

NIPOMO COMMUNITY SERVICES DISTRICT AGENDA

John Snyder

SEPTEMBER 2, 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**

500
11:00
12:00
12

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 AUGUST 19, 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. RESOLUTION OF NECESSITY
Possible adoption of a resolution to begin the process of eminent domain for public easements
4. WAIVER OF WATER SERVICE
Request for a waiver of ordinance requirements for a second water service
5. OAKGLEN/MALLAGH WATER LINE BIDS
Review bids received to construct Oakglen/Mallagh water line and award contract
6. REVISION OF DISTRICT BY-LAWS
Review revision to By-Laws and adopt resolution
7. REVISION OF DISTRICT ORDINANCES
Review of possible revisions of District ordinances (General Discussion)

FINANCIAL REPORT

8. APPROVAL OF WARRANTS

OTHER BUSINESS

9. MANAGER'S REPORT
 1. CHC CORRESPONDENCE TO LAFCO
 2. SLO-CSDA RECEPTION FOR MIKE GOTCH 9/11/98
 3. NEWSPAPER ARTICLE ON NIPOMO GROWTH
10. DIRECTORS COMMENTS

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

- A. Existing litigation GC§ 54956.9
 1. NCSD vs. Shell Oil, et. al. Case No. CV 077387
- B. Conference with real property negotiator-District Negotiator-General Manager GC§ 54956.8
 1. - Dana-Doty water line/tank easements

ADJOURN

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

AUGUST 19, 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 Regular Meeting of August 19, 1998 to order at 7:02 p.m. and led the flag salute.

ROLL CALL

At Roll Call, all Board members were present.

APPROVAL OF MINUTES

1. REGULAR MEETING OF AUGUST 5, 1998

Upon motion of Director Simon and seconded on Director Kaye, the Board unanimously approved the Minutes of the August 5, 1998 Regular Meeting.

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.**

President Mendoza opened the meeting to Public Comments. The following people spoke.

John Snyder - 662 Eucalyptus Rd. Nipomo - Received letter from the District but felt that it was not clear. He asked that the District answer another letter which he passed to each member of the Board. Jon Seitz, District Legal Counsel, read the last paragraph of letter to Mr. Snyder in answer to his questions. Mr. Snyder also asked about getting a representative from the DWR to explain the Report. Upon motion of Director Fairbanks and seconded by Director Kaye, the Board unanimously agreed to direct staff to invite an engineer from the DWR to discuss the DWR Report.

MINUTES SUBJECT TO BOARD APPROVAL

5. ENGINEERING SERVICES

Sub-Committee report on services to design water line and storage

Sub-Committee members, Directors Al Simon and Bob Blair recommended Garing, Taylor and Associates for the engineering services to design the Thompson-Tefft water line and storage facility. There were no public comments. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously agreed to accept the proposal from Garing, Taylor and Associates and directed staff to prepare an agreement.

6. REQUEST FOR INTENT-TO-SERVE LETTER - TRACT 2297 (EDWARDS)

Request for water service for a 7 lot development at Pomeroy and Willow Rds.

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

Mavi Camacho Edwards, 772 Sandydale, Nipomo - requested 4 additional services for a lot split at Willow and Pomeroy Roads, Tract 2297.

Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved an Intent-to-Serve letter for Tract 2297 with the conditions outlined in the Board letter.

7. REQUEST FOR INTENT-TO-SERVE LETTER - TRACT 1747 (HERMRECK)

Renewed request for water and sewer service for a 149 lot development at Chestnut and Thompson Rd.

Mr. Jones explained that a request was received from EDA for renewal of the Intent to Serve letter for Tract 1747 at the northeast corner of Chestnut and Thompson Avenues. Tract 1747 has been changed from a 189-lot development to a 149-lot subdivision. There were no public comments.

Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved an Intent-to-Serve letter for Tract 1747 with the conditions outlined in the Board letter.

8. REQUEST FOR INTENT-TO-SERVE LETTER - TRACTS 1924 & 2304 (WITTSTROM)

Request for water service for Tract 1924 a 32 lot development at Camino Caballo & Osage Rd. and Tract 2304 a 39 lot development at Mesa & Osage Rds

During this agenda item (Item #8) the following public spoke:

Orrin Cocks asked if the quality of a developer affects the decision of the Board in approving a development. It did not.

Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approved Intent-to-Serve letters for Tracts 1924 and 2304 with the conditions outlined in the Board letter.

9. SURPLUS EQUIPMENT

Approved by the Board to dispose of District surplus equipment

Mr. Jones explained that there is obsolete equipment needing to be disposed. Upon motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously approved to authorize staff to dispose of the surplus equipment.

MINUTES SUBJECT TO BOARD APPROVAL

AGENDA ITEM



SEP 02 1998

MEMORANDUM

**TO: BOARD OF DIRECTORS
NIPOMO COMMUNITY SERVICES DISTRICT**

**FROM: MICHAEL W. SEITZ
DEPUTY DISTRICT LEGAL COUNSEL**

**RE: RESOLUTION OF NECESSITY FOR THE THOMPSON-TEFT WATER
MAIN AND STORAGE PROJECT**

DATE: AUGUST 24, 1998

As the Honorable Board is aware, it has approved the planning of the water main and storage project known as the Thompson-Teft Water Main and Storage Project. The action before the board tonight is the approval of the Resolution of Necessity. The Resolution of Necessity is necessary in order to begin Eminent Domain proceedings to acquire the easements and property necessary for the storage site and water main.

In voting on the Resolution of Necessity you will be making the following findings:

1. That the public interest and necessity requires the Thompson-Teft Water Main and Storage Project,
2. That the Thompson-Teft Water Main and Storage Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury, and
3. That the easements and property being sought are necessary for the Thompson-Teft Water Main and Storage Project.

Testimony should be taken from Staff and Engineers on each of these issues. Notice has been given by first class mail to all of the registered property owners based upon last tax assessor's role. All of the property owners have been given notice of their opportunity to give written notice of their intention to appear at the meeting and to be heard regarding the issues being considered by the Board (1, 2, and 3 above). At the time of this staff report no written notices have been received.

At the Public Hearing on this matter it is suggested that the President open the public hearing and announce that no written requests by the property owners

to speak on the issues have been received. If a property owner attends, it would be up to the President of the Board as to whether or not to allow the property owner to speak. However, the property owners have been advised that failure to give written notice of their intention to speak at the meeting waives their right to speak.

After the public hearing, the President should close the public hearing and entertain Board discussion. The President should seek a motion to adopt the Resolution of Necessity. After Board Member discussion a roll call vote should be taken. In order to approve the Resolution of Necessity a four-fifths vote of the Board Members is required if all five Board Members are in attendance. If only four Board Members are in attendance than a three-quarters vote will be sufficient.

District Staff is continuing to negotiate with the Danas regarding these purchases. However, in order to provide closure of these issues it is necessary to institute the beginnings of the Eminent Domain proceedings. This is to insure the construction can take place before November.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 98-THOMPSON-TEFFT**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
OF NECESSITY FOR CONDEMNATION OF EASEMENTS FOR THE
THOMPSON-TEFFT WATER MAIN AND STORAGE PROJECT**

WHEREAS, the Board of Directors of the Nipomo Community Services District does hereby resolve as follows, that:

1. It is a Community Services District of the State of California whose specific grant of power of condemnation is derived from Government Code Section 61610.
2. It desires to condemn in fee simple absolute the real property and easement interests described in Exhibit "A", attached hereto and incorporated herein.
3. Said real property is located outside the boundary of the Community Services District. It is condemned because these real property and easement interests are necessary for construction of water storage facilities, water storage facilities expansion areas, and water line easements. The approximate location of the real property easement being acquired is shown on the map attached hereto as Exhibit "B" and incorporated herein.
4. Said real property is being condemned pursuant to Code of Civil Procedure Section 1240.110.

IT IS HEREBY FOUND AND DETERMINED by at least four-fifths vote of this entire Governing Board that:

1. The public interest and necessity require this proposed project as above described.
2. The proposed project is planned and located in the manner that is most compatible with the greatest public good and the least private injury.
3. The property described in this Resolution is necessary for the proposed project.
4. The necessary notice of this hearing required by Code of Civil Procedure Section 1245.235 has been given.
5. That the offer required by Government Code Section 7267.2 has been made to the owners.

**RESOLUTION NO. 98-NECESSITY
PAGE TWO**

6. Shipsey & Seitz, Inc., heretofore retained by the District for this purpose, shall proceed with the filing and processing of suit, including the obtaining of any necessary orders for possession.

7. The President, or Vice President, of the District is hereby authorized and directed to execute documents and papers necessary for the initiation, processing and completion of a condemnation action for the acquisition of the above-described real property.

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

AYES: Directors

NOES:

ABSTAIN:

ABSENT:

the foregoing resolution is hereby adopted this 2nd day of September 1998.

Alex Mendoza, President
Nipomo Community Services District

ATTEST:

Donna K. Johnson
Secretary to the Board

APPROVED AS TO FORM AND LEGAL EFFECT::
SHIPSEY & SEITZ, INC.

MICHAEL W. SEITZ

Dated: _____

c:\w:\RES\98-THOMPSON-TEFFT.doc

EXHIBIT "A"**REAL PROPERTY EASEMENT****LEGAL DESCRIPTION**

A 20.00 foot wide strip of land across that parcel of land, near the Town of Nipomo, in the County of San Luis Obispo, State of California, designated as Lot 4 according to that map entitled, "Map of the Resubdivisions of The Southwesterly Part of Lot no. 24 of H.C. Ward's Subdivision of the Nipomo Rancho, being The Property of S. A. Dana, Partly Surveyed and Map drawn by George Story, County Surveyor, in 1887" as filed December 10, 1987 by Elisha Dana in Book "A" at Page 20 of Maps in the office of the Recorder for said county, the centerline of said strip of land lies between the southwesterly boundary of the Pacific Coast Railroad Company Right-of-Way and the southwesterly boundary of said Lot 4 according to said map, and lies parallel with and offset 15.00 feet northwesterly for the southwesterly prolongation of the centerline of "C" Street according to that map entitled, "Map of the Brookside Tract, Nipomo-San Luis Obispo County, California, being the Property of C. E. - H. C. and P. Fry and S. A. Dana, Surveyed and Map drawn by George Story, County Surveyor, in 1887" as filed at the request of S. A. Dana on August 1, 1887 in Book "A" at Page 28 of Maps in the office of the Recorder for said county,

furthermore the sidelines of the herein above described 20.00 foot wide strip of land shall be lengthened and or shortened to intersect property boundaries.

