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NIPOMO COMMUNITY SERVICES DISTRICT

AGENDA

JULY 1, 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 JUNE 17, 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. OUTSIDE DISTRICT WATER USER RATES
Review outside the District water user rates with possible revision.
4. INTENT-TO-SERVE TRACT 1924 (WITTSTROM)
Request for water service for a 69+ lot subdivision at Camino Caballo & Osage
5. REPLACEMENT OF WATER SERVICES
Request bids to replace approx. 150 water services
6. REQUEST FOR PROPOSAL - DESIGN WATER AND STORAGE IMPROVEMENTS
Request for professional services to design new water mains & storage facilities.
7. CONFLICT OF INTEREST
Review District Conflict of Interest Code
8. DISTRICT GENERAL ELECTIONS
Election of three Directors of the Board at the Nov. 3, 1998 General Elections.
 - a. Resolution pertaining to candidates statements
 - b. Resolution requesting the District election be held the same time as the General Election.

FINANCIAL REPORT

9. APPROVAL OF WARRANTS

OTHER BUSINESS

10. MANAGER'S REPORT
 1. Southland Wastewater Treatment Facility Expansion Bid Results
11. DIRECTORS COMMENTS

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Existing litigation GC§ 54956.9

1. NCSO vs. Shell Oil, et. al. Case No. CV 077387
2. Conference with real property negotiator, Dana-Doty Water line easement GC§ 54956.8
3. Conference with legal counsel - Anticipated litigation (one case)

ADJOURN

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

JUNE 17, 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**

CALL TO ORDER AND FLAG SALUTE

President Mendoza called the June 17, 1998 Regular Meeting to order at 7:10 p.m. and led the flag salute.

ROLL CALL

At Roll Call, all Board member were present.

APPROVAL OF MINUTES

1. REGULAR MEETING OF JUNE 3, 1998

Upon motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously approved the Minutes of the June 3, 1998 Regular Meeting.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

President Mendoza opened the meeting to Public comments on matters other than scheduled items.

Orrin Cocks, candidate for 4th District Supervisor, spoke to the Board. He apologized for his absence at the May 20, 1998 meeting. He asked for a copy of those minutes. He spoke about some concerns from the public about the structure of the local government.

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

3. PUBLIC HEARING - BLACK LAKE STREET LIGHTING CHARGE
Adopt the annual street lighting charge. No increase is proposed.

Mr. Jones explained that now is the time and place for the public hearing for the Board to confirm the report for collection of charges on the 1998-99 tax roll and to give opportunity for filing objections and for the presentation of testimony or other evidence concerning said report. There were no Public Comments. Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approved Resolution 98-652.

RESOLUTION NO. 98-652

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
PROVIDING FOR THE COLLECTION OF STREET LIGHT CHARGES ON
THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE AND
OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE
BLACK LAKE DEVELOPMENT (GOLF COURSE AREA)**

4. PUBLIC HEARING - 1998-99 FISCAL YEAR NCSD BUDGET

- 1) Adoption of the 1998-99 FY Budget
- 2) Adoption of 1998-99 Appropriation Limitation
- 3) Adoption of the Employee Compensation Step Plan

Mr. Jones explained that now is the time to have a Public Hearing on the proposed budget and receive any comments from the public. President Mendoza opened the meeting to a Public Hearing to discuss the 1998-98 FY Budget for Nipomo Community Services District. There were no public comments.

Upon motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously adopted Resolution 98-653.

**RESOLUTION 98- 653
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING THE 1998-99 FISCAL YEAR BUDGET**

Upon motion of Director Fairbanks and seconded by Director Kaye, the Board unanimously adopted Resolution 98-654.

**RESOLUTION NO. 98- 654
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
DETERMINING THE APPROPRIATION LIMITATION
FOR THE 1998-1999 FISCAL YEAR**

Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously adopted Resolution 98-655.

**RESOLUTION NO. 98-655
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES District
ADOPTING AN EMPLOYEE COMPENSATION STEP PLAN**

5. PARCEL MAP CO 97-0134 - INTENT-TO-SERVE
Request for service for a 4 lot development on West Tefft Street

Mr. Jones explained that Mr. Ghormley requested and Intent to Serve letter for a 4 lot development on West Tefft Street. There were no public comments. Upon motion of Director Fairbanks and seconded by Director Kaye, the Board unanimously approved the Intent-to-Serve letter for Parcel Map CO 97-0134 (Ghormley) with the conditions as outlined in the Board letter.

6. HAMPTON GENERAL PLAN AMENDMENT
Review information requested by the County

Mr. Jones explained the request from the County Environmental Division for information on the Hampton Development, a proposed development north of Black Lake Canyon and east of Cypress Ridge. He is requesting comments from the Board before mailing the letter to Eric Wiler of the Planning Department.

Director Blair likes the one acre parcels because they will need a water system and to keep a more country like atmosphere but does not want to see cluster development.

Director Simon would like to see Zenon Rd. open into Los Berros Rd.. There are enough people on Willow Rd.

Director Kaye does not like the cluster subdivision but the County does not seem to care like at Bay View Estates. Director Kaye feels that comments will do no good because of preconceived ideas. The District has no control over County Planning changing the zoning.

President Mendoza would like to know when the County will alert their constituents to the possibility of water shortage in that area. This will impact this District in the future.

During this agenda item (Item #6) the following public spoke:

John Snyder - 662 Eucalyptus Rd. Nipomo - would like to see the quote from Cypress Ridge in Item 7b of the letter to refer only to the Cypress Ridge area.

Orrin Cocks - said that the Varian Ranch is an example of cluster development that is successful. We need to increase our tax base. Chuck Stephenson had a map at a meeting that showed how more of the Mesa is becoming urban-like.

Director Kaye mentioned that the object of the South County Planning Update was to maintain the rural character of the mesa and the opposite is happening.

Director Blair made the motion to add to the letter the Board's position against cluster developments. Director Kaye seconded. All directors were in favor. Upon motion of Director Kaye and seconded by Director Simon, the Board unanimously agreed to approve the letter as amended at #7b and direct staff to attach the minutes of this meeting to the letter and send it to the County.

6a. APPROVE AN AGREEMENT AFFECTING REAL PROPERTY -DEVELOPER R. NEWDOLL
ORAL REPORT

To restrict the use of sewer service to certain lots within the Honey Grove project

Mr. Seitz, District Legal Counsel, explained that addition of this item was within 72 hours of posting of the agenda as required by the Brown Act.

Mr. Jones explained that Mr. Newdollar requested a Will-Serve letter for 4 homes to be built on Honey Grove Lane on half-acre lots. A document needs to be recorded to protect future purchasers of property until water and sewer systems are built and approved by the District. There were no public comments. Upon motion of Director Kaye and seconded by Director Fairbanks, the Board approved Resolution 98-656. Vote 4-1. Director Blair voted no.

RESOLUTION 98- 656
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING AND APPROVING DOCUMENT FOR RECORDING

MINUTES SUBJECT TO BOARD APPROVAL

7. TRACT 1805 - ACCEPTANCE OF IMPROVEMENTS (SNELLENBERGER)
Acceptance of water and sewer improvements for Tract 1805, a 38 lot development

More information is needed on this development before acceptance of improvements. There were no public comments. Upon motion of Director Kaye and seconded by Director Blair, the Board agreed to table this item.

