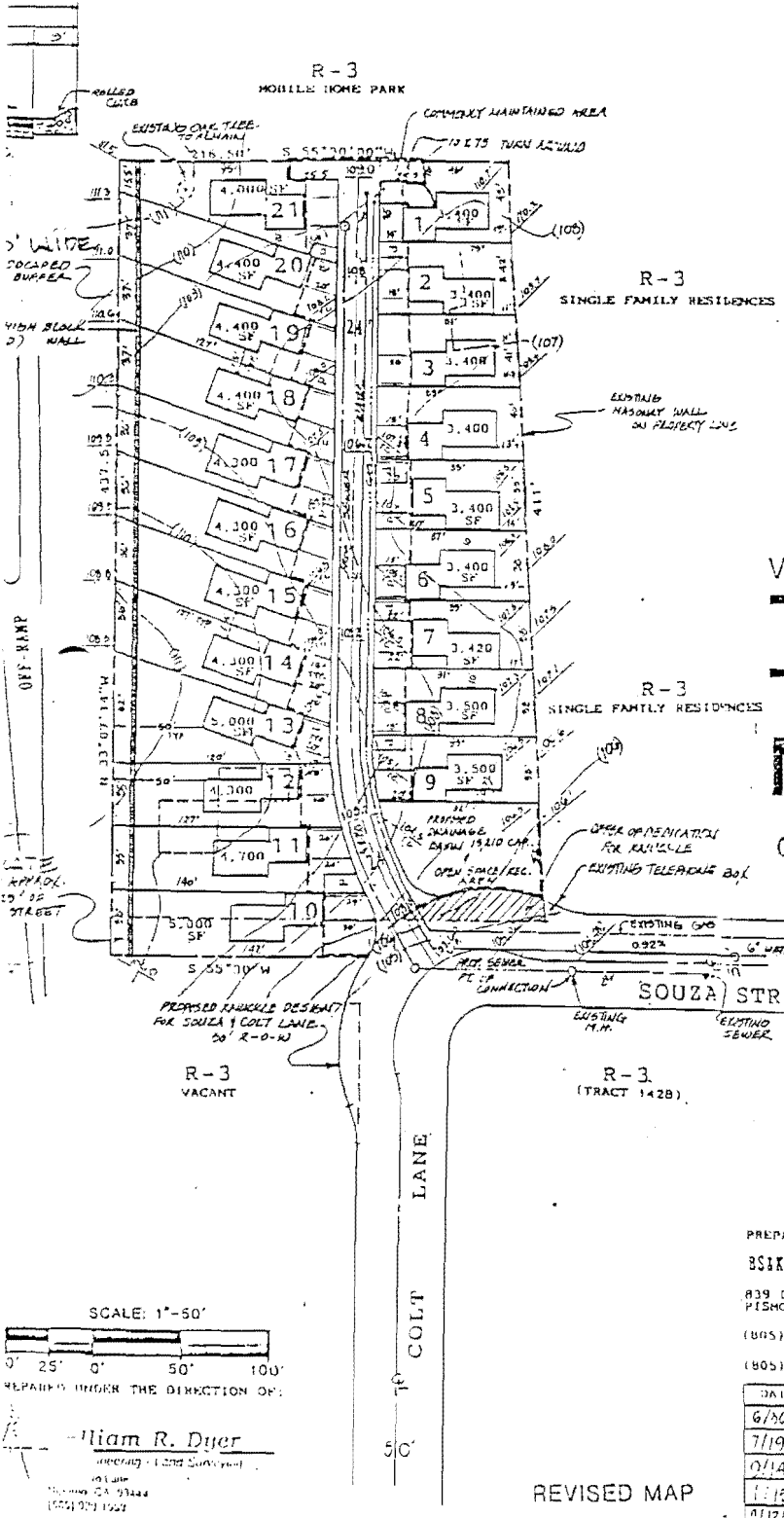
(805) 481-7048

(805) 473-1927

REVISIONS 2/5/90

DATE	NOTES	P.M.	P.D.
6/30/89	Redlines Lot 10		18
7/19/89	Change setbacks and pads		18
9/14/89	Add as of Required Parking		18
11/15/90	Person Homeless - varied setbacks & orient.		18
2/12/90	Change 4' (17' to 21') to 10' setback no. of lots 21		JPS