Also:

A 20.00 foot wide strip of land, near the Town of Nipomo, in the County of San Luis Obispo, State of California, with a centerline that lies between the northeasterly boundary of the Pacific Coast Railroad Company Right-of-Way and the centerline of "Mallagh Street", and lies parallel with and offset 15.00 feet northwesterly from the centerline of "C" Street according to that map entitled, "Map of the Brookside Tract, Nipomo-San Luis Obispo County, California, being the Property of C. E. - H. C. and P. Fry and S. A. Dana, Surveyed and Map drawn by George Story, County Surveyor, in 1887" as filed at the request of S. A. Dana on August 1, 1887 in Book "A" at Page 28 of Maps in the office of the Recorder for said county.

furthermore the sidelines of the herein above described 20.00 foot wide strip of land shall be lengthened and or shortened to intersect property boundaries.

End Description

Temporary Construction Easement
Legal Description

A 35.00 foot wide strip of land across that parcel of land, near the Town of Nipomo, in the County of San Luis Obispo, State of California, designated as Lot 4 according to that map entitled, "Map of the Resubdivisions of The Southwesterly Part of Lot No. 24 of H.C.Ward's Subdivisions of the Nipomo Rancho, being The Property of S.A.Dana, Partly Surveyed and Map drawn by George Story, County Surveyor, in 1887" as filed December 10, 1887 by Elisha Dana in Book "A" at Page 20 of Maps in the office of the Recorder for said county, the centerline of said strip of land lies between the southwesterly boundary of the Pacific Coast Railroad Company Right-of-Way and the southwesterly boundary of said Lot 4 according to said map, and lies parallel with and offset 12.50 feet southeasterly from the southwesterly prolongation of the centerline of "C" Street according to that map entitled, "Map of the Brookside Tract, Nipomo-San Luis Obispo County, California, being the Property of C.E.-H.C. and P. Fry and S.A. Dana, Surveyed and Map drawn by George Story, County Surveyor, in 1887" as filed at the request of S.A. Dana on August 1, 1887 in Book "A" at Page 28 of Maps in the office of the Recorder for said county,

furthermore the sidelines of the herein above described 35.00 foot wide strip of land shall be lengthened and or shortened to intersect property boundaries.

Also:

A 35.00 foot wide strip of land, near the Town of Nipomo, in the County of San Luis Obispo, State of California, with a centerline that lies between the northeasterly boundary of the Pacific Coast Railroad Company Right-of-Way and the centerline of "Mallagh Street", and lies parallel with and offset 12.50 feet southeasterly from the centerline of "C" Street according to that map entitled, "Map of the Brookside Tract, Nipomo-San Luis Obispo County, California, being the Property of C.E.-H.C. and P. Fry and S.A. Dana, Surveyed and Map drawn by George Story, County Surveyor, in 1887" as filed at the request of S.A. Dana on August 1, 1887 in Book "A" at Page 28 of Maps in the office of the Recorder for said county,

furthermore the sidelines of the herein above described 35.00 foot wide strip of land shall be lengthened and or shortened to intersect property boundaries.

End Description

REAL PROPERTY CONDEMNATION**LEGAL DESCRIPTION**

The premises situated in the County of San Luis Obispo, State of California, more particularly described as follows:

Beginning at the most westerly corner of Tract GG of Lot 69 of Rancho Nipomo, as shown on map thereof recorded in Book A of Maps at page 13, in the office of the County Recorder of said County; thence,

1st: along the Northwesterly line of said Tract GG, North 33° 18' East 400.00 feet; thence,

2nd: parallel with the Northeasterly line of County Road No. 149, South 59° 05' East 200.00 feet; thence,

3rd: parallel with said Northwesterly line of Tract GG, South 33° 18' West 400.00 feet to said Northeasterly line of County Road No. 149; thence,

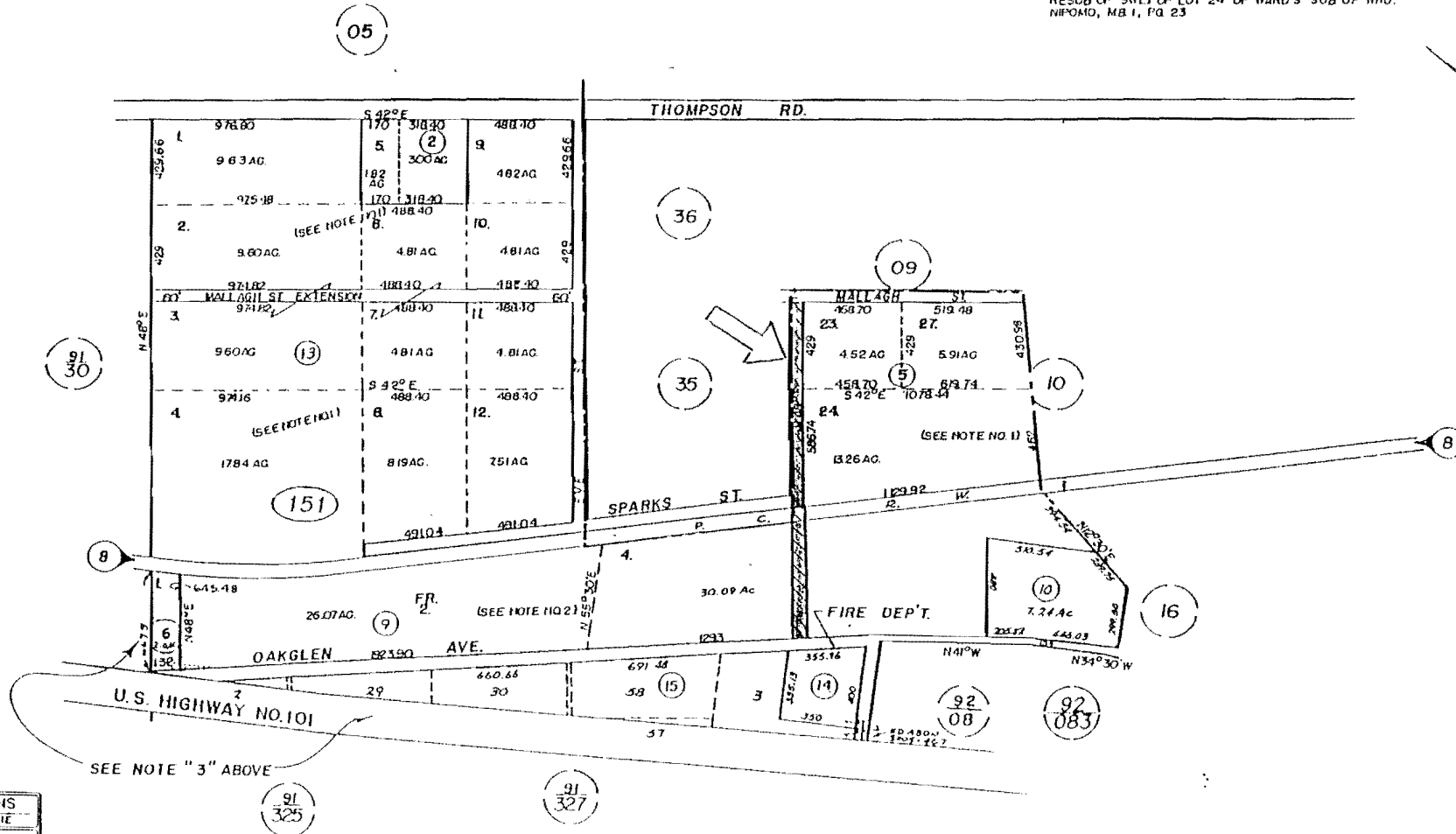
4th: along said Northeasterly line of County Road No. 149, North 59° 05' West 200.00 feet to the point of beginning,

containing 1.84 acres, more or less.

Exhibit "B"

090-151

- NOTES 1 STORY'S RESUB OF NWY PART OF LOT 24 OF WARD'S SUB OF HANCOCK NIPOMO
- 2 STORY'S RESUB OF SWLY PART OF LOT 24 OF WARD'S SUB OF HANCOCK NIPOMO, MB "A", PG 20
- 3 CALIMEX PLANTATION CO'S NIPOMO TRACT "A" RESUB OF LOT 1 & PART OF LOTS 2 & 3 OF STORY'S RESUB OF SWLY OF LOT 24 OF WARD'S SUB OF HND. NIPOMO, MB 1, PG 23



| REVISIONS | |
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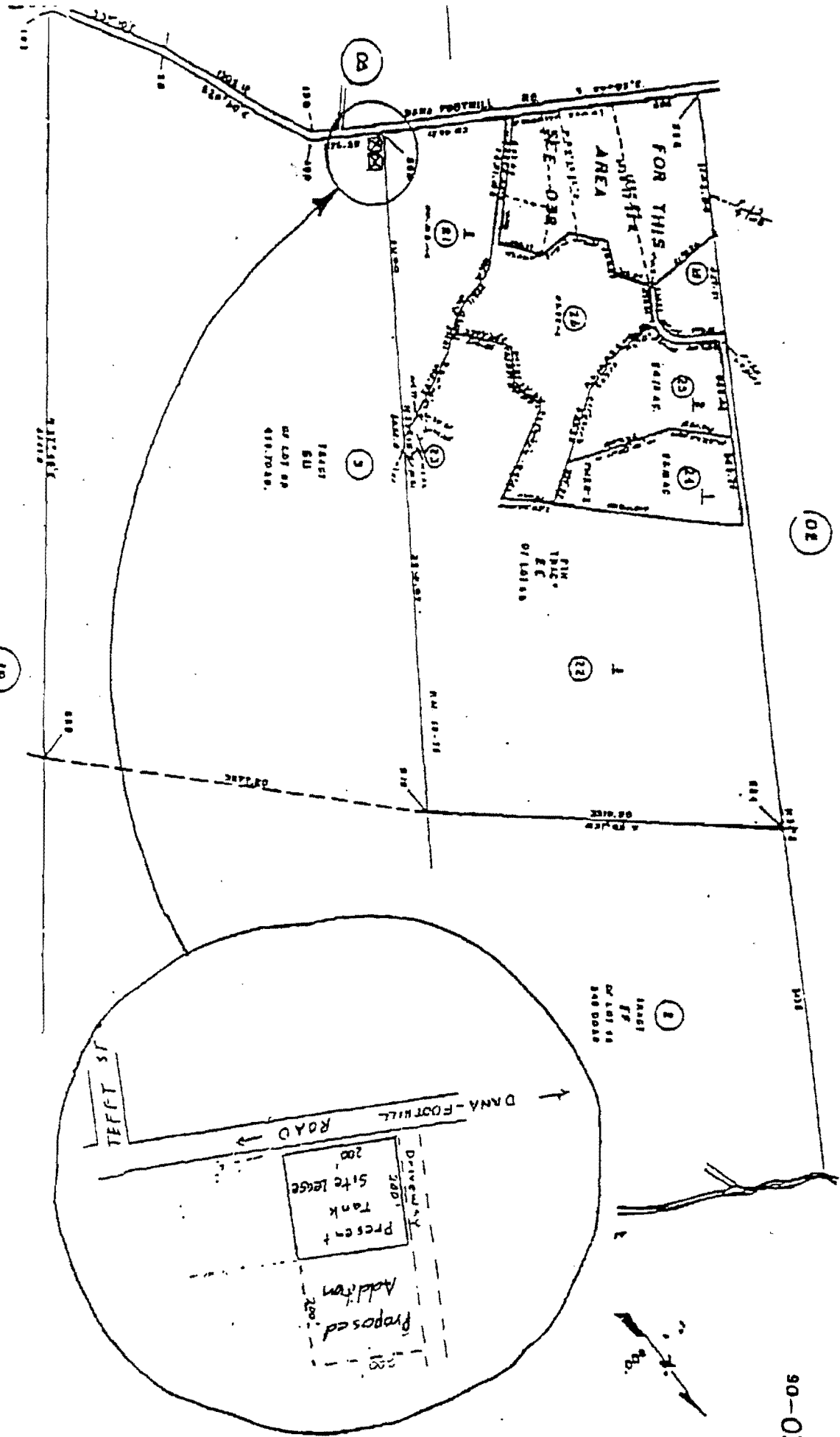
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THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.