FINANCIAL REPORT

8. APPROVAL OF WARRANTS
Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved the Warrants presented at the June 17, 1998 meeting.

OTHER BUSINESS

9. MANAGER'S REPORT

Manager Doug Jones presented information on the following:

1. PROPOSED CONNECTION - TRACT 1790

A volunteer is being found in the Summit Station area to test booster pump.

Sewer sag in the Black Lake sewer system is being cleaned Thursday.

10. DIRECTORS COMMENTS

President Mendoza was glad to hear comments from Mr. Cocks. Water quality and accessibility for the future must be safeguarded.

Director Simon would like to see a draft study of water availability and to have one of the people responsible for DWR to come to the District to explain how the report was prepared.

Mr. Seitz explained the need to go into Closed Session.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Existing litigation GC§ 54956.9

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

ADJOURN

The Board came back into open session and had no reportable action. President Mendoza adjourned the meeting at 9:17 p.m.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JULY 1, 1998

OUTSIDE DISTRICT WATER USER RATES

Background

The District's policies on providing water service outside the District boundaries and the rates at which will be charged to those customers is governed by Chapter 3.16 of the District's Code as follows:

- 3.16.010 – Allowed when. No parcel or parcels, lot or lots, of real property which is located outside the NCSD as it now exists or as it may in the future exist due to annexations to or exclusions from the district, shall be served with water by the NCSD until after such parcel or parcels, lot or lots, of real property have been annexed to the NCSD (Ord. 16)
- 3.16.020 – Rates The water usage rates for district water service outside the district shall be double the rates for similar services for residents of the district, unless specifically stated otherwise in formal agreements entered into by this Board in connection with the acquisition of additional water supplies or real property rights and interests. (Res. 163)

Discussion

The District has received a request for water service outside the District boundary without the doubling of the water rates. This request has prompted staff to review the water rates for customers outside the District boundary. Currently, the District is servicing five customers outside the District boundary at double the rates. There are other services outside the District boundary at the District rates, however, they are excluded due to formal agreements as stated in 3.16.020.

The research performed on this topic concludes that the differential in water rates should have proper basis. Therefore, staff has prepared an analysis of the water rates for District customers versus Out of District customers and how their rates should be applied.

Outside water users do not pay annexation fees and do not pay property taxes to the District and do not have an interest in the District water supply and distribution system. These factors should be considered in establishing rates. The following is a comparison of annexation fees and property taxes post and pre ERAF for the Board's review.

TO: BOARD OF DIRECTORS
 FROM: DOUG JONES
 DATE: JULY 1, 1998
 PAGE TWO

	POST ERAF	PRE ERAF
Annexation fee (\$500 per acre or parcel)	500.00	500.00
Property taxes: 1997-98 property tax distribution	148,396.00	257,723.00
Total	(a) 148,896.00	258,223.00
1997-98 projected water revenue	(b) 750,000.00	750,000.00
Taxes as a % of water revenue	(a)/(b) 0.20	0.34

Annexation fees would vary depending on the size of the parcel being served or the anticipated area to be annexed to the District. Although the annexation fee may vary, the impact on the percent change is nominal. The percent of taxes received with respect to water revenue is approximately 20 percent post ERAF and 34 percent pre-ERAF. Since the District was receiving it's tax revenue prior to ERAF and legislation has been proposed at the State to return some of the ERAF monies to local agencies, a finding could be made that approx. 30% of the water revenues is associated with property tax revenues which the District does not receive from outside users.

Since water used outside the District boundary is unavailable for District users, outside users encumber a resource that is no longer available to District residents and should be a major consideration with respect to servicing outside the District boundaries. Staff concludes that this resource encumbrance is equivalent to 50-70% of the resource used.

It is recommended that outside user rates be established at 180-200% of inside District user rates.

Staff is presently revising the District ordinances to bring them up to date and request that the outside District water rates be incorporated into these revisions.

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TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JULY 1, 1998

INTENT-TO-SERVE
TRACT 1924 (WITTSTROM)

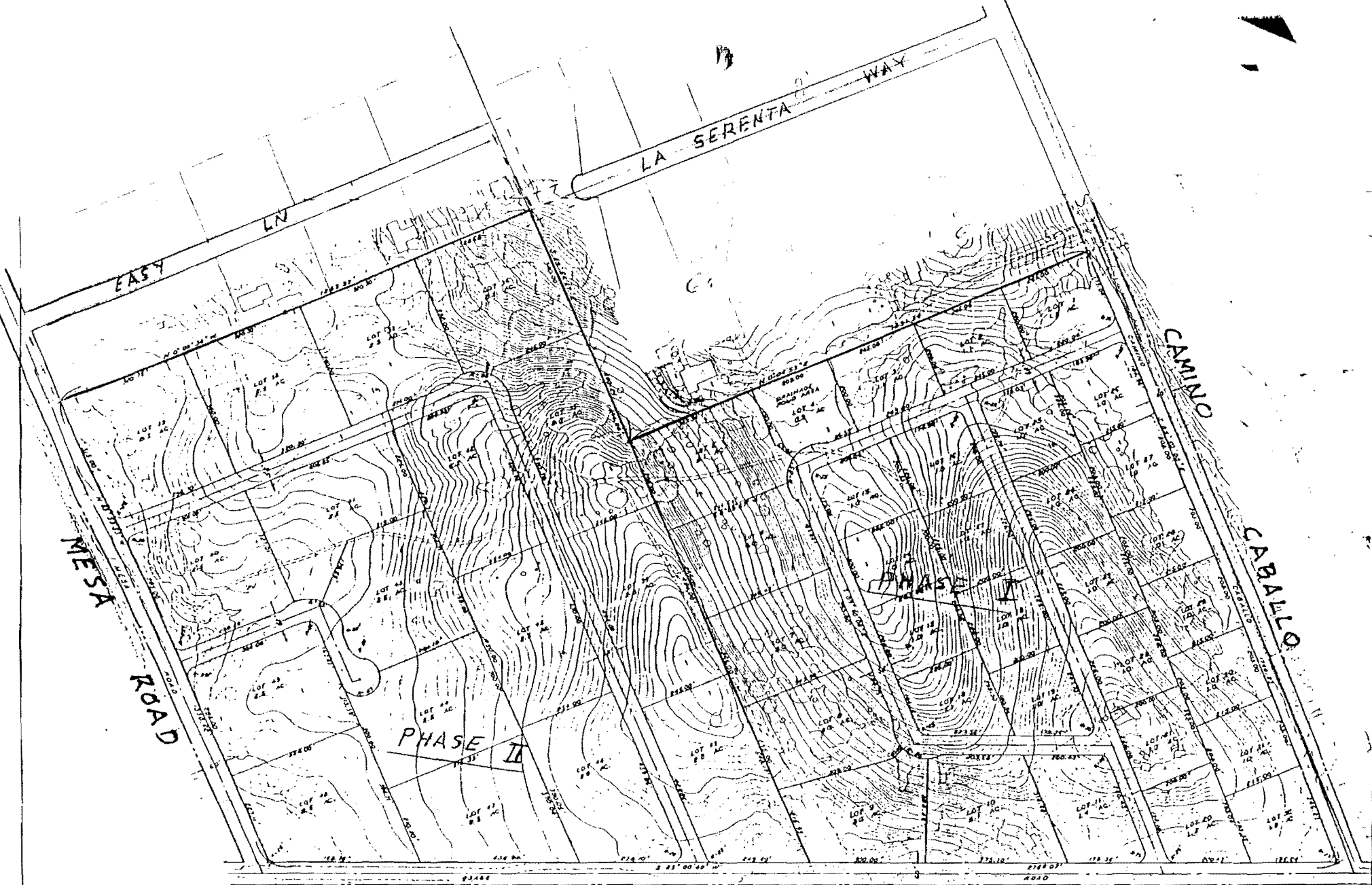
The District received a request for water service from Mr. Karl Wittstrom, developer for Tract 1924, for an approx. 70-lot subdivision. The developer is presently revising Phase Two of this subdivision from 2½ acre lots 1 acre lots. It is staff's recommendation that an Intent-to-Serve letter not be issued at this time until plans for Phase Two are submitted to the District for review.