REVISED MAP



William R. Dyer  
Surveying & Land Surveying  
101 W. ...  
Pismo Beach, CA 93449  
(805) 727-1522



TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: MARCH 18, 1998

AUDIT PROPOSALS

Your Honorable Board authorized staff to request proposals for audit services for a three year period (June 30, 1998, 1999 and 2000). Nine request for proposals were sent out and six were returned to the District by the March 9 deadline. The results of the request for proposals are as follows:

<u>ACCOUNTING FIRM</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>
Moss, Levy & Hartzheim	\$2,720	\$2,835	\$2,910
Carlos Reynoso, CPA	\$3,150	\$3,150+CPI	\$3,150+CPI
Butcher and Chambers	\$3,250	\$3,000	\$3,000
Glenn, Burdette, Phillips & Bryson	\$3,500	\$3,700	\$3,900
Burkart & Salzgeber	\$6,000	\$6,000	\$6,000
Leaf & Cole	\$9,700	\$9,700+CPI	\$9,700+CPI

Copies of the proposals are in the office for review, including the firm's peer quality review report. Staff checked the references of the low bidder and they received a favorable response. The second lowest bidder has conducted the District audit for the past three years.

Based upon the audit proposals and references received, staff recommends retaining the auditing services of Moss, Levy & Hartzheim for a three year contract. Staff also requests authorization from the Board to execute the Engagement Letter.

B&Aaudit1.doc

TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: MARCH 18, 1998

### ACQUISITION OF REAL PROPERTY

Your Honorable Board previously approved opening escrow to acquire property at the intersection of Sun Dale Way and Camino Caballo for a District well site.

The District has proceeded to obtain the services of a well driller to drill a well at this location. The well is in the final stage of completion. Drilling samples have been taken as well as an E-Log which indicates favorable production at this site. Mr. Jim Garing, District Engineer, will report on the status of the new well.

The escrow on this property is scheduled for closing on March 24, 1998. To complete the acquisition of the property, your Honorable Board needs to adopt the following resolution authorizing the District to acquire the property and authorizing the grant deed to be recorded.

C:\W:\wellacquisition.DOC

RESOLUTION NO. 98-SDW

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
ACCEPTING THE GRANT DEED FROM IDELL P. NISBET TRUST**

**WHEREAS**, Gary Elwood Nisbet and Louis Walker Nisbet, Successor Co-Trustees of the Idell P. Nisbet Trust dated October 7, 1991 have offered to sell to the Nipomo Community Services District certain real property described in the attached grant deed more particularly described as follows:

That portion of Lot 72 of Division A of Pomeroy's Resubdivision of Los Berros Tract, according to the map thereof recorded September 26, 1903 in Book A, Page 109 of maps, described as follows:

Beginning at the northwest corner of said Lot 72, being the intersection of the center line of two 60 feet streets;  
thence running south along the center line of said street, 1209.36 feet to the true point of beginning;  
thence east 480.25 feet to a point;  
thence south at right angles 604.68 feet to the southerly line of said Division A and Lot 72;  
thence running west 480.25 feet along said southerly line to its intersection with the center line of a 60 feet wide street;  
thence running north 604.68 feet along said centerline and the westerly line of said Lot 72 to the point of beginning.

Said property is also shown as Parcel 2 on Parcel Map No. 68-05 recorded April 26, 1968 in Book 2, Page 73 of Parcel Maps.

The above described portion of land excluding roads contains 6.25 acres.

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

1. That the Grant Deed executed by Trustees: Gary Nisbet and Louis Nisbet of the Idell P. Nisbet Trust on \_\_\_\_\_ is hereby accepted for recordation by the District.
2. That the General Manager of the District is authorized to record said grant deed with the County Recorder, County of San Luis Obispo, California.