NOTE—ASSESSMENT & BLOCK & LOT NUMBERS SHOWN IN CIRCLES

RANCHO NIROMO
SAN LUIS OBISPO COUNTY
CALIFORNIA



90-03

SEP 02 1998

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: SEPTEMBER 2, 1998

WAIVER OF WATER SERVICE

The District has received a request from Mr. Rufus Ferguson of 767 Juniper Street, Nipomo. He is requesting your Honorable Board to grant a waiver to the requirements of District code §3.12.050(b) (Ord. 84-47).

Mr. Ferguson was grandfathered in with respect to the code section requiring individual water meters to individual residences on a single property, which was established in 1984. The code excludes existing facilities to be in compliance when it was adopted but must comply with the code, when changes are made, i.e. sale of the property, new construction, etc. Mr. Ferguson, in his second letter, states the reason for his request.

Staff is preparing a number of revisions to the District code. One would be service to individual property would be based on the demand or the capacity of the service with respect to how the property is developed. Therefore, if the codes are modified, two dwelling units on a single property could be served by a one-inch meter. If the proposed revisions of the ordinance are adopted by your Honorable Board, then this matter would be moot.

Some options Mr. Ferguson has are as follows:

1. Wait until the ordinance revision is reviewed and enacted.
2. Place a deposit in the amount of the capacity fees for the second service, in which, if the ordinance is revised and adopted, then these funds could be refunded to Mr. Ferguson.

It is unknown what Mr. Ferguson's future plans are for the property. If they are not immediate, staff would recommend that Mr. Ferguson hold off on this matter until the Board reviews the proposed revisions to the District Codes (ordinances).

17 August 1997

Board of Directors
Nipomo Community Services District
261 W. Dana St.
Nipomo, CA. 93444

Board of Directors:

Request that I be granted a waiver to the requirements of Section 2 and Section 5(2) of ORDINANCE NO. 84-47 which became effective on 28 December 1984.

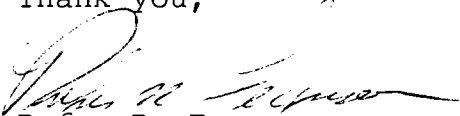
I own the property at 767 Juniper St. with 2 separate residences (A main house and a "granny" flat). The property is serviced by one 1" meter.

This Ordinance was non existant when building permits were issued on 29 March 1984 for the "Granny" flat and on 23 October 1984 for the Main house.

We have not experienced any water service problems with the one 1" meter for the past 14 years.

Thank you for your consideration in this matter.
Request that I be notified of your decision.

Thank you,



Rufus R. Ferguson
767 Juniper St.
Nipomo, CA. 93444
(805) 929-5281

RECEIVED

AUG 19 1998

NIPOMO COMMUNITY
SERVICES DISTRICT

20 August 1998

Mr. Doug Jones
Nipomo Community Services District
Nipomo, CA. 93444

Mr. Jones:

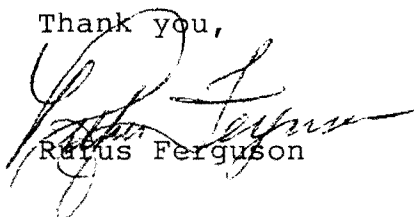
In response to your phone call earlier today, the following is offered as my reason for requesting a waiver to the requirements of Ordinance 84-47.

(1) In the event I should want or need to connect to the sewer system at some time in the future. I contacted a NCS D staff member (I do not have the name), in 1996 and asked about the requirements of connecting to the sewer system. I was advised that I would not be afforded sewer service until I connected an additional water service to my property. Reference NCS D letters dated January 14, 1985; February 19, 1985 and May 15, 1986 all of which address my requirement to comply with Ordinance 84-47.

(2) Should I decide to sell this property at some time in the future I need to have this matter resolved prior to sale.

I do subsist on a fixed (retirement) income. \$4200.00 represents a significant sum of money and would substantially impact my financial well being if I am required to comply with this Ordinance.

Thank you,



Rufus Ferguson

Chapter 3.12

**WATER SUPPLY TO MULTIPLE
PREMISES, PARCELS AND
BUILDING UNITS**

Sections:

- 3.12.010** Title for citation.
3.12.020 Separate meter and pipe system for each lot required.
3.12.030 Agricultural exception.
3.12.040 Subsequent lot splits, land divisions and building modifications.
3.12.050 Existing nonconforming uses.
3.12.060 Resale of water.
3.12.070 Board waiver for hardship reasons.
3.12.080 Violation a misdemeanor.
3.12.090 Violation a public nuisance.

3.12.010 Title for citation.

This chapter shall be known as "Regulations for Water Supply to Multiple Premises, Parcels and Building Units." (Ord. 84-47 § 1, 1984)

3.12.020 Separate meter and pipe system for each lot required.

Water service shall be provided to each separate lot or parcel, to each separate residential or commercial building on any lot or parcel, and to each separate portion of a single building designated to be occupied by separate owners or tenants (such as apartments, condominium units and store or office premises) by a separate meter and

pipe system installed for each said lot, parcel, building or portion thereof. (Ord. 84-47 § 2, 1984)

3.12.030 Agricultural exception.

Any user of water primarily for agricultural purposes from a meter on one lot or parcel of land, may convey water from said meter across lot or parcel lines to serve other lots or parcels primarily for agricultural purposes; provided, said lots and parcels are all contiguous to one another and are under the same ownership or entitlement for use, and only so long as all such lots and parcels use such water primarily for agricultural purposes. (Ord. 84-47 § 3, 1984)

3.12.040 Subsequent lot splits, land divisions and building modifications.

In the event any lot, parcel or building receiving water service through a meter is split or divided into smaller lots, parcels or building units, the existing meter shall be deemed appurtenant to the defined lot, parcel or building unit upon which it is situated or most immediately adjacent. (Ord. 84-47 § 4, 1984)

3.12.050 Existing nonconforming uses.

In the event that, prior to the adoption of the ordinance codified in this chapter, water service was being provided or used in a manner which is contrary to said ordinance, said service and use may continue, provided:

A. That the district shall not grant, permit, approve or allow any new, further or additional connections to be made to said meter or of the water therefrom unless such

additions conform to this chapter unless otherwise exempted;

B. That upon the sale, transfer or conveyance of any parcels involved in a violation of the provisions hereof all such parcels shall be required to conform hereto;

C. That the nonconforming rights recognized or granted hereunder shall terminate and be of no further effect if the nonconforming use ceases or is unused for a period of six or more consecutive months. (Ord. 84-47 § 5, 1984)

3.12.060 Resale of water.

No person shall resell any of the water received by him from the district to any other person, or for use on any other premises, or for any other purposes than specified in the application for service. (Ord. 84-47 § 6, 1984)

3.12.070 Board waiver for hardship reasons.

A. Any owner or other person who claims that the provisions hereof place an undue expense, inherent maintenance difficulties or other unusual hardship on said person may apply in writing to the district board of directors for an exemption from specific provisions hereof.

B. The district board of directors shall hold a noticed public hearing on the application, and may grant an exemption for a specific period of time if finds that unique circumstances applicable to the persons or property justify such an exemption. (Ord. 84-47 § 7, 1984)

3.12.080 Violation a misdemeanor.

No person shall make, permit, approve or allow any water connections or extensions contrary to the provisions of this chapter.

Any violation hereof shall constitute a misdemeanor punishable as provided by law. (Ord. 84-47 § 8, 1984)

3.12.090 Violation a public nuisance.

Any violation of the provisions hereof shall also constitute a public nuisance. In addition to criminal prosecution or judicial abatement procedures otherwise authorized, the district shall have authority, after due notice and public hearing, to abate any violations hereof by terminating water service to all properties associated with or involved in the violation, and by assessing all costs of abatement against all property owners allowing, permitting or otherwise authorizing the illegal connection, water use or other violation. (Ord. 84-47 § 9, 1984)

SEP 02 1998

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: SEPTEMBER 2, 1998

OAKGLEN/MALLAGH WATER LINE BIDS

The District has advertised for bids to construct the Oakglen/Mallagh water line. The project consists of a new water main which will connect to existing water line at N. Oakglen and Pioneer and be constructed approx. 300 feet north on Oakglen Ave. and then easterly across Nipomo Creek to connect to the water line in Mallagh Street. The District has sent the Plans and Specifications to four plan houses and five contractors. The bids were opened on August 25, 1998, at 2:00 p.m. The following bids were received.

| | Contractor | Bid Amount |
|---|----------------------------|--------------|
| 1 | Sansone Company | \$144,872.00 |
| 2 | M. D. Merrett Construction | \$153,146.30 |
| 3 | R. Baker | \$153,516.00 |
| 4 | TLC Backhoe Service | \$169,800.00 |
| 5 | JB Kies Construction | \$174,207.75 |
| 6 | Whitaker Contractors | \$196,471.00 |

Attached is Cannon Associates Summary of Bids and the Project Status Report.