The developer is also requesting that the District form a maintenance district for providing lighting and drainage to this tract. The District would have to go through the formal procedure of setting up such districts to fund these services. Mr. Wittstrom is the sole owner, therefore, he would be the one voting for the assessment to maintain these services. The Board may or may not wish to proceed in putting together a lighting and maintenance district for this project.

The attached map shows Phase I & II (old 2½ acre lots) of the proposed development. The water line improvements would end on Mesa Rd. at the edge of their development. It would be staff's recommendation that the water line be looped up Easy Lane and tie into La Serenata Way. The District would be involved in acquiring water line easements (Right-of-Way) between Easy Lane and La Serenata. At the present time, the amount of involvement is unknown.

This item is being brought to the Board for information and direction for the possibility of forming a lighting and drainage district for Tract 1924.

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VICINITY MAP

TENTATIVE TRACT MAP NO. 1924

OWNER'S CERTIFICATE

I HEREBY APPLY FOR APPROVAL OF THE DIVISION OF REAL PROPERTY SHOWN ON THIS MAP AND CERTIFY THAT I AM THE LEGAL OWNER OF SAID PROPERTY AND THAT THE INFORMATION HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGNED: Leah S. Tartaglia
 ADDRESS: P.O. BOX 24322
 SAN LUIS OBISPO CA 93128

ENGINEER'S CERTIFICATE

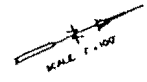
I HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES.

SIGNED: Robert S. Tartaglia
 ADDRESS: 1000 S. ...
 SAN LUIS OBISPO CA 93128
 (408) 466-5460

LEGAL DESCRIPTION

BEING A DIVISION OF LOTS 18, 19, 20, 33, 34, AND 35, OF THE LOS BERROS TRACT, BEING A SUBDIVISION OF LOTS 15, 18, AND 20 OF HOPKINS RANCHO IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

SPW 21-31-02 & 21-251-12



TARTAGLIA - HUGHES
 CIVIL ENGINEERS

**Black Lake Ranch Estates (B.L.R.E.)
P.O. Box 1655
Paso Robles, CA 9347**

June 19, 1998

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

RE: Intent to Serve Letter for Tract 1924, Phase I & II

Dear Mr. Jones:

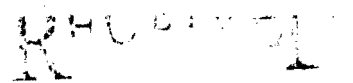
Black Lake Ranch Estates (B.L.R.E.), a California Partnership, has recently entered into agreement with Nelson Properties to purchase Tract 1924 in Nipomo, California. Tract 1924 is located at the northwest corner of Mesa and Osage streets and extends north to Camino Caballo. The tract is approximately 91.3 acres and has an approved tentative map for subdivision in two phases. Phase I will consist of 32, one-acre lots, for which you have been provided two sets of improvement plans, an executed copy of the NCSD plan check and inspection agreement, and a deposit in the amount of \$4,000 for plan check and inspection fees.

We are planning to install streetlights in this project and would like to enter into an agreement with the NCSD to manage this lighting district. PG&E would install and maintain the lights and we can provide funding through the lighting district assessment added on to the County property tax bill.

Tract 1924 will also have three or four drainage basins that would need maintenance. If the District would consider accepting maintenance responsibilities for these basins we could provide funding by another assessment that would also be added to the County property tax bill.

In summary, we are asking the District for assistance with the following items:

1. Intent to Serve letter to provide water to Phase I of Tract 1924 (32 one-acre lots).
2. Intent to Serve letter to provide water to Phase II of Tract 1924 (37-40 one-acre lots).
3. Consider and initiate action to present to your Board a proposal to manage the lighting district for Tract 1924.


JUN 23 1998
NIPOMO COMMUNITY SERVICES DISTRICT

JUL 01 1998

TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: JULY 1, 1998

REPLACEMENT OF WATER SERVICES

Due to the number of failures of PB, the District has an on-going replacement program utilizing the District crew and/or outside contractors. The District crews replace services as their schedules allow. The 1998-99 adopted budget included \$85,000 for the replacement of PB water services by an outside contractor. It is estimated that approximately 150 services may be replaced, depending on how the bids come in. Lee Douglas, the Utility Supervisor, has suggested the following tracts be repaired-Tracts 1445, 1532, 1640, 1651 and Brookside. Failures have occurred in all of these tracts. These tracts have sidewalks and failures can cause significant damage to the sidewalks and driveways.

It is recommended that your Honorable Board authorize Staff to go out to bid in accordance with the attached Request for Proposals.

REQUEST FOR PROPOSALS
TO REPLACE POLYBUTYLENE WATER SERVICES

SEALED PROPOSALS will be received at the office of the Nipomo Community Services District at 148 S. WILSON STREET, NIPOMO, California, 93444 until 4:30 p.m. on July 24, 1998 for furnishing to the Nipomo Community Services District all labor, equipment, materials, transportation, traffic control services and supplies necessary to replace polybutylene water service to approximately 152 residences within the Nipomo Community Services District.

Bids will only be accepted on a proposal form furnished by the Nipomo Community Services District.

Bids will be accepted only from contractors that can supply the following:

1. Proof of the appropriate Contractor's License.
2. Proof of Workman's Compensation Insurance.
3. Proof of General Liability Insurance Coverage.

Contractors shall comply with Part 7, Chapter 1, Article 2, Sections 1770, 1773 and 1773.1 of the California Labor Code (prevailing wage, etc.). Contractor shall assume full responsibility for job site safety.

Notice is also hereby given that all bidders may be required to furnish a sworn statement of their financial responsibility, technical ability, and experience before award is made to any particular bidder.

On the outside of the bid envelope the bidder shall indicate the following:

- (1) Name and address of the bidder.
- (2) Name of the project on which bid is submitted.
- (3) Date and Time of the bid opening.

Any bid may be withdrawn prior to bid opening but not afterward. Any bid received after the time and date specified for the bid opening will not be considered.