**PASSED AND ADOPTED** by the Board of Directors of the Nipomo Community Services District this \_\_\_\_\_ day of \_\_\_\_\_, 1998, on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Alex Mendoza, President  
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

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

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

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: MARCH 18, 1998

AGENDA ITEM  
MAR 18 1998

12

#### MANAGER'S REPORT

1. Sacramento Government Affairs Day - April 27, 1998

Enclosed is a flyer from the California Special District Association announcing the Sacramento Government Affairs Day to be held Monday, April 27, 1998. If any of the Board members are interested, please contact District staff so that arrangements may be made.

2. State Water Resources Control Board

The State Revolving Fund Loan for the Southland Wastewater Treatment expansion was on the consent agenda for the State WRCB on March 11, 1998.

3. Woodland Project - Draft EIR

The District has a copy of the draft EIR for the Woodland Project on the Nipomo Mesa. Your Honorable Board may wish to set up a committee to review the draft and submit comments if needed to the County.

4. Compliment and Complaint Log  
Log attached



# Sacramento Government Affairs Day

Monday, April 27, 1998

SACRAMENTO CONVENTION CENTER  
1400 J Street, Rooms 202 & 204, Sacramento, California

## TENTATIVE AGENDA

8:00 - 9:00 a.m.	REGISTRATION/CHECK-IN
9:00 - 9:15 a.m.	WELCOME AND INTRODUCTIONS
9:15 - 9:45 a.m.	<b>What the 1998-99 State Budget Means for Local Government</b> <i>Elizabeth Hill, Legislative Analyst</i>
9:45 - 10:15 a.m.	<b>Presentation on the 1998 Park Bond Act</b> <i>Senator Mike Thompson*</i>
10:15 - 10:30 a.m.	BREAK
10:30 - 11:45 a.m.	<b>Legislative Year in Review. What's in Store for Special Districts in 1998?</b> <i>Ralph Heim, CSDA Legislative Advocate</i>
11:45 - Noon	<b>Grassroots Lobbying—Tips to Success</b> <i>Mike Gotch, CSDA Local Government Consultant</i>
Noon - 1:30 p.m.	LEGISLATORS' LUNCHEON (Participants are encouraged to invite legislators and/or Capitol staff members as guests to lunch)
1:30 - 2:15 p.m.	<b>An Insider's View of the Capitol</b> <i>Steve Scott, Managing Editor, California Journal</i>
2:15 - 3:15 p.m.	<b>Presentation on the 1998 Water Bond Act</b> <i>Senator Jim Costa</i>
2:45 - 3:15 p.m.	<b>Presentation on the Commission on Governance for the 21st Century</b> <i>Assemblymember Bob Hertzberg*</i>
3:15 - 3:45 p.m.	<b>Changes in the Ralph M. Brown Act and Why</b> <i>Senator Quentin Kopp</i>
3:45 - 4:00 p.m.	ANNOUNCEMENTS/CONFERENCE WRAP-UP

\*Invited

**REGISTRATION:** Register now for the 1998 Sacramento Government Affairs Day by completing the registration form below, and returning it on or before April 20, 1998 to CSDA, 1121 L Street, Suite 508, Sacramento, CA 95814, (916) 442-7887, (916) 442-7889 FAX. Registration requested after April 20 will be subject to space availability and registration fee increase.

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

**LEGISLATORS' LUNCHEON:** Delegates are requested to invite their legislators and/or Capitol staff members to join them at the CSDA Legislators' Luncheon. **Delegates must purchase a luncheon ticket for each guest.** CSDA will be coordinating luncheon tables to try and ensure all delegates from a legislative district are seated with an attending legislator or Capitol staff member. If a legislator is unable to attend the luncheon, delegates may want to arrange for an appointment with their legislative representative(s). However, no specific time period is designated for Capitol visits. If you wish to meet with one or more of your legislative representatives or their aides or have them join you at the Legislators' Luncheon on April 27, 1998, please phone each respective Member's Capitol office appointment secretary as soon as possible to invite him or her to the luncheon and/or to schedule the visit(s).