After review of the bids submitted, it is recommended that Sansone be awarded the contract to construct the Oakglen/Mallagh Water Line in the amount of \$144,872.00.

The attached resolution is before the Board's consideration formalizing this matter.

**NIPOMO COMMUNITY SERVICES
RESOLUTION NO. 98-OAKGLEN/MALLAGH**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AWARDING THE CONTRACT TO SANSONE COMPANY
TO CONSTRUCT THE OAKGLEN/MALLAGH WATER LINE**

WHEREAS, the Board of Directors of the Nipomo Community Services District ("DISTRICT") is desirous of construct a waterline which will connect to the District's existing at N. Oakglen at Pioneer and approx 300 feet north on Oakglen Ave. and easterly across Nipomo Creet to connect to the water line in Mallagh Street to meet its needs; and

WHEREAS, the DISTRICT has requested bids to construct said water line and said bids were opened on August 25, 1998 at 2:00 p.m.; and

WHEREAS, six (6) bids were received and the apparent responsive and reliable low bid was from Sansone Company, Inc. in the amount of \$144,872.00; and

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

- 1) The contract to construction of the Oakglen/Mallagh water line be awarded to Sansone Company, Inc., the lowest responsible bidder, in the amount of \$144,872.00.
- 2) The President is instructed to execute the contract in behalf of the District.

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

AYES: Directors _____
NOES:
ABSTAIN:
ABSENT:

the foregoing resolution is hereby adopted this 2nd day of September 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

MEMORANDUM / PROJECT STATUS REPORT

Date: August 27, 1998
 To: Doug Jones, General Manager - Nipomo CSD
 From: Russ Thompson, Project Engineer / Cannon Associates
 Job: **Nipomo Water Transmission Main Project** Job No: 970213
 Topic: Status Report No. 8

TASKS COMPLETED:

Six bids were received for the project as follows:

| | |
|-----------------------------|--------------|
| 1. Sansome Company, Inc. | \$144,872.00 |
| 2. M.D. Merret Construction | \$153,146.30 |
| 3. R. Baker, Inc. | \$153,516.00 |
| 4. TLC Backhoe Service | \$169,800.00 |
| 5. Kies Construction | \$174,207.75 |
| 6. Whitaker Construction | \$196,471.00 |
| Engineer's Estimate | \$155,000.00 |

All of the bidder's submitted the required bid bond and acknowledgment of Addendum No. 1.

TASKS TO BE COMPLETED:

All of the permits for this project have been received with the exception of the Army Corp of Engineers permit. The permit is being delayed by questions raised by the National Fish and Wildlife Service. We are still hopeful that the permit will be issued by the middle to end of September. We are currently working with the District's legal council to expedite the process if possible.

RECOMMENDATION:

We are recommending that Sansone Company be declared the low bidder for the project, and hold award of the contract until such time as the Army Corp permit is issued.

CLOSING:

Attached is the bid result spreadsheet.

I will be available to attend the Board meeting to update the District as to the current permit status.

Please call me at 544-7407 ext. 214 if you have any comments or concerns.

Summary of Bids

| Item # | Description | Quantity | Unit | Kies Construction | | M.D. Merrett Const. | | TLC Backhoe Service | | Sansone Company, Inc. | | R. Baker, Inc. | | Whitaker Contractors | |
|---------------|--------------------------------|----------|------|-------------------|--------------|---------------------|--------------|---------------------|--------------|-----------------------|--------------|----------------|--------------|----------------------|--------------|
| | | | | Unit Cost | Item Cost | Unit Cost | Item Cost | Unit Cost | Item Cost | Unit Cost | Item Cost | Unit Cost | Item Cost | | |
| 1. | Mobilization | 1 | LS | \$1,670.00 | \$1,670.00 | \$12,153.50 | \$12,153.50 | \$4,000.00 | \$4,000.00 | \$3,452.00 | \$3,452.00 | \$4,000.00 | \$4,000.00 | \$10,000.00 | \$10,000.00 |
| 2. | Clear & grub | 1 | LS | \$12,000.00 | \$12,000.00 | \$3,902.50 | \$3,902.50 | \$4,000.00 | \$4,000.00 | \$8,227.00 | \$8,227.00 | \$3,100.00 | \$3,100.00 | \$13,700.00 | \$13,700.00 |
| 3. | 6-inch PVC | 30 | LF | \$30.98 | \$929.40 | \$17.72 | \$531.60 | \$34.00 | \$1,020.00 | \$12.50 | \$375.00 | \$15.00 | \$450.00 | \$11.00 | \$330.00 |
| 4. | 8-inch PVC | 340 | LF | \$20.03 | \$6,810.20 | \$16.39 | \$6,252.60 | \$25.00 | \$8,500.00 | \$16.80 | \$5,712.00 | \$16.00 | \$5,440.00 | \$28.60 | \$9,724.00 |
| 5. | 12-inch PVC | 2800 | LF | \$32.78 | \$91,784.00 | \$27.09 | \$75,852.00 | \$30.50 | \$85,400.00 | \$22.20 | \$62,160.00 | \$29.20 | \$81,760.00 | \$24.00 | \$67,200.00 |
| 6. | 8-inch Ducl. Iron | 20 | LF | \$79.57 | \$1,591.40 | \$29.88 | \$597.60 | \$175.00 | \$3,500.00 | \$27.40 | \$548.00 | \$68.00 | \$1,360.00 | \$184.00 | \$3,680.00 |
| 7. | 12-inch Duct. Iron | 225 | LF | \$68.51 | \$14,964.75 | \$32.22 | \$7,249.50 | \$96.00 | \$21,600.00 | \$46.70 | \$10,507.50 | \$79.00 | \$17,775.00 | \$56.60 | \$13,185.00 |
| 8. | 6-inch Gate Valve | 4 | EA | \$521.00 | \$2,084.00 | \$513.25 | \$2,453.00 | \$525.00 | \$2,100.00 | \$846.00 | \$3,392.00 | \$600.00 | \$2,400.00 | \$747.00 | \$2,988.00 |
| 9. | 8-inch Gate Valve | 2 | EA | \$822.00 | \$1,644.00 | \$724.75 | \$1,449.50 | \$875.00 | \$1,350.00 | \$662.00 | \$1,364.00 | \$783.00 | \$1,566.00 | \$1,200.00 | \$2,400.00 |
| 10. | 10-inch Gate Valve | 4 | EA | \$1,166.00 | \$4,664.00 | \$1,092.70 | \$4,370.80 | \$1,175.00 | \$4,700.00 | \$1,004.00 | \$4,016.00 | \$1,095.00 | \$4,380.00 | \$1,300.00 | \$5,200.00 |
| 11. | 12-inch Gate Valve | 3 | EA | \$1,367.00 | \$4,101.00 | \$1,438.35 | \$4,315.05 | \$1,540.00 | \$4,620.00 | \$2,098.00 | \$6,294.00 | \$1,230.00 | \$3,690.00 | \$2,220.00 | \$6,660.00 |
| 12. | Connection at Tefft/Mallagh | 1 | LS | \$3,734.00 | \$3,734.00 | \$3,902.50 | \$3,902.50 | \$2,500.00 | \$2,500.00 | \$6,662.00 | \$6,662.00 | \$1,570.00 | \$1,570.00 | \$4,430.00 | \$4,430.00 |
| 13. | Connection at Branch/Mallagh | 1 | LS | \$3,445.00 | \$3,445.00 | \$5,575.00 | \$5,575.00 | \$2,100.00 | \$2,100.00 | \$4,682.00 | \$4,682.00 | \$900.00 | \$900.00 | \$4,575.00 | \$4,575.00 |
| 14. | Connection at Sea St./Mallagh | 1 | LS | \$3,058.00 | \$3,058.00 | \$5,129.00 | \$5,129.00 | \$4,300.00 | \$4,300.00 | \$5,313.00 | \$5,313.00 | \$1,360.00 | \$1,360.00 | \$7,950.00 | \$7,950.00 |
| 15. | Connection at Pioneer/Oakglen | 1 | LS | \$2,956.00 | \$2,956.00 | \$3,902.50 | \$3,902.50 | \$3,450.00 | \$3,450.00 | \$5,406.00 | \$5,406.00 | \$1,225.00 | \$1,225.00 | \$5,100.00 | \$5,100.00 |
| 16. | Fire Hydrant Assembly | 1 | EA | \$1,597.00 | \$1,597.00 | \$2,564.50 | \$2,564.50 | \$2,610.00 | \$2,610.00 | \$1,558.00 | \$1,558.00 | \$2,980.00 | \$2,980.00 | \$3,200.00 | \$3,200.00 |
| 17. | Conc. Encase 12-inch | 155 | LF | \$33.00 | \$5,115.00 | \$40.14 | \$6,221.70 | \$28.00 | \$4,340.00 | \$34.70 | \$5,378.50 | \$75.00 | \$11,625.00 | \$123.80 | \$19,189.00 |
| 18. | Conc. Encase. 8-inch | 20 | LF | \$52.00 | \$1,040.00 | \$37.91 | \$758.20 | \$18.00 | \$360.00 | \$23.50 | \$470.00 | \$70.00 | \$1,400.00 | \$188.00 | \$3,360.00 |
| 19. | Blow-off Assembly | 2 | EA | \$934.00 | \$1,868.00 | \$434.85 | \$869.70 | \$1,200.00 | \$2,400.00 | \$835.00 | \$1,670.00 | \$840.00 | \$1,680.00 | \$1,990.00 | \$3,960.00 |
| 20. | Air-Vac Assembly | 1 | EA | \$1,223.00 | \$1,223.00 | \$579.80 | \$579.80 | \$1,450.00 | \$1,450.00 | \$1,331.00 | \$1,331.00 | \$1,340.00 | \$1,340.00 | \$2,285.00 | \$2,285.00 |
| 21. | Revegetation | 1 | LS | \$6,300.00 | \$6,300.00 | \$1,672.50 | \$1,672.50 | \$4,000.00 | \$4,000.00 | \$4,164.00 | \$4,164.00 | \$2,100.00 | \$2,100.00 | \$1,875.00 | \$1,875.00 |
| 22. | 12"x12"x8" Tee w/ blind flange | 3 | EA | \$543.00 | \$1,629.00 | \$947.75 | \$2,843.25 | \$500.00 | \$1,500.00 | \$730.00 | \$2,190.00 | \$505.00 | \$1,515.00 | \$1,620.00 | \$5,460.00 |
| TOTALS | | | | | \$174,207.75 | | \$153,146.30 | | \$169,800.00 | | \$144,872.00 | | \$153,516.00 | | \$196,471.00 |

TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: SEPTEMBER 2, 1998

REVISIONS TO BOARD BYLAWS

On October 16, 1996, the Board of Directors adopted Resolution 96-601 establishing Board Bylaws. The Bylaws govern the Board of Directors and establishes the protocol for Board Meetings. It may be necessary to modify and update these Bylaws from time to time.