In accordance with Section 4552 of the California Government Code, the bidder shall conform to the following requirements: In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act 15 U.S.C. 15, or under the Cartwright Act, Chapter 2.

The right is reserved by the Nipomo Community Services District to reject any or all bids, to evaluate the bids submitted, and to award the contract to the lowest responsible bidder. The Nipomo Community Services District further reserves the right to waive any informalities or minor irregularities in a bid.

Dated this 1st day of July, 1998, at Nipomo, California

NIPOMO COMMUNITY SERVICES DISTRICT
/s/Douglas Jones
General Manager

NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444
(805) 929-1133 FAX (805) 929-1932

REQUEST FOR PROPOSALS REPLACE WATER SERVICES

The Nipomo Community Services District is requesting bid proposals to replace approximately 152 water services in Nipomo, California.

PRESENT SERVICES

- From the water main to the meter box - One-inch polybutylene pipe.

REPLACEMENT NEEDED

- Replace water service with one-inch copper tubing or 1" Sch 80 PVC.
- The Corporation Stop will remain in place but a new fitting and a ball type angle meter stop (FORD BA43-444W or equivalent) is required.

CONTRACTOR WILL SUPPLY

- All necessary materials - copper tubing or PVC, associated fittings and a ball type angle meter stop (FORD BA43-444W or equivalent).
- Back-filling base, compaction and AC material for the replacement of the roadway.
- Service replacements shall have sand backfill. Sand back fill is available at the District sewer plant at no cost. Contractor to load and haul to site.
- Labor, equipment and tools to replace these services.

ABANDONMENT OF SERVICES

- At the main, turn off the corp stop and cut the service lateral. At the service box, remove the angle stop and 4-foot sample. The meter box and fittings shall be returned to the District.

CONTRACTOR MUST

- Provide vehicle traffic control.
- Remove approximately 4-foot samples of the existing polybutylene pipe with the couplings attached.
- The pipe samples must be labeled with service address and meter number.
- Be responsible for proper compaction for each of the sites.
- Provide proof of appropriate contractor's license and insurance.

THE BID

- The bid must be on the form provided by NCSD.
- Break out the costs for replacing a single service and a double service under Alternative #1-Copper and Alternative #2-PVC and the cost of abandoning a single service.
- For your information, a list of service addresses to be replaced is attached.
It is suggested that the contractor be familiar with the area before bidding this project.
- Work to commence after "Notice to Proceed" is issued by Nipomo Community Services District

DISTRICT AND CONTRACTOR

Contractor and District will enter into an agreement before work begins.

Sealed proposals will be received at the Nipomo Community Services District office at 148 SOUTH WILSON STREET, NIPOMO, CA 93444 until 4:30 p.m. on July 24, 1998.

Please call the District office if you have any questions.

JUL 01 1998

TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: JULY 1, 1998

DESIGN WATER MAINS AND STORAGE FACILITY

BACKGROUND

In November 1995 the District received the water and sewer system Master Plan developed by Boyle Engineering Corp. This Master Plan outlines the future water system and sewer system improvements to meet the District needs. The District is proceeding to implement the improvements recommended by the Master Plan. The District has completed the majority of Priority One Improvements. The last remaining one is the Creek Crossing, which is anticipated to be under construction this fall. Priority Two improvements are recommended to be completed by the year 2000. They include the installation of an additional one million gallon storage facility and installing parallel inlet and outlet lines to the storage tanks and within the District water transmission system.

DISCUSSION

The District has budgeted for the *design* of the new water storage facility and transmission lines and the *construction* of these improvements in this fiscal year. Staff has prepared a "Request for Proposals" to design the proposed improvements. On completion of the design for the improvements, the District will go out to bid for construction.

Staff is recommending that your Honorable Board authorize staff to request proposals to design a new water storage facility and transmission mains. Attached for the Board's review is the "Request for Proposals".

NIPOMO COMMUNITY SERVICES DISTRICT
REQUEST FOR PROPOSAL
DESIGN WATER TRANSMISSION MAINS AND STORAGE FACILITY
NIPOMO, CALIFORNIA

- I. The Nipomo Community Services District is requesting proposals to design approximately 2700 ± feet of 10" water line in Sea St. from Mallagh St. to Thompson Ave. then South in Thompson Ave. to Tefft St. and approx. 7500 feet of 12" water line in Tefft St. from Thompson Ave. to connect to the storage facilities on Dana Foothill Rd.- A new one-million gallon water storage facility is to be designed at the Dana-Foothill site. The proposed improvements are shown on the attached map.

- II. The following should be considered in your proposal.
 1. The new water lines will parallel and cross existing lines.
 2. The new lines will be tied into existing District water lines at approx. 4-5 locations.
 3. The new 1 MG storage tank will be built next to the existing storage facilities.
 4. A report to comply with CEQA. (Construction is planned for the 1998-99 Fiscal Year.)
 5. Documents for acquiring the necessary right-of-way for the new one MG storage facility. (Approx. 200' x 200' next to existing facility.)
 6. Make three presentations to the District Board of Directors
 1. CEQA Findings
 2. Final Design
 3. Bid results for construction

- III. Your proposal should include the following:
 1. Brief history & experience of your firm in designing similar projects.
 2. Time schedule to complete plans and specifications, CEQA requirements, and Right-of-Way documents.
 3. Your engineering cost estimate to develop the plans & specifications, CEQA report and Right-of-Way documents.
 4. Cost estimate for construction, survey, and inspection of the proposed improvements.
 5. Other items you wish to include.

- IV. The District will supply:
 1. Plans of the District's existing water lines and storage facilities.
 2. Acquisition of property easement to construct new water storage facility.
 3. Answers to most questions.

Your proposals should be submitted to the District by noon on July 27, 1998.