Call CSDA for appropriate telephone numbers or if you have any questions. CSDA staff is available to help you coordinate a luncheon table or an appointment with your legislators. If you would like this assistance, please indicate who your representatives are on the registration form. If you know other district representatives in your area who are also attending the Government Affairs Day, you may wish to combine invitations and appointments.

**DELEGATES ARE REQUESTED TO INVITE LEGISLATORS AND/OR CAPITOL STAFF MEMBERS TO THE LEGISLATORS' LUNCHEON.**

**CANCELLATION POLICY:** Cancellations received on or before April 22, 1998 receive a full refund less a \$25 processing fee. No refunds will be granted for cancellations received after April 22. If you register by telephone and do not show up or cancel, you will be billed. ALL CANCELLATIONS MUST BE IN WRITING.

## Sacramento Government Affairs Day

Monday, April 27, 1998  
Sacramento Convention Center

### REGISTRATION FEES

#### **Before April 20, 1998**

**Full Registration (Sponsoring Member)** \$95 \$ \_\_\_\_\_  
(includes morning beverages, luncheon and materials)

**Full Registration (Non-Sponsoring Member)** \$120 \$ \_\_\_\_\_  
(includes morning beverages, luncheon and materials)

#### **After April 20, 1998**

**Full Registration (Sponsoring Member)** \$125 \$ \_\_\_\_\_  
(includes morning beverages, luncheon and materials)

**Full Registration (Non-Sponsoring Member)** \$150 \$ \_\_\_\_\_  
(includes morning beverages, luncheon and materials)

**Extra Luncheon Tickets** \$25 \$ \_\_\_\_\_  
(For legislators and/or Capitol staff guests)

**Please Return by April 20, 1998 To:**  
**California Special Districts Association**  
1121 L Street, Suite 508, Sacramento, CA 95814  
(916) 442-7887 telephone • (916) 442-7889 fax

### REGISTRATION INFORMATION

Name \_\_\_\_\_

District \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Telephone ( ) \_\_\_\_\_

FAX ( ) \_\_\_\_\_

Legislative Representative(s) \_\_\_\_\_

Charge: \_\_\_\_\_ VISA \_\_\_\_\_ MasterCard

Print Account Name \_\_\_\_\_

Account Number \_\_\_\_\_

Expiration Date \_\_\_\_\_

Authorized Signature \_\_\_\_\_

## STATE WATER RESOURCES CONTROL BOARD WORKSHOP AGENDA

Wednesday – March 11, 1998 – 9:00 a.m.

First-Floor Hearing Room  
Paul R. Bonderson Building  
901 P Street, Sacramento

Questions regarding this agenda - call Maureen Marché (916) 657-0990 or fax 657-0932. This notice and associated staff reports can be accessed electronically through our Internet address: <http://www.swrcb.ca.gov>. (Note: agenda items should be available electronically on March 3, 1998.)

Workshop includes informal discussion of items to be presented for action at a future business meeting. People who are interested in items on the agenda are urged to attend workshops as they may miss valuable discussion that will not be repeated at the Board meeting. NOTE: There is no voting at workshops. Items requiring Board action must come to a Board meeting.

**Please note time limitations on presentations may be imposed.  
The State Board requests that oral testimony be summarized.  
Submittal of written comments is encouraged to ensure  
that all comments will be included in the  
record before the Board.\***


ITEMS 1-4 WILL BE DISCUSSED STARTING AT 9:00 A.M, WEDNESDAY, MARCH 11, 1998

### **PUBLIC FORUM**

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda or pending before the Board or a Regional Board.

### **CLEAN WATER PROGRAMS**

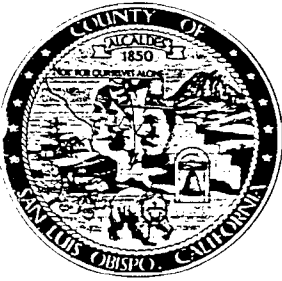
**\*\*1. Consideration of Approval of a State Revolving Fund (SRF) Loan for the City of Wasco, Wastewater Treatment Facility Expansion Project, SRF Loan Project No. C-06-4243-110.** (The Board will consider, at a Board meeting, whether to adopt the proposed resolution to approve the loan.)