The District is a member of the Special District Risk Management Authority (SDRMA) and participates in their Credit Incentive Program. In order to receive one of the credits this year, SDRMA is requiring that the Bylaws include a provision that they be reviewed annually by District Legal Counsel and ratified by the Board of Directors.

In addition to revising the Bylaws for the annual review, staff has included additional revisions which are highlighted in the text of the Resolution.

District Legal Counsel will review the revisions and answer any questions you may have. After public comment and Board discussion, a roll call vote would be in order.

Board/bylaws1.cbc

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 98- BYLAWS
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING BOARD BYLAWS**

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

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

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

WHEREAS, **SDRMA** has adopted 1998-1999 Credit Incentive Program whereby the District can receive a one point credit for an annual review of Board By-Laws conducted by the District's Legal Counsel and ratified by Board action.

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

NIPOMO COMMUNITY SERVICES DISTRICT BOARD OF DIRECTOR BYLAWS

1. OFFICERS OF THE BOARD OF DIRECTORS

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

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

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

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

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

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

2. MEETINGS

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 98-____
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2.1 Regular meetings of the Board of Directors shall be held on the first and third Wednesday of each calendar month in the Board Room at the District Office.

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

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

2.4 No action or discussion may be taken on an item not on the posted agenda; provided, however, matters deemed to be emergencies or of an urgent nature may be added to the agenda under the procedures of the Brown Act. Pursuant to the Brown Act:

(a) Board Members may briefly respond to statements or questions from the public; and

(b) Board Members may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information, or request staff to report back at a subsequent meeting; and

(c) A Board Member or the Board itself may take action to direct staff to place a matter on a future agenda.

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

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

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

2.8 Public Comment and Public Testimony shall be directed to the President of the Board and limited to three minutes unless extended or shortened by the President in his/her discretion.

2.9 Any person attending a meeting of the Board of Directors may record the proceedings with an audio or video tape recorder or a still or motion picture camera in the absence of a

NIPOMO COMMUNITY SERVICES DISTRICT
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reasonable finding that the recording cannot continue without noise, illumination, or obstruction of view that constitutes or would constitute a persistent disruption of the proceedings. All video tape recorders, still or motion picture cameras shall be located and operated from behind the public speakers podium once the meeting begins.

3. PREPARATION OF MINUTES AND MAINTENANCE OF TAPES

3.1 The minutes of the Board shall be kept by the District Secretary and shall be neatly produced and kept in a file for that purpose, with a record of each particular type of business transacted set off in paragraphs with proper subheads;

3.2 The District Secretary shall be required to make a record only of such business as was actually passed upon by a vote of the Board and, except as provided in Section 3.3 below, shall not be required to record any remarks of Board Members or any other person;

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

3.4 The District Secretary shall attempt to record the names and addresses of persons addressing the Board, the title of the subject matter to which their remarks related, and whether they spoke in support or opposition to such matter; and

3.5 Whenever the Board acts in a quasi-judicial proceeding such as in assessment matters, the District Secretary shall compile a summary of the testimony of the witnesses.

3.6 Any tape or film record of a District meeting made for whatever purpose at the direction of the District shall be subject to inspection pursuant to the California Public Records Act. District tape and film records may be erased ninety (90) days after the taping or the recording.

4. MEMBERS OF THE BOARD OF DIRECTORS

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

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

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

~~4.4 Directors may request for inclusion into minutes brief comments pertinent to an agenda item, only at the meeting that item is discussed. **Moved to 3.3.**~~

~~4.5 Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager. **Restated at Section 6.1.**~~

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RESOLUTION NO. 98-____
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4.4 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

5. AUTHORITY OF DIRECTORS

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

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

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

6. DIRECTOR GUIDELINES

6.1 ~~In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.~~ Board Members, by making a request to the General Manager or Administrative Assistant, shall have access to information relative to the operation of the District, including but not limited to statistical information, information serving as the basis for certain actions of Staff, justification for Staff recommendations, etc. If the General Manager or the Administrative Assistant cannot timely provide the requested information by reason of information deficiency, or major interruption in work schedules, work loads, and priorities, then the General Manager or Administrative Assistant shall inform the individual Board Member why the information is not or cannot be made available.

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

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

6.4 When approached by District personnel concerning specific District policy, Directors should direct inquires to the General Manager or Administrative Assistant appropriate staff supervisor. The chain of command should be followed.

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

6.6 When responding to constituent request and concerns, Directors should respond to individuals in a positive manner and route their questions to the General Manager, or in his/her absence, to the Administrative Assistant, through appropriate channels and to responsible management personnel.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 98-____
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6.7 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

7. DIRECTOR COMPENSATION (Established pursuant to Resolution 95-450)

7.1 Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular, adjourned or special meeting of the Board attended by him/her and for each day's service rendered as a Director by request of the Board.

7.2 Each Director is authorized to receive fifty dollars (\$50.00) as a compensation for each meeting other than regular, adjourned or special meetings or other function attended by him/her and each half day's service rendered as a Director at the request of the Board.

7.3 Director compensation shall not exceed six full days in any one calendar month.

7.4 Each Board Member is entitled to reimbursement for their expenses incurred in the performance of the duties required or authorized by the Board.

8. BOARD BY-LAW REVIEW POLICY

The Board By-law Policy shall be reviewed annually at the first regular meeting in February. The review shall be provided by District Counsel and ratified by Board action.

9. RESTRICTIONS ON RULES

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

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

****Violates Brown Act.**

Resolution 96-601 is hereby repealed in its entirety.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 98-____
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the foregoing resolution is hereby passed and adopted this ____ day of _____, 1998.

ALEX MENDOZA
President of the Board
Nipomo Community Services District

ATTEST:

APPROVED:

DONNA K. JOHNSON
Secretary to the Board

JON S. SEITZ
District Legal Counsel

AGENDA ITEM

SEP 02 1998

7

TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: SEPTEMBER 2, 1998

REVISION OF DISTRICT ORDINANCES

District staff has prepared a number of revisions and updating of the District ordinances and is bringing this item to the Board for general discussion and review. No action is recommended at this time. Upon the review by the Board, it will be put on a future agenda for introduction and first reading of the ordinance. Upon the Board's review of this item, they may direct staff accordingly.

C:\W:\Ordinance rev.DOC

SIXTH WORKING DRAFT
AUGUST 27, 1998

DOUG/LISA:

1. NEED TO FOLLOW GOV'T CODE SECTION 66016, 66013 AND 66014, PREVIOUSLY ATTACHED.
2. SECTION 11 (3.04.060) WILL REQUIRE COMPLIANCE WITH GOV'T CODE SECTIONS 66016 AND 66013, INCLUDING ANALYSIS AND EXAMPLES IN THE STAFF REPORT.
3. SECTION 39 (5.01.030 AND .060) REQUIRE COMPLETION.
4. LISA, SEE COMMENTS TO SECTIONS 10 AND 11.

**NIPOMO COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 1998-NEW**

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT:
A: ESTABLISHING A NEW METHOD OF CALCULATING
CAPACITY CHARGES FOR CERTAIN MULTI-FAMILY UNITS;
AND B: AMENDING DISTRICT ADMINISTRATIVE PROCEDURES**

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

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

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

C. Amending the District Procedures as provided in this Ordinance is in the best interest of the District and its residents:

D. That the payment of capacity charges designated in Section ____ of this Ordinance are a condition of development within the meaning of Article XIII.D, Section 1(b) of the California Constitution; and

E. All references to District Code herein refer to the Nipomo Community Services District Code:

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

Section 1: Authority.

This Ordinance is enacted pursuant to Government Code Sections 61600(a)(b),

61621, 61621.5, 61622, 66013, and 66016.

Section 2:

Section 2.12.010 of the District Code is hereby repealed in its entirety and replaced with the following:

2.12.010 Documents adopted by reference

A. The Nipomo Community Services District Standards and Specifications originally adopted by the Board of Directors on October 1st, 1997, as may be amended from time to time, are the official standards and specifications of the Nipomo Community Services District for all improvements to be owned, operated and/or maintained by the District.

B. There shall be maintained on file in the office of the District a current copy of said Standards and Specifications.

WATER SERVICE

Section 3:

Section 3.03.050 of the District Code is repealed in its entirety and replaced with the following:

3.03.050 Delinquent accounts.

Accounts not collected within twenty five days of billing are delinquent. Delinquent accounts shall incur a basic penalty of ten percent of the charge owing and shall accrue interest at the rate of one-half of one percent per month on the charge and basic penalty.

Section 4:

Section 3.03.060B of the District Code is repealed in its entirety and replaced with the following:

B. Commencing at 8:00 AM the day following the due date stated in the Second Notice, a non-payment fee of \$50.00 will be charged to the account. Further, a work order may be generated to discontinue service for failure to make payment pursuant to subsection A of this section.

Section 5:

Section 3.03.150 of the District Code is repealed in its entirety and replaced with the following:

3.03.150 Returned checks.

A charge of fifteen dollars will be charged against any person whose check is returned by the bank due to lack of funds. Returned checks are processed as delinquent payments for purposes of applying Section 3.03.060 et seq. of the District Code.

Section 6:

Section 3.03.180B of the District Code is amended to read as follows:

- B. Sewer rates shall be charged as follows:
1. Monthly sewer charges shall commence on the date the water meter is set.
 2. District sewer charges are set forth in Appendix C to this chapter .

CHAPTERS 3.04 INTEGRATES CHAPTERS 3.04, 3.08 AND 3.12 INTO A SINGLE CHAPTER THAT WILL BE RESTATED HERE AS SECTIONS 7 THROUGH 21.

Section 7:

Section 3.04.010 of the District Code is repealed in its entirety and replaced with the language found in Section 3.04.030 of the District Code.

Section 8:

Section 3.04.020 is added to Chapter 3.04 of the District Code as follows:

Service Connections

A. A separate service connection shall be provided for each house, structure, or property under separate ownership, regardless of tenancy, requesting or receiving water service from the district. Any violation of this provision as to separate service connections or cross-connections between separate service connections on an applicant's property shall be sufficient cause for the district to discontinue water service until the violation is corrected.

B. The district reserves the right to limit the number of houses or buildings, or the area of the land under one ownership to be supplied by one service connection.