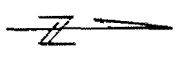
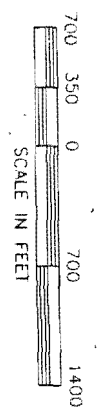
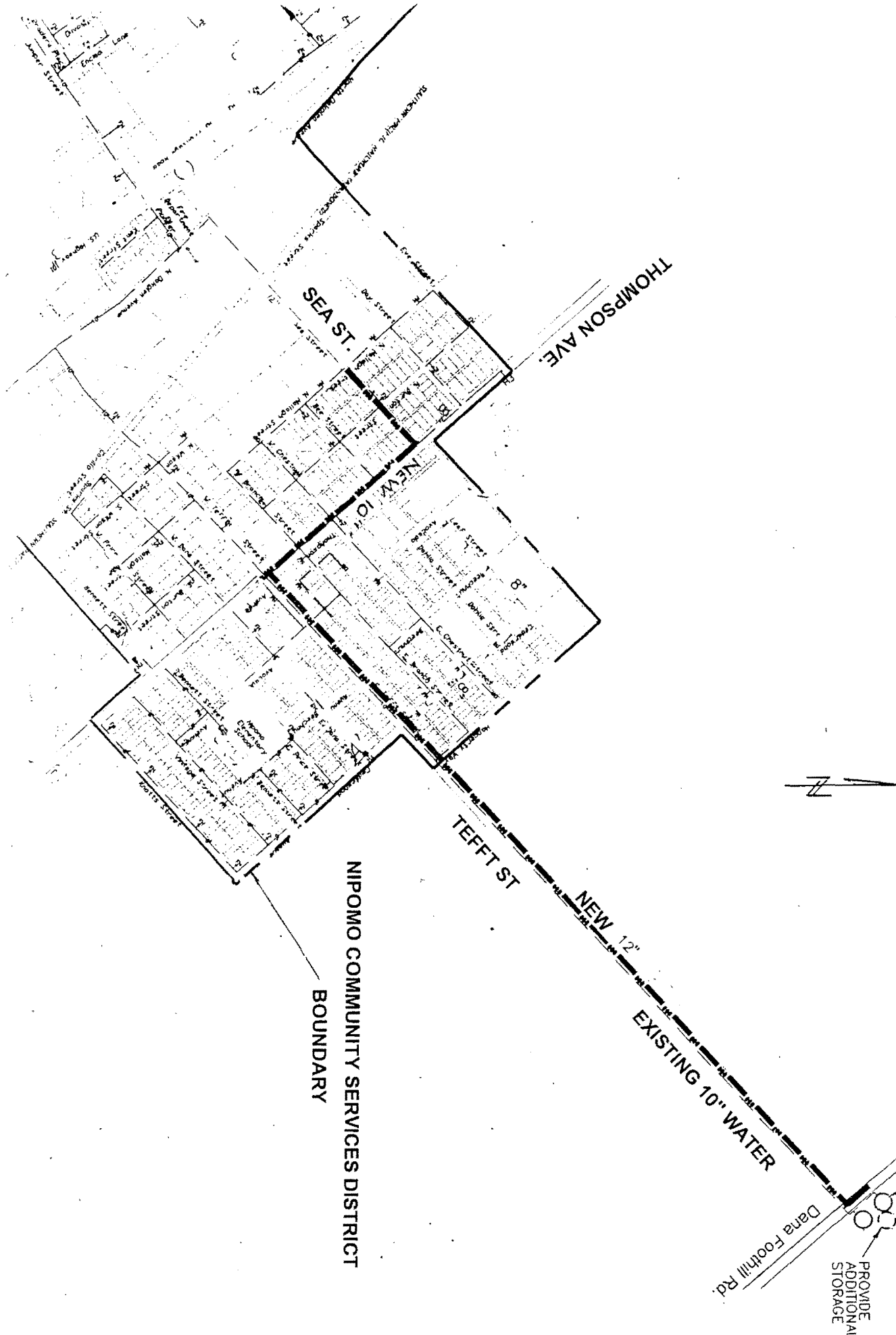
NIPOMO Community Services District
Doug Jones, General Manager
148 S. Wilson Street
PO Box 326
Nipomo, CA 93444

After the proposals are reviewed, the District staff will make a recommendation to the District Board.

The Board of Directors of Nipomo Community Services District will approve the final selection.

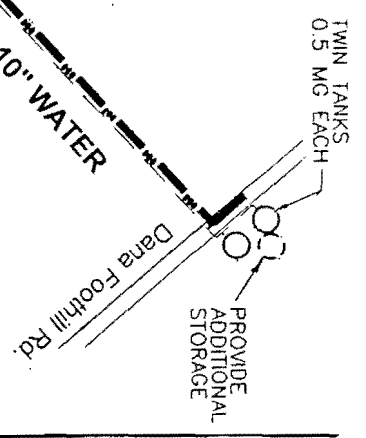
Any inquiries, contact Doug Jones at (805) 929-1133.

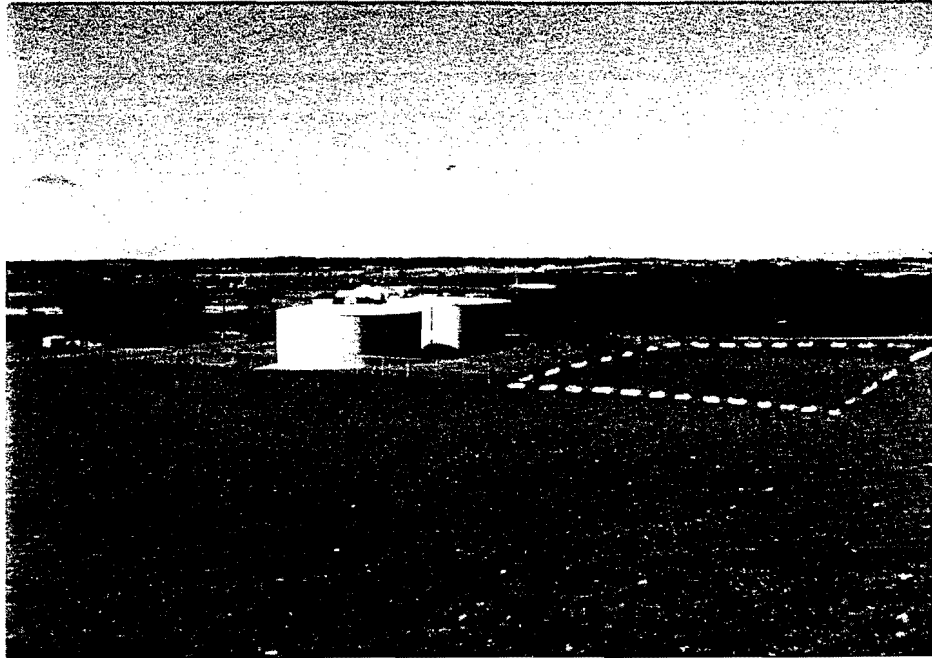
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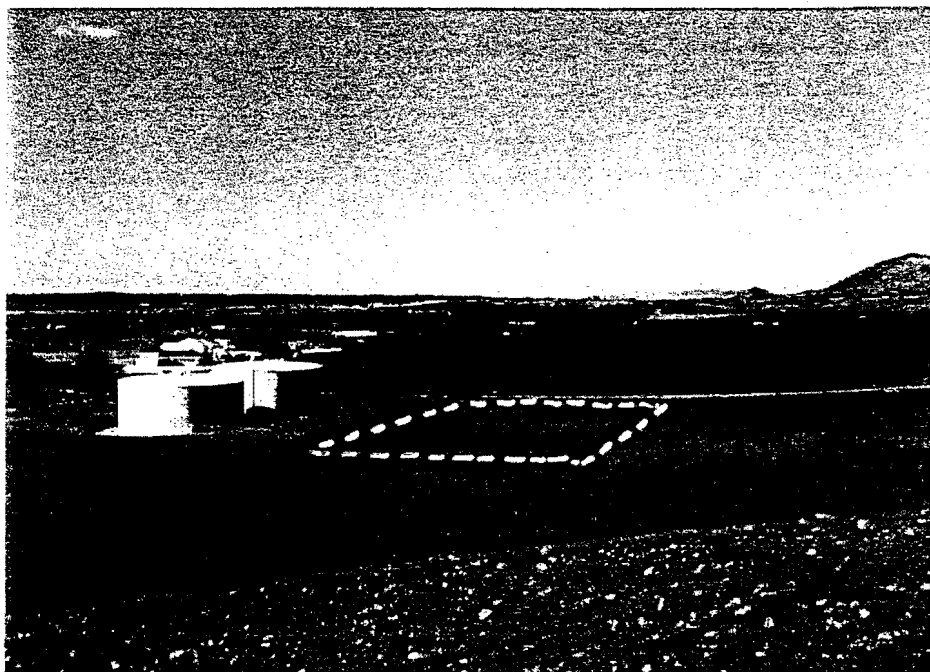
**NIPOMO COMMUNITY SERVICES DISTRICT
BOUNDARY**

EXISTING 10" WATER





Viewing Northwest Toward Existing Water Tank Site, Proposed Expansion Area at Right



Proposed Expansion Area at Center Right

AGENDA ITEM

JUL 01 1998



TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: JULY 1, 1998

CONFLICT OF INTEREST CODES

The District has received notice from the County with respect to reviewing the District's Conflict of Interest Code. The District Code § 2.08 outlines the Conflict of Interest Code for the District. It is anticipated that no changes are needed.