 **\*\*2. Consideration of Approval of a State Revolving Fund (SRF) Loan for the Nipomo Community Services District for Wastewater Treatment Plant Expansion, SRF Loan Project No. C-06-4501-110.** (The Board will consider, at a Board meeting, whether to adopt the proposed resolution to approve the loan.)

**\*\*3. Consideration of Approval of a Grant for Orange County Water District From the Water Recycling Facilities Planning Grant Program.** (The Board will consider, at a Board meeting, whether to adopt the proposed resolution to approve the grant.)

**\*\*4. Consideration to Approve the State Fiscal Year (SFY) 1997-98 Intended Use Plan (IUP) and Authorization for the Executive Director to Sign the Federal Fiscal Year (FFY) 1998 Capitalization Grant Agreement.** (The Board will consider, at a Board meeting, whether to adopt the proposed resolution to approve the SFY 1997-98 IUP and Authorize the Executive Director to sign the FFY 1998 Capitalization Grant Agreement.)

--over--



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

COUNTY OF SAN LUIS OBISPO  
ENVIRONMENTAL DIVISION  
OFFICE MEMORANDUM

ALEX HINDS  
DIRECTOR  
BRYCE TINGLE  
ASSISTANT DIRECTOR  
ELLEN CARROLL  
ENVIRONMENTAL COORDINATOR  
BARNEY MCCAY  
CHIEF BUILDING OFFICIAL

TO: Interested Party  
DATE: February 23, 1998  
FROM: John McKenzie, Environmental Specialist *JM*  
SUBJECT: Woodlands Specific Plan -- Notice of Availability of Draft EIR (ED95-026; G940005S)

A Draft Environmental Impact Report (EIR) for the Woodlands Specific Plan is complete and available for public review and comment. The Draft EIR addresses the environmental impacts that may be associated with future development of the 957 acre property. The project proposes a Specific Plan that would establish the following uses: 2 golf courses (36 holes), 1,240 single family and 80 multi-family residences, a 500-room resort, a 9-acre commercial "village" core, a 22-acre business park, a 12-acre public park, a 10-acre elementary school site and open space areas with trails. The subject property is within the Recreation land use category, and is located on the east side of Highway 1, between Dawn Road and the edge of the Mesa.

Copies of the Draft EIR are available at the following locations: County libraries at South County (Arroyo Grande) and Nipomo, Cal Poly Library and City/ County Library of San Luis Obispo. Copies are also available on loan and for review at the Environmental Division of the Planning Department, located at the County Government Center, Room 310, 1050 Monterey Street, San Luis Obispo, 93408.

**ENVIRONMENTAL IMPACTS:**

The Draft EIR addresses the proposed project's potential impacts on land use, water/ wastewater, traffic, air quality, biological resources, noise, aesthetics, public services, cultural resources, agricultural resources, hazardous materials and drainage/sedimentation/erosion. The Draft EIR also considers several project alternatives, including a "rural village" and "expanded business park" alternative.

**HOW TO COMMENT OR GET MORE INFORMATION:**

Anyone interested in commenting on the draft EIR should submit a written statement by 5:00 p.m., April 10, 1998 to:

John McKenzie, Environmental Division  
County Planning & Building Dept.  
County Government Center, Rm. 310  
San Luis Obispo, CA 93408-2040

A portion of the EIR (intro and summary only) is on the Planning Dept's web site at: [www.slonet.org/vw/vipcoplng](http://www.slonet.org/vw/vipcoplng) under "Environmental Review-Summaries of Current EIR/ Appeal Staff Reports/ Other Environmental Documents".

If you need more information about this project, please contact either John McKenzie (e-mail: [jdmckenzie@co.slo.ca.us](mailto:jdmckenzie@co.slo.ca.us)) or Jay Johnson at (805)781-5600.

**PUBLIC HEARING:**

The public hearing before the San Luis Obispo Planning Commission has been tentatively scheduled for July 23rd, 1998 in the Board of Supervisors Chambers, County Government Center, San Luis Obispo. If you plan to attend, please call two weeks before this date to verify.