C. A service connection shall not be used to supply adjoining property of a different owner or to supply the property of the same owner on opposite sides of a public street or alley.

D. When a parcel or building receiving water through a separate service connection is subdivided into smaller lots, parcels, or units, capable of separate ownership, then the existing service connection shall be deemed appurtenant to the defined lot, parcel or building unit upon which it is situated or most immediately adjacent.

E. All service connections shall be constructed in accordance with the District's Plans and Specifications as amended from time to time.

Section 9:

Section 3.04.030 of the District Code is repealed in its entirety and replaced with the following:

Section 3.04.030 Landscape Irrigation Connections

Except for connection to a single family residence, a separate service connection with backflow prevention device shall be provided to each parcel of property for landscape irrigation. A separate Landscape Connection Fee shall be computed pursuant to Section 3.04.050, and paid.

Section 10:

Section 3.04.040 is added to Chapter 3.04 of the District Code as follows:

Meter Size

A. Except as provided in Subsection B, below, The water meter size for each service connection shall be determined by the District pursuant to the Uniform Plumbing Code, Table 6-4 (see Appendix B to this Chapter).

B. The minimum water meter size for each service connection that serves a single family residence on one acre or larger parcel shall be one inch.

Section 11:

Section 3.04.050 is added to Chapter 3.04 of the District Code as follows:

Section 3.04.050 Connection Fees

A. Fees. New connections shall be subject to water connection fees/capacity charges based on the estimated reasonable cost of the district facilities required to provide the service. The fees shall consist of five component parts (i.e., capacity charge, installation fee, meter fee, account set-up fee and supplemental charge (if applicable)). Said fees are established in Appendix "A" to this chapter.

B. Supplemental Charge.

(1) When a new service is connected to a district installed water line, the applicant shall be charged a front footage fee of twenty-one dollars per foot to each parcel fronting the improvements or one-half this amount when district service can be provided on both sides of the water line. Where the frontage has been subdivided, rear and front parcels are to share on a per parcel basis the frontage of the subdivision creating the parcels.

(2) When a new service is connected to a developer-installed water line pursuant to Title V, the applicant shall pay a supplemental charge pursuant to that reimbursement agreement.

C. The installation fee, meter fee, and account set-up fee shall be established and amended by resolution of the Board of Directors with reference to this code section.

D. Payment of Fees for Connection. The applicant shall pay the water capacity charge, sewer capacity charge, installation fee, meter fee and account set-up fee prior to the district's issuance of a will-serve letter. The district shall not provide water service until all fees are paid in full and the project (if applicable) is accepted by the district.

Section 12:

Section 3.04.060 of the District Code is hereby repealed in its entirety and replaced with the following:

Resale of Water

No person shall resell any water received from the District to any other person, or for use on any other premises, or for any other purposes than specified in the application for service.

Section 13:

Section 3.04.070B of the District Code is amended to read as follows:

B. Pressure Regulators and Special Facilities. Where the conditions of service are such that a pressure regulator, backflow devices, or other special facility, including but not limited to booster pumps, are required, the customer shall provide, install and maintain the necessary equipment.

Section 14:

Section 3.04.090 of the District Code is amended to read as follows:

Change in Size of Service

When a change in use of a building, premises or an area to be served, causes an increase in water use that exceeds the meter size, then a new water service shall be required or water service may be terminated. When a change in size of service is required, the following provisions shall apply:

- A. Unchanged
- B. Unchanged

Section 15:

Section 3.04.120 of the District Code is hereby repealed in its entirety.

Section 16:

Section 3.04.260 of the District Code is repealed in its entirety and replaced with the following:

Distribution Facilities

The minimum water main size in the District shall be 8 inches in diameter and if applicable shall be financed and installed by the Applicant in accordance with Title V of the District Code.

Section 17:

Section 3.04.280A of the District Code is amended to read as follows:

- A. All water service pipes and equipment required to serve a customer up to and including the meter shall be owned by the District, whether installed:
 - 1. On a public or private property; or
 - 2. At applicant's or District's expense.

Section 18:

Section 3.04.320 of the District Code is hereby repealed in its entirety.

Section 19:

Section 3.03.060 is added to Chapter 3.04 of the District Code as follows:

Violation a Misdemeanor

No person shall make, permit, approve or allow any water connections or extensions contrary to the provisions of this chapter. Any violation hereof shall constitute a misdemeanor punishable as provided by law.

Section 20:

Section 3.04.070 is added to Chapter 3.04 of the District Code to read as follows:

Violation a Public Nuisance

Any violation of the provisions hereof shall also constitute a public nuisance. In addition to criminal prosecution or judicial abatement procedures otherwise authorized, the district shall have authority, after due notice and public hearing, to abate any violations hereof by terminating water service to all properties associated with or involved in the violation, and by assessing all costs of abatement against all property owners allowing, permitting or otherwise authorizing the illegal connection, water use or other violation.

Section 21:

Chapter 3.08 and Chapter 3.12 of the District Code are hereby repealed in their entirety.

Section 22:

Chapter 3.16 is added to Title 3 the District Code to read as follows:

Water Service Outside District

3.16.010 When allowed.

3.16.020 Rates/Conditions.

3.16.010 When allowed.

It is the general policy of the District that District water service is limited to parcels within the District boundaries. The District Board of Directors may authorize water service to parcels outside the District boundaries upon a finding that:

A. There exists an extreme hardship and there is excess capacity within the District system to serve said parcel; or

B. There is a benefit to the District, such as the Applicant providing the District with a water resource.

3.16.020 Rates/Conditions.

The water usage rates and conditions for District water service outside the District boundaries shall be determined by resolution of the Board of Directors on a case-by-case basis.

SEWER SERVICE

Section 23:

Chapter 4.04 of the District Code is hereby repealed in its entirety.

Section 24:

Sections 4.08.020A(5 & 6) of the District Code are hereby repealed in its entirety.

Section 25:

Section 4.08.020B of the District Code is hereby amended to include Definitions 8, 9 and 10 as follows:

(8) Sewer lateral means the sewer line from the customer's residence to the "sewage collection system" located in the public right-of-way.

(9) "Grease" means a group of substances in wastewater, including fats, wax, free fatty acids, calcium and magnesium soaps, mineral oils, and certain other fatty materials.

(10) "Grease trap" means a device for separation of grease from wastewater by flotation for surface removal.

Section 26:

Section 4.08.030 of the District Code is hereby repealed in its entirety and replaced with the following:

4.08.030: Connection to District's sewage collection system.

- A. District will provide sewage disposal service to the following properties:
1. Properties within the boundaries of the Nipomo Community Services District;
 2. Properties included in the Prohibition Zone established by the

Regional Water Quality Control Board for the Nipomo Sewage Project.

3. Properties approved for outside user service pursuant to Section 4.08.220 of the District Code.

B. In addition to the requirements of Subsection A of this section, new sewage disposal service will be conditioned on:

1. Adequate capacity exists in the wastewater treatment plant and sewage collection system.

2. The applicant entering into District's Plan Check and Inspection Agreement prior to commencing construction;

3. All construction shall be in accordance with District's standards and specifications as amended from time to time;

4. The prior availability of adequate sewage facilities immediately adjacent to the property to be served;

5. Final approval pursuant to Section 4.08.040B of the District Code;

6. Final inspection and approval of street connections and payment of sewer inspection fee.

7. The District's receipt and approval of As-Built Plans, offers of dedication (when appropriate), easements (when appropriate), and engineer's certificates.

C. The District assumes no obligation for the maintenance and operation of developer-installed sewer facilities until said facilities are formally accepted by the District.

Section 27:

Section 4.08.040 of the District Code is repealed in its entirety and replaced with the following:

4.08.040 Tentative and final approval letters.

A. Tentative Approvals. The District's tentative consideration of any project will be based upon the review of project plans prepared in sufficient detail to allow the evaluation of service requirements, determination of impacts upon district facilities and an estimate of the total value of the improvements which will be required. After the completion of the district's evaluation of the proposed project, tentative letters of approval may be issued as follows:

1. Volunteers. The general manager shall issue a tentative letter of approval.

2. Nonvolunteers. After evaluation of the proposal at a public meeting, the board of directors may grant a tentative letter of approval, but only after finding that there is now, or will reasonably be in the future, sufficient sewerage system capacity available to serve the project for which approval is being sought without jeopardizing the capacity which the board reserves for voluntary project

participants.

No tentative approval shall be issued by the district prior to payment in full of the estimated plan check and inspection fees as determined by the general manager.

B. Final Approvals. The board of directors shall grant a final letter of approval upon the recommendation of the general manager, and after review of final plans at a public meeting. All appropriate fees, including, without limitation, sewer capacity charges, annexation fees, water system fees, plan check and inspection fees, shall be paid in full before the board grants final approval.

Section 28:

Chapter 4.08 of the District Code is amended to include Section 4.08.045 as follows:

4.08.045 Maintenance of Sewer Laterals. The maintenance of sewer laterals as defined in Section 4.08.020B(8) is the responsibility of the property owners served by the sewer lateral.

Section 29:

Section 4.08.050B is repealed in its entirety.

Section 30:

Chapter 4.08 of the District Code is amended to include Section 4.08.131 as follows:

4.08.131 Grease traps or grease interceptors required.

Grease, oil and sand traps or grease interceptors shall be provided on all drain lines leading from kitchens in all eating establishments or as determined by the District. They shall be sized, located and constructed pursuant to Appendix H of the Uniform Plumbing Code which provides recommended procedures for sizing commercial kitchen grease interceptors. All grease traps and grease interceptors shall be so located as to be readily and easily accessible for cleaning and inspection.

Section 31:

Chapter 4.08 of the District Code is amended to include Section 4.08.132, as follows:

4.08.132 Maintenance of grease traps and grease interceptors.

All grease, oil and sand traps and grease interceptors shall be maintained at the owner's expense, and shall remain in continuous effective operation at all times.

Section 32:

Section 4.08.160 of the District Code is hereby repealed in its entirety.

Section 33:

4.08.220 Sewer Service Outside District Boundary

The sewer usage rates and conditions for District sewer service outside the District boundaries shall be determined by resolution of the Board of Directors on a case by case basis.

Section 34:

Subsections C, D and E of Section 4.12.030 of the District Code are hereby repealed in their entirety.

Section 35:

4.12.080 Sewer capacity charge computation

Appendix A to Chapter 4.12 and Section 4.12.080 of the District Code is repealed in its entirety and replaced with the following:

A. Computation Method and Unit Cost. Except as limited elsewhere herein, the capacity charge shall be computed by multiplying the customer's dwelling unit equivalent (DUE) as determined by the district, times capacity charge.