Upon the Board's review of the code, it is recommended that a determination be made that no changes are required and to direct staff to notify the County of such action.

C:\w:\conflict code.DOC

County of San Luis Obispo

COUNTY GOVERNMENT CENTER, RM. 370 ■ SAN LUIS OBISPO, CALIFORNIA 93408 ■ (805) 781-5011



OFFICE OF THE
COUNTY ADMINISTRATOR

TO: AFFECTED COUNTY DEPARTMENTS, SCHOOL DISTRICTS,
SPECIAL DISTRICTS AND AGENCIES

FROM: MARY YORK, ADMINISTRATION *may*

DATE: MAY 8, 1998

SUBJECT: CONFLICT OF INTEREST CODES

The Board of Supervisors of the County of San Luis Obispo is, as you are aware, the code reviewing body for a number of local agencies. The following excerpt from the Government Code is provided for your information and action as appropriate:

§ 87306.5 Conflict of interest code; review.

(a) No later than July 1 on each even-numbered year, the code reviewing body shall direct every local agency which has adopted a Conflict of Interest Code in accordance with this title to review its Conflict of Interest Code, and if a change in its code is necessitated by changed circumstances, submit an amended Conflict of Interest Code in accordance with subdivision (a) of Section 87302 and Section 87303 to the code reviewing body.

(b) Upon review of its code, if no change in the code is required, the local agency head shall submit a written statement to that effect to the code reviewing body no later than October 1 of the same year.

Please direct any changes you may have to my attention. Should you have any questions, you can reach me by calling 781-5026.

Thank you.

RECEIVED

MAY 13 1998

NIPOMO COMMUNITY
SERVICES DISTRICT

(c:COI/UPDATE.98)

Chapter 2.08

CONFLICT OF INTEREST CODE

Sections:

2.08.010 **Adopted by reference.**

2.08.010 **Adopted by reference.**

A. The board adopts the model Conflict of Interest Code presented by the county of San Luis Obispo, with Exhibit A, designated positions appropriate to district (set out at the end of this section).

B. A copy of said Conflict of Interest Code shall be maintained on file in the district office for inspection by the public at all reasonable hours.

C. The secretary of the board is directed to send a copy of the Conflict of Interest Code to the county administrative office. (Res. 125, 1977; Res. 116, 1977; Res. 111, 1977)

EXHIBIT A

Exhibit A

Designated Position	Disclosure Category Numbers (See Exhibit B)
1. Governing board member	1, 2, 3, 4
2. District manager	1, 2, 3, 4
3. Engineer permanently employed by the district	1, 2, 3, 4
4. General council retained by district	1, 2, 3, 4

Exhibit B

Disclosure Categories

Category No.

1. Interests in real property ⁽¹⁾ located, in whole or in part, within the boundary of the district.
2. Investments ⁽²⁾ in, and income ⁽³⁾ from, any business entity doing business within the district engaged in:
 - a. The acquisition, sale, lease or development of real estate within the district;
 - b. Building construction or design, either as a contractor or subcontractor.
3. Investments ⁽²⁾ in, and income ⁽³⁾ from, any business entity which in the past one-year period has furnished products or services to the district or, because of the type of product or service supplied, may with reasonable foreseeability provide products or services to the district in the next one-year period.
4. Income ⁽³⁾ of any business entity in which the filer or spouse owns a ten percent interest or greater which is derived from a client or customer who with reasonable foreseeability could be materially affected by district decisions made or participated in by the filer. Names of such clients or customers must be reported under this category if the filer's pro-rata share of gross receipts from such client or customer was greater than ten thousand dollars.

Footnotes: (applicable to all categories. See referenced sections of the Government Code for complete definitions.)

- (1) Interests in real property of the filer include those of the filer's spouse and dependent children as well as the filer's pro rata share of interests in real property owned by any business entity or trust in which the filer or spouse owns a ten percent interest or greater. Excluded are interests in real property with a fair market value of less than one thousand dollars or property which is used principally as the place of residence of the filer. (Government Code Sections 82033 and 87206.5.)
- (2) Investments of a filer include those of the filer's spouse and dependent children as well as the filer's pro rata share of investments owned by any business entity or trust in which the filer or spouse owns a ten percent interest or greater. Excluded are assets with the fair market value of less than one thousand dollars or ownership of less than one-half of one percent of the outstanding securities of a business entity whose securities are registered with the Securities and Exchange Commission. (Government Code Section 82034 and Section 101 of this Code.)
- (3) Income includes a filer's community property interest in income of his or her spouse, as well as the filer's pro rata share of income of any business entity or trust in which the individual or spouse owns a ten percent interest or greater. Income also includes nonfamily gifts worth more than twenty-five dollars. (Government Code Section 82030.)

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JULY 1, 1998

DISTRICT GENERAL ELECTIONS

The Nipomo Community Services District will hold elections to elect three members to the Board of Directors of the District. The District has not received the Special District Election Calendar from the Elections Office. Enclosed is the 1996 calendar with the dates changed for the Board's review.

Attached for the Board's review and action are the following

1. Resolution No. 98-Statement, limiting the candidate's statement of qualifications to 200 words and the candidates to pay for said statement.
2. Resolution No. 98-Consolidate, requesting the District general election be consolidated with the November 3, 1998 Statewide General Election.
3. "Notice to County Clerk of Elective Offices to be Filled and Transmittal of Map and Boundaries" which indicates that three members of the Board are to be elected in the November election.

Staff recommends adopting Resolutions 98-Qualify and Res. No. 98-Consolidate. A motion, a second and a roll call vote would be in order.