C:\OFFICE\BRIAN\WORKS\PROJ\50\WOODLANDS\DIR\INTPARTY\MEM

<b>COMPLAINT LOG - February 1, 1998 to February 28, 1998</b>						
<b>DATE</b>	<b>ADDRESS</b>	<b>COMPLAINT</b>	<b>CAUSE</b>	<b>ACTION TAKEN</b>		
02/10/98	415 Darby	Sewer between mobiles leaking	Owner won't do anything	Gave cust County Health phone number and called County		
2/25/98	456 Blume	Bad taste and odor	Water heater	Advised to flush		
2/26/98	1348 Black Sage	Low pressure	water softener running	Customer to fix		
<b>COMPLIMENT LOG - February 1, 1998 to February 28, 1998</b>						
<b>DATE</b>	<b>ADDRESS</b>	<b>COMPLIMENT</b>	<b>ACTION TAKEN</b>			
2/6/98	550 Woodgreen	Thanks for help with getting his computer generated payment to work on time.	Bank processing to late Called bank, mailed copies to owner			
2/9/98	Summit Station	Thanks for giving information and advice	Buying new house			
2/9/98	Palmer	Nice Building				
2/9/98	1468 Pomeroy	Thanks for giving information and advice	Buying new house			
2/10/98	531 Woodgreen	Friendly information	Buying new house, water softener information			
2/26/98	1348 Blacksage	Quick response and friendly knowledge	Low pressure caused by water softener			

## WARRANTS MARCH 18, 1998

### HAND WRITTEN CHECKS

17976	SLO County	35.22
17978	Cuesta Title	118,401.64
17979	Hornet Foundation	42.50

### VOIDS

9807  
9832  
2413  
17977

### NET PAYROLL

CK# 2414-2422	\$13,017.39
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### COMPUTER GENERATED CHECKS

9808	03/18/98	ALL PURE CHEMICAL CO	\$480.45
9809	03/18/98	AMERICAN WATER WORKS ASSOCIATION	\$40.00
9810	03/18/98	ARROYO GRANDE, CITY OF	\$814.00
9811	03/18/98	ROBERT BLAIR	\$100.00
9812	03/18/98	CHEVRON	\$36.52
9813	03/18/98	GERALD LEE DOUGLAS	\$267.05
9814	03/18/98	EXPERIAN	\$176.00
9815	03/18/98	FGL ENVIRONMENTAL ANALYTICAL CHEMIST	\$228.80
9816	03/18/98	KATHLEEN FAIRBANKS	\$100.00
9817	03/18/98	GARING, TAYLOR & ASSOCIATES, INC.	\$4,833.68
9818	03/18/98	GTE CALIFORNIA INCORPORATED	\$29.76
9819	03/18/98	IKON	\$61.00
9820	03/18/98	GENE KAYE	\$100.00
9821	03/18/98	ALEX MENDOZA	\$100.00
9822	03/18/98	MID STATE BANK-MASTERCARD	\$2,046.00
9823	03/18/98	POLLY MINTLING	\$225.00
9824	03/18/98	NIPOMO ACE HARDWARE, INC.	\$85.13
9825	03/18/98	NIPOMO CHEVRON	\$399.10
9826	03/18/98	NIPOMO GARBAGE COMPANY	\$54.75
9827	03/18/98	POSTMASTER	\$500.00
9828	03/18/98	SAN LUIS OBISPO COUNTY HEALTH DEPART	\$416.00
9829	03/18/98	SIMMONS, TOLBERT	\$253.42
9830	03/18/98	ALBERT SIMON	\$100.00
9831	03/18/98	STATEWIDE SAFETY & SIGNS, INC.	\$35.00
9833	03/18/98	TECHNOMIC PUBLISHING COMPANY, INC.	\$53.95
9834	03/18/98	TIMES PRESS RECORDER	\$42.00
9835	03/18/98	TOOLS FOR LESS	\$7.45
9836	03/18/98	UNDERGROUND SERVICE ALERT	\$106.00
9837	03/18/98	FLOYD V. WELLS, INC.	\$4,191.56