B. Determination of Dwelling Unit Equivalent. The customer's dwelling unit equivalent (DUE) shall be calculated by consideration of the combination of the number of fixture unit equivalents installed, as defined by the most recent Edition of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials, and the rated capacity of any continuous flow discharged to the sewer, on the following basis:

1. Each sixteen fixture unit equivalents rounded up to the closest multiple of sixteen, one DUE.
2. Fixture unit equivalents not included within said code shall be established by the district.

Section 36:

Section 4.12.260 of the District Code is hereby repealed in its entirety.

Section 37:

Section 4.16.030 of the District Code is repealed in its entirety.

Section 38:

Chapter 4.28 and Section 3.04.260 of the District Code are hereby repealed in its entirety and replaced with Title V, as follows:

TITLE 5

Sewer and Water Main Extensions and Appurtenant Facilities

CHAPTER 5.01

Reimbursement Agreements

5.01.10 Purpose and Applicability

A. This Chapter is intended to provide an equitable procedure for at least partial reimbursement to private parties who construct and dedicate District facilities to serve their private property, if such facilities are also used thereafter to directly serve and benefit private property owned by others.

B. Whenever an applicant is required as a condition of development, to construct and install any District water or sewer facilities, which will be dedicated to the District, and which has the future potential and capacity to provide service to real property parcels, not under the control or ownership of the applicant, the future reimbursement provisions of this Chapter shall apply, unless the District specifically provides otherwise by ordinance or resolution.

5.01.20 Definitions

As used in this Chapter the following words shall have the following meanings:

1. "District" means the Nipomo Community Services District.
2. "District Facilities" means water lines, sewer mains, and sewer lift stations and appurtenant facilities.
3. "Applicant" means subdivider, developer and/or builder.
4. "Engineer" means District engineer.

5.01.030 Reimbursement of Excess Costs

1. Excess Costs equal the sum of the following:

a. Oversizing: The estimated cost of installing the size of line required to serve Applicant's needs **pursuant to District's Plans and Specifications** and the actual cost of installing a larger line at the direction of the District.

b. Off-Site Development: A pro rata share of the costs of installing District facilities and appurtenances pursuant to District plans and specifications beyond the property of the Applicant that are subject to probable future use by connectors other than Applicant.

2. Approval of Excess Costs: District shall have the right to audit the excess costs submitted by Applicant, and to approve for reimbursement only so much thereof it determines to be just and reasonable. Such excess cost, if any, shall be computed when said facilities are completed by Applicant and accepted by District, and said shall be paid as provided in the Reimbursement Agreement.

3. Proration of Costs:

A. The District's engineer shall prorate the approved excess costs against all lots or parcels which in the future may be served by direct connection thereto. The District shall send written notice of the prorated amount to the person shown on the latest county assessor's roll as the owner or agent of record for assessment purposes for each parcel. Such person may protest the prorations in writing within _____ days after the notice is mailed. If not protested within the _____ days, the proration shall become final for the purposes of this section.

B. A protest shall concerned only with the division or spread of the actual and necessary construction costs between or among the builder's property and all other properties to be included in the area subject to the proration procedure. A protest shall not be concerned with the actual construction costs unless the protester can demonstrate fraud or willful concealment of actual cost information as presented by the applicant or his agent to the District's engineer.

C. The District's Board of Directors shall hold a public hearing to consider all such written protests. All evidence in support of the protest shall be submitted in writing to the District at least ten days before the meeting. The engineer shall prepare a written report and recommendation to the board on each protest. A copy of the engineer's report shall be mailed, or otherwise delivered, to the concerned protester at least five days before the board meeting to consider the protest.

D. The Board's decision on the protest shall be in writing, and shall be final. If the Board's decision results in an increased proration amount for properties owned by anyone other than the protester or the applicant, a new notice and a new _____ - day period shall be given for each such property.

E. If no protest is filed for a property within the _____-day period after the first or any subsequent notice of prorated amount is mailed for that property, the proration shall be come final as to the property.

5.01.040 Ten-Year Repayment Obligation

For a period of ten years from the date of official acceptance of any such sewer facility, the subdivider shall be eligible for reimbursement of the foregoing prorated amount from each parcel as the parcel, or portion thereof, connects to the facility.

5.01.060 District to Serve as Collection Agency

The District shall collect the prorated amount for each parcel before permitting the parcel to connect to the facility. It is the duty of the applicant to keep a current address on file with the District. Reimbursement amounts returned to the District and unclaimed within one year thereafter shall become the property of the District.

5.01.060 District Administrative Costs

As partial reimbursement to the district for its administrative and engineering costs associated with calculating reimbursement amounts, plus record keeping, collection and disbursement activities, the District shall charge, deduct and retain _____ percent of all reimbursement amounts collected from subsequent builders.

5.01.070 District Connections

A. The District may make connections to the water and sewer facilities to serve public facilities without any obligation to pay any such refunds.

B. The District may also make or permit connections to the facilities to serve private property outside of the area of proration as determined by the engineer; provided, however, that the District Board reserves the right to determine at that time whether or not the owners of such private property shall be obligated to reimburse applicant as provided in this ordinance.

5.01.080 All Other District Water and Sewer Charges in Effect

Nothing herein shall be construed or applied to affect or reduce any other District charges, fees, connection or other amounts payable to the District for water and sewer service.

5.01.090 District Liability

If for any reason the reimbursable cost is or becomes uncollectible, as determined by the District, the District shall not be liable to the Applicant for the

excess costs in constructing the District Facilities.

CHAPTER 5.02

Design and Construction

5.02.010 Plans and Specifications

1. Water and sewer system improvement plans and specifications shall be prepared by a California Registered Civil Engineer.
2. Water and sewer system improvements shall be designed and constructed in conformance with the District's Standards and Specifications referenced in Section 2.12.010.
3. The District General Manager may require an applicant to enter into a plan check and inspection agreement.
4. The District's administrative costs referenced in the Plan Check and Inspection Agreement shall be paid by the Applicant. Said fees shall be determined on a case-by-case basis by resolution of the Board of Directors.

Section 39:

Ordinance 80-36 is hereby repealed in its entirety.

Section 40: CEQA Finding

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

Section 41: Repeal of Prior Ordinances and Resolutions

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

Section 42: Repeal Shall not Revive any Ordinances.

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

Section 43: Effect of Repeal on Past Actions and Obligations.

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

Section 44: Severance Clause.

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

Section 45: Effect of Headings in Ordinance.

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

Section 46: Effective Date.

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

ORDINANCE NO-1998-NEW

PAGE 17

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

AYES:

NOES:

ABSENT:

ABSTAINING:

ALEX MENDOZA
President of the Board
Nipomo Community Services District

ATTEST:

DONNA JOHNSON
Secretary to the Board

APPROVED AS TO FORM:

JON S. SEITZ
District Legal Counsel

TABLE 6-4 (Continued)

| Inch | mm |
|-------|------|
| 1/2 | 12.7 |
| 3/4 | 19.1 |
| 1 | 25.4 |
| 1-1/4 | 31.8 |
| 1-1/2 | 38.1 |
| 2 | 50.8 |
| 2-1/2 | 63.5 |

Table 6-4

| Pressure Range – Over 60 psi*** (414 kPa) | | Maximum Allowable Length in Feet (meters) | | | | | | | | | | | | | | | |
|---|--------------------------------------|---|------------|------------|-------------|-------------|-------------|-------------|-------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|-----|
| Meter and Street Service, Inches | Building Supply and Branches, Inches | 40 (12) | 60 (18) | 80 (24) | 100 (30) | 150 (46) | 200 (61) | 250 (76) | 300 (91) | 400 (122) | 500 (152) | 600 (183) | 700 (213) | 800 (244) | 900 (274) | 1000 (305) | |
| → 3/4 | 1/2** | 7 | 7 | 7 | 6 | 5 | 4 | 3 | 3 | 2 | 1 | 1 | 1 | 1 | 1 | 0 | |
| → 3/4 | 3/4 | 20 | 20 | 20 | 20 | 17 | 13 | 11 | 10 | 8 | 7 | 6 | 6 | 5 | 4 | 4 | |
| | 1 | 39 | 39 | 39 | 39 | 35 | 30 | 27 | 24 | 21 | 17 | 14 | 13 | 12 | 12 | 11 | |
| | 1 | 39 | 39 | 39 | 39 | 38 | 32 | 29 | 26 | 22 | 18 | 14 | 13 | 12 | 12 | 11 | |
| | 3/4 | 39 | 39 | 39 | 39 | 39 | 39 | 39 | 39 | 34 | 28 | 26 | 25 | 23 | 22 | 21 | |
| | 1 | 78 | 78 | 78 | 78 | 74 | 62 | 53 | 47 | 39 | 31 | 26 | 25 | 23 | 22 | 21 | |
| | 1-1/2 | 78 | 78 | 78 | 78 | 78 | 74 | 65 | 54 | 43 | 34 | 26 | 25 | 23 | 22 | 21 | |
| | 1 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 81 | 64 | 51 | 48 | 46 | 43 | 40 | |
| | 1-1/2 | 151 | 151 | 151 | 151 | 151 | 151 | 130 | 113 | 88 | 73 | 51 | 51 | 46 | 43 | 40 | |
| | 2 | 151 | 151 | 151 | 151 | 151 | 151 | 142 | 122 | 98 | 82 | 64 | 51 | 46 | 43 | 40 | |
| | 1 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | |
| | 1-1/2 | 2 | 370 | 370 | 370 | 370 | 360 | 335 | 305 | 282 | 244 | 212 | 187 | 172 | 153 | 141 | 129 |
| | 2 | 2 | 370 | 370 | 370 | 370 | 370 | 370 | 370 | 340 | 288 | 245 | 204 | 172 | 153 | 141 | 129 |
| | 2 | 2-1/2 | 654 | 654 | 654 | 654 | 654 | 650 | 610 | 570 | 510 | 460 | 430 | 404 | 380 | 356 | 329 |

**Building supply, three-quarter (3/4) inch nominal size minimum.

***Available static pressure after head loss.

TABLE 6-4 (Continued)

| Inch | mm |
|-------|------|
| 1/2 | 12.7 |
| 3/4 | 19.1 |
| 1 | 25.4 |
| 1-1/4 | 31.8 |
| 1-1/2 | 38.1 |
| 2 | 50.8 |
| 2-1/2 | 63.5 |

| Pressure Range – 46 to 60 psi*** (317 to 414 kPa) | | Maximum Allowable Length in Feet (meters) | | | | | | | | | | | | | | | |
|---|--------------------------------------|---|------------|------------|-------------|-------------|-------------|-------------|-------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|--|
| Meter and Street Service, Inches | Building Supply and Branches, Inches | 40 (12) | 60 (18) | 80 (24) | 100 (30) | 150 (46) | 200 (61) | 250 (76) | 300 (91) | 400 (122) | 500 (152) | 600 (183) | 700 (213) | 800 (244) | 900 (274) | 1000 (305) | |
| → 3/4 | 1/2** | 7 | 7 | 6 | 5 | 4 | 3 | 2 | 2 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | |
| → 3/4 | 3/4 | 20 | 20 | 19 | 17 | 14 | 11 | 9 | 8 | 6 | 5 | 4 | 4 | 3 | 3 | 3 | |
| | 1 | 39 | 39 | 36 | 33 | 28 | 23 | 21 | 19 | 17 | 14 | 12 | 10 | 9 | 8 | 8 | |
| | 1 | 39 | 39 | 39 | 36 | 30 | 25 | 23 | 20 | 18 | 15 | 12 | 10 | 9 | 8 | 8 | |
| 3/4 | 1-1/4 | 39 | 39 | 39 | 39 | 39 | 39 | 34 | 32 | 27 | 25 | 22 | 19 | 19 | 17 | 16 | |
| | 1-1/4 | 78 | 78 | 76 | 67 | 52 | 44 | 39 | 36 | 30 | 27 | 24 | 20 | 19 | 17 | 16 | |
| | 1-1/4 | 78 | 78 | 78 | 78 | 66 | 52 | 44 | 39 | 33 | 29 | 24 | 20 | 19 | 17 | 16 | |
| | 1-1/2 | 85 | 85 | 85 | 85 | 85 | 85 | 80 | 67 | 55 | 49 | 41 | 37 | 34 | 32 | 30 | |
| | 1-1/2 | 151 | 151 | 151 | 151 | 128 | 105 | 90 | 78 | 62 | 52 | 42 | 38 | 35 | 32 | 30 | |
| | 2 | 151 | 151 | 151 | 151 | 150 | 117 | 98 | 84 | 67 | 55 | 42 | 38 | 35 | 32 | 30 | |
| 1 | 2 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 83 | 80 | |
| | 1-1/2 | 370 | 370 | 340 | 318 | 272 | 240 | 220 | 198 | 170 | 150 | 135 | 123 | 110 | 102 | 94 | |
| | 2 | 370 | 370 | 370 | 370 | 368 | 318 | 280 | 250 | 205 | 165 | 142 | 123 | 110 | 102 | 94 | |
| | 2 | 654 | 640 | 610 | 580 | 535 | 500 | 470 | 440 | 400 | 365 | 335 | 315 | 285 | 267 | 250 | |

**Building supply, three-quarter (3/4) inch nominal size minimum.

***Available static pressure after head loss.

TABLE 6-4
Fixture Unit Table for Determining Water Pipe and Meter Sizes

| Inch | mm |
|-------|------|
| 1/2 | 12.7 |
| 3/4 | 19.1 |
| 1 | 25.4 |
| 1-1/4 | 31.8 |
| 1-1/2 | 38.1 |
| 2 | 50.8 |
| 2-1/2 | 63.5 |

Table 6-4

| Pressure Range – 30 to 45 psi*** (207 to 310 kPa) | | | Maximum Allowable Length in Feet (meters) | | | | | | | | | | | | | | |
|---|--------------------------------------|-----|---|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|
| Meter and Street Service, Inches | Building Supply and Branches, Inches | | 40 | 60 | 80 | 100 | 150 | 200 | 250 | 300 | 400 | 500 | 600 | 700 | 800 | 900 | 1000 |
| | | | (12) | (18) | (24) | (30) | (46) | (61) | (76) | (91) | (122) | (152) | (183) | (213) | (244) | (274) | (305) |
| → 3/4 | 1/2** | 6 | 5 | 4 | 3 | 2 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| → 3/4 | 3/4 | 16 | 16 | 14 | 12 | 9 | 6 | 5 | 5 | 4 | 4 | 3 | 2 | 2 | 2 | 1 | 1 |
| 3/4 | 1 | 29 | 25 | 23 | 21 | 17 | 15 | 13 | 12 | 10 | 8 | 6 | 6 | 6 | 6 | 6 | 6 |
| 1 | 1 | 36 | 31 | 27 | 25 | 20 | 17 | 15 | 13 | 12 | 10 | 8 | 6 | 6 | 6 | 6 | 6 |
| 3/4 | 1-1/4 | 36 | 33 | 31 | 28 | 24 | 23 | 21 | 19 | 17 | 16 | 13 | 12 | 12 | 11 | 11 | 11 |
| 1 | 1-1/4 | 54 | 47 | 42 | 38 | 32 | 28 | 25 | 23 | 19 | 17 | 14 | 12 | 12 | 11 | 11 | 11 |
| 1-1/2 | 1-1/4 | 78 | 68 | 57 | 48 | 38 | 32 | 28 | 25 | 21 | 18 | 15 | 12 | 12 | 11 | 11 | 11 |
| 1 | 1-1/2 | 85 | 84 | 79 | 65 | 56 | 48 | 43 | 38 | 32 | 28 | 26 | 22 | 21 | 20 | 20 | 20 |
| 1-1/2 | 1-1/2 | 150 | 124 | 105 | 91 | 70 | 57 | 49 | 45 | 36 | 31 | 26 | 23 | 21 | 20 | 20 | 20 |
| 2 | 1-1/2 | 151 | 129 | 129 | 110 | 80 | 64 | 53 | 46 | 38 | 32 | 27 | 23 | 21 | 20 | 20 | 20 |
| 1 | 2 | 85 | 85 | 85 | 85 | 85 | 85 | 82 | 80 | 66 | 61 | 57 | 52 | 49 | 46 | 43 | 43 |
| 1-1/2 | 2 | 220 | 205 | 190 | 176 | 155 | 138 | 127 | 120 | 104 | 85 | 70 | 61 | 57 | 54 | 51 | 51 |
| 2 | 2 | 370 | 327 | 292 | 265 | 217 | 185 | 164 | 147 | 124 | 96 | 70 | 61 | 57 | 54 | 51 | 51 |
| 2 | 2-1/2 | 445 | 418 | 390 | 370 | 330 | 300 | 280 | 265 | 240 | 220 | 198 | 175 | 158 | 143 | 133 | 133 |

**Building supply, three-quarter (3/4) inch nominal size minimum.
***Available static pressure after head loss.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: SEPTEMBER 2, 1998

MANAGER'S REPORT

1. **CHC CORRESPONDENCE TO LAFCO**

The District received correspondence from Community Health Centers of the Central Coast Inc. inquiring about connecting to the District sewer system. The Health Center is located at 150 Tejas Place in Nipomo off of Tefft Street. Present sewer disposal is by septic tank and water is served by Cal Cities Water Co. Water and sewer improvements are presently being developed by a developer across from this location which may be available for the Health Center to connect to the sewer system.

One thing that would need to be addressed is the District policy of not providing sewer service without water service. The Health Center would have to review this matter with the District Board of Directors.

2. **SLO-CSDA RECEPTION FOR MIKE GOTCH 9/11/98**

The San Luis Obispo Chapter of the California Special District Association is having a reception for Mike Gotch on Friday, September 11, 1998 at the Templeton Community Center. As the Board probably knows, Mr. Gotch was in the California State Legislature and was very influential in establishing the LAFCO legislation. Attached is a flyer on the proposed reception.

3. **NEWSPAPER ARTICLE ON NIPOMO GROWTH**

Attached is an article from the August 19, 1998 issue of the Times Press Recorder about growth in the Nipomo area.



Community HEALTH CENTERS

OF THE CENTRAL COAST, INC.

August 14, 1998

Mr. Paul Hood
County Administration Offices
County Government Center
Room 370
San Luis Obispo, CA 93408

Dear Mr. Hood:

I am writing this letter concerning Community Health Centers of the Central Coast, Inc.'s Nipomo Community Medical Center. It is located at 150 Tejas Place in Nipomo.

CHCCC wishes to have its Nipomo location hooked up to the local sewer and water systems. We contacted Nipomo Community Services District and we were instructed to contact you, as our Nipomo site is not presently located within the annexation area. What assistance are you able to provide us in becoming "annexed" and, therefore, able to utilize the local utility services.?

Thank you for your attention to this matter.

Sincerely,

Ronald E. Castle
Chief Executive Officer

REC/cs

cc: Nipomo Community Services District
Ruth Brackett, County Board of Supervisors

NIPOMO COMMUNITY
MEDICAL CENTER
Corporate Headquarters
P.O. Box 430, 150 Tejas Place
Nipomo, CA 93444-0430
(805) 929-3211 • Fax (805) 929-6440

LOS ROBLES COMMUNITY
MEDICAL CENTER
1004 Vine Street
Paso Robles, CA 93446
(805) 238-7250 • Fax (805) 238-0165

CENTRAL COAST COUNSELING
AND SUPPORT SERVICES
1428 Phillips Lane # 302
San Luis Obispo, CA 93401
(805) 546-0847 • Fax (805) 546-0285

LOS ROBLES COMMUNITY
MEDICAL CENTER
959 Las Tables Rd. #A-2
Templeton, CA 93446
(805) 434-1038 • Fax (805) 434-1659

COASTAL MEDICAL CENTER
P.O. Box 1228, 354 S. Haicyon, Suite C
Arroyo Grande, CA 93420
(805) 481-3652 • Fax (805) 481-1017

CLINICA PLAZA
313-B E. Plaza Dr., Suite 11
Santa Maria, CA 93454
(805) 928-7757 • Fax (805) 925-9314

THE DOCTORS OFFICE
1057 Grand Avenue
Arroyo Grande, CA 93420
(805) 481-7220 • Fax (805) 481-7097

HEALTH CARE FOR THE
HOMELESS
201 Grand Avenue
Arroyo Grande, CA 93433
(805) 481-2253 • Fax (805) 481-0998

NIPOMO DENTAL PRACTICE P.O. BOX 430, 150 Tejas Pl., Nipomo, CA 93444 • (805) 929-3254 • FAX (805) 929-6440

**SAN LUIS OBISPO COUNTY CHAPTER
CALIFORNIA SPECIAL DISTRICTS ASSOCIATION**

**YOU ARE INVITED TO A RECEPTION
For Mike Gotch
On Friday, September 11, 1998**


The San Luis Obispo Chapter of the California Special Districts Association will be hosting a reception for Mike Gotch, CSDA's Local Government Consultant and Executive Director of Cal-LAFCO at the Templeton Community