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SPECIAL DISTRICT CALENDAR
NOVEMBER 3, 1996 CONSOLIDATED GENERAL ELECTION

<u>DATE</u>	<u>ACTION</u>
<p style="text-align: center;">^{1 8} JULY 3, 1996</p> <p>125 days before election Elections Code Sections 10509, 10522, 13307</p>	<p>District Secretary shall deliver the Notice of Elective Offices to be filled to the County Clerk. The Notice shall bear the secretary's signature and the district seal. The Notice shall contain the elective offices to be filled and whether the district or candidate will pay for the publication of the Statement of Qualifications. The secretary will also deliver a map of the district's boundaries (even if they haven't changed since the last election), and a Resolution limiting the Statement of Qualifications to 200 words.</p>
<p style="text-align: center;">^{6 5 8} JULY 8 - AUGUST 7, 1996</p> <p>120 - 90 days before election Elections Code Sections 12115, 12116</p>	<p>County Clerk shall publish the Notice of Election once which shall contain:</p> <ol style="list-style-type: none"> 1. Date of Election 2. Purpose of Election 3. Qualifications for Office 4. Location where Declarations of Candidacy may be obtained & the deadline for filing 5. Statement regarding appointment pursuant to Elections Code Section 10515, also: <p>County Clerk shall, by a General Press Release, set forth the following:</p> <ol style="list-style-type: none"> 1. The offices to be filled 2. Telephone Number for information on filing a Declaration of Candidacy <p>Elections Official shall deliver a copy of all published notices to the district secretary to be posted in the district office.</p>
<p style="text-align: center;">^{3 7 5} JULY 13 - AUGUST 9, 1996</p> <p>113 - 88 days before election Elections Code Section 10510</p> <p>Harbors & Navigation Code Section 6053</p>	<p>NOMINATION PERIOD - Candidates file Declaration of Candidacy & other related nomination papers. Also the period for filing Statement of Qualifications. No candidate shall withdraw after 5:00 p.m., Friday, August 9, 1996.</p> <p>Harbor Commissioner candidates shall also file a Nomination Paper signed by not less than twenty-five but not more than fifty qualified electors of the district.</p>
<p style="text-align: center;">^{7 8} AUGUST 9, 1996</p> <p>88 days before election Elections Code Sections 10403</p>	<p>Last Day to file a Resolution with the Board of Supervisors and a copy with the County Clerk, requesting consolidation of election with the General Election.</p>
<p style="text-align: center;">^{8 9} AUGUST 10 - AUGUST 14, 1996</p> <p>87 - 83 days before election Elections Code Section 10516</p>	<p>Extended Filing Period - If a Declaration of Candidacy for an incumbent elective officer is not filed by 5:00 p.m., Friday, August 10, 1996, any person other than the incumbent may file a Declaration of Candidacy during this period. This is not applicable where there is no incumbent.</p>
<p style="text-align: center;">^{10 9} AUGUST 12, 1996</p> <p>85 days before election Elections Code Section 13307</p>	<p>LAST DAY for a candidate to <u>withdraw, but not change</u>, the Statement of Qualifications.</p>
<p style="text-align: center;">^{2 9} AUGUST 14, 1996</p> <p>83 days before election Elections Code Section 10515</p> <p>Elections Code Section 10520</p> <p>Elections Code Section 1304</p> <p>Harbors & Navigation Code Section 6050</p>	<p>If by 5:00 p.m., there are insufficient nominees, appointment of those persons who filed Declarations of Candidacy shall be made by the Board of Supervisors. The Board of Supervisors shall appoint any person who is qualified where there were no nominees.</p> <p>Each district shall reimburse the County for the costs incurred by the County Clerk for conducting the General District Election.</p> <p>Term of Office begins the first Friday in December, 12/6/96.</p> <p>Harbor Commissioners Term of Office begins the first Monday after the first day of January, 1/6/97.</p>

RESOLUTION NO. 98-STATEMENT

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING REGULATIONS PERTAINING TO CANDIDATES STATEMENTS
SUBMITTED TO THE VOTERS FOR THE DISTRICT'S GENERAL ELECTION
TO BE HELD ON TUESDAY, NOVEMBER 3, 1998**

WHEREAS, §13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a District Election, including costs of the candidates statement.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS

Each candidate for elective office to be voted for at the Election to be held by the Nipomo Community Services District on November 3, 1998, may prepare a candidate's statement of no more than 200 words pursuant to the provisions of Section 13307 of the Elections Code.

SECTION 2. PAYMENT.

- (A) The candidate shall pay the cost of printing the candidates statement in English.
- (B) The candidate shall pay the cost of translating the candidate's statement into Spanish pursuant to State and/or Federal law.
- (C) The candidate shall pay the cost of printing the candidate's statement in Spanish.

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

AYES: Directors
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 1st day of July 1998.

Alex Mendoza, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

RESOLUTION NO. 98-CONSOLIDATE

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REQUESTING THE BOARD OF SUPERVISORS OF
THE COUNTY OF SAN LUIS OBISPO TO CONSOLIDATE
A GENERAL DISTRICT ELECTION TO BE HELD ON NOVEMBER 3, 1998
WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE
SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTION CODE**

WHEREAS, the Board of Directors of the Nipomo Community Services District has called a District Election to be held on November 3, 1998, for the purpose of the election of three members of the Board of Directors for full terms of four years, and

WHEREAS, the Board of Directors of the Nipomo Community Services District desires to request the San Luis Obispo County Board of Supervisors to consolidate the District's General Election with the Statewide General Election to be held on the same date:

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

1. That pursuant to the requirements of Section 10403 of the Election Code, the Board of Supervisors of the County of San Luis Obispo is hereby requested to consent and agree to consolidate the District's General Election with the Statewide General Election to be held on Tuesday, November 3, 1998, for the purpose of the election of three members to the Nipomo Community Services District Board of Directors.
2. That the District recognizes that additional costs will be incurred by the County by reasons of this consolidation and agrees to reimburse the County for additional costs.
3. That the County Election Department is authorized to canvas the returns of the District election.
4. That the Board of Supervisors issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated elections.

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

AYES: Director
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 1st day of July 1998.

Alex Mendoza, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

**NOTICE TO COUNTY CLERK OF ELECTIVE OFFICES TO BE FILLED AND
TRANSMITTAL OF MAP AND BOUNDARIES**

(Elections Code Sections 10509 10522, 10524)

Nipomo Community Services District

To the County Clerk of SAN LUIS OBISPO COUNTY

1. Notice is hereby given that the elective offices of the District to be filled at the consolidated General Election on November 3, 1998, are as follows:

NUMBER OF DIRECTORS TO BE ELECTED

THREE (3)

TERM OF OFFICE

4 YEARS

2. The qualifications of a nominee and of an elective officer of the District are as follows:

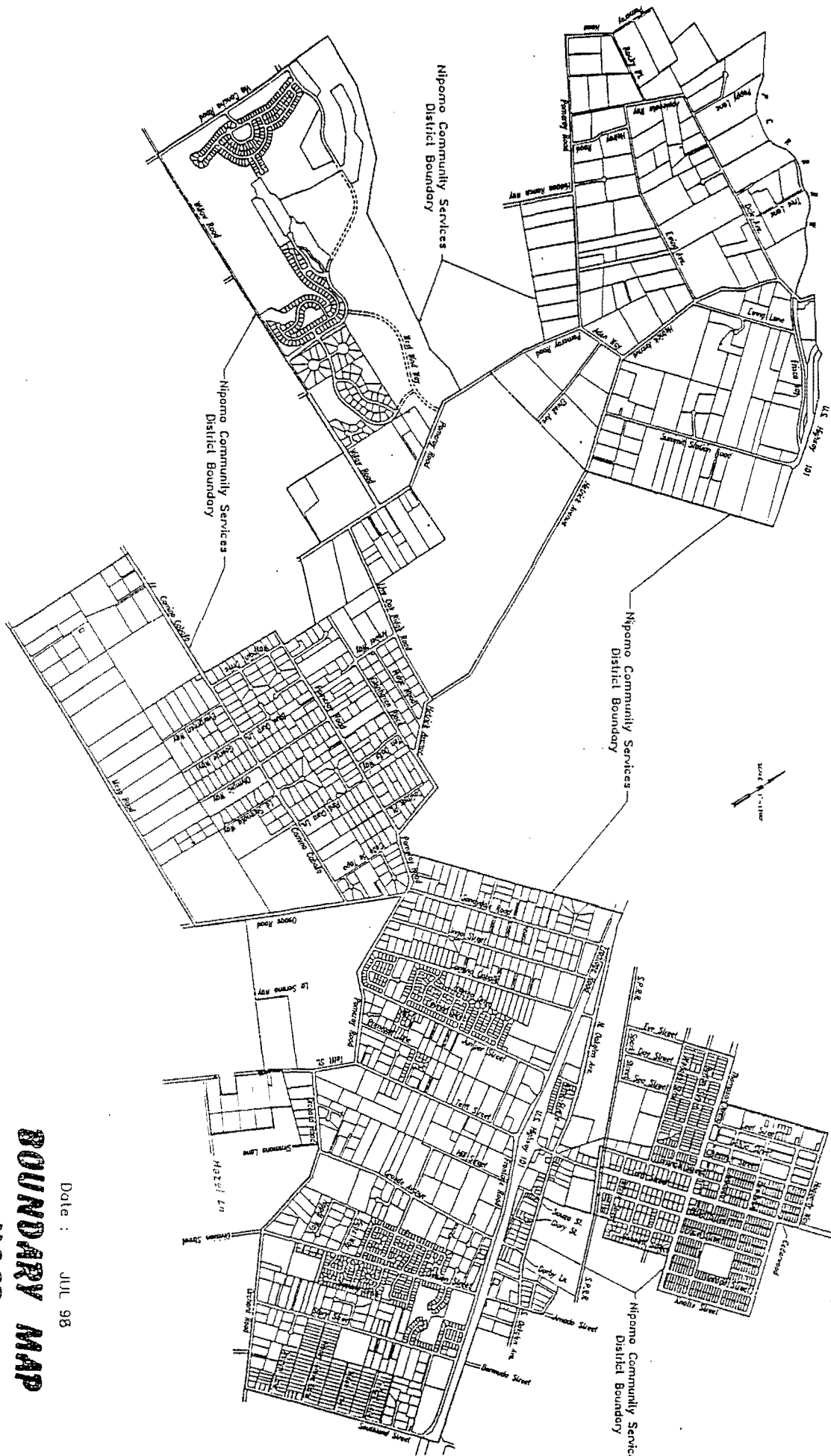
**SHALL BE REGISTERED ELECTORS RESIDING WITHIN
THE BOUNDARIES OF THE DISTRICT**

3. Pursuant to elections Code Section 10522, **a map showing the boundaries of the District is attached.**
4. The **CANDIDATE** is to pay for the publication of the Candidate's Statement of Qualifications, pursuant to Elections Code Section 13307:

Dated: _____

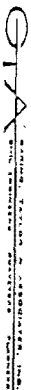
(DISTRICT SEAL)

District Secretary's Signature



BOUNDARY MAP
NCSD

Date : JUL 98



AGENDA ITEM
JUL 01 1998

10

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JULY 1, 1998

MANAGER'S REPORT

1. SOUTHLAND WASTEWATER TREATMENT FACILITY EXPANSION BID RESULTS

The Southland Wastewater Treatment Facility Expansion Phase I bids were opened June 29, 1998 at 2:00 p.m. in the District Board room. An oral report will be made at the July 1, 1998 Board meeting.

The District State Revolving Fund Loan contract will be amended to reflect the actual dollar amount shown in the bid received by the District. The bid results and the amended contract will be sent to the State for approval. It is anticipated that we will receive their approval prior to the next Board meeting held on July 15, 1998. If the State approval is received, the amended contract will be presented to your Honorable Board for approval and awarding of the contract for construction of Phase I.

This is an information item. No action is required by the Board.

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WARRANTS JULY 1, 1998

HAND WRITTEN CHECKS

18014	Employ Dev. Dept.	\$31.35
18015	Mid State Bank	17.68
18016	J. Hodges	1,799.50
18017	Hunstad Const.	441.90
18020	K. Fairbanks	100.00
18021	A. Mendoza	100.00
18022	A. Simon	100.00
18023	R. Blair	100.00
18024	G. Kaye	100.00
18025	Dana Properties	205.90
18027	SDRMA	22,108.75
18028	P.E.R.S.	3,294.60

VOIDS

10046
 10085-10110
 2484
 18026

NET PAYROLL

CK# 2485-2493 \$12,056.06

COMPUTER GENERATED CHECKS

10081	06/30/98	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$850.69
10082	06/30/98	DOUG JONES	\$300.00
10083	06/30/98	PUBLIC EMPLOYEES RETIREMENT SYSTEM	\$1,995.20
10084	06/30/98	STATE COMPENSATION INSURANCE FUND	\$2,328.13
10111	06/30/98	ADVANTAGE ANSWERING PLUS	\$97.95
10112	06/30/98	ALL PURE CHEMICAL CO	\$941.28
10113	06/30/98	BERCHTOLD EQUIPMENT CO.	\$80.53
10114	06/30/98	CAL-MARIA ENGINES	\$212.50
10115	06/30/98	CLAY'S SEPTIC SERVICES, INC.	\$411.00
10116	06/30/98	EASTER RENTS	\$8.07
10117	06/30/98	FGL ENVIRONMENTAL ANALYTICAL CHEMIST	\$805.20
10118	06/30/98	GTE CALIFORNIA	\$29.00
10119	06/30/98	GROENIGER & COMPANY	\$357.18
10120	06/30/98	GREAT WESTERN ALARM AND COMMUNICATIO	\$25.00
10121	06/30/98	KARDEL COMPUTER SERVICES	\$201.00
10122	06/30/98	LAB SAFETY SUPPLY, INC.	\$69.69
10123	06/30/98	McKESSON WATER PRODUCTS	\$13.30
10124	06/30/98	MID STATE BANK-MASTERCARD	\$611.11
10125	06/30/98	P G & E	\$23,696.17
10126	06/30/98	PACIFIC BELL	\$192.93
10127	06/30/98	PRECISION JANITORIAL SERVICE	\$135.00
10128	06/30/98	SAN JOAQUIN SUPPLY CO	\$45.76
10129	06/30/98	SAN LUIS OBISPO COUNTY CLERK RECORDE	\$14.00
10130	06/30/98	SHIPSEY & SEITZ, INC.	\$4,136.00
10131	06/30/98	SOUTHERN CALIF GAS COMPANY	\$55.43
10132	06/30/98	WESTBURNE/AIR COLD INC.	\$70.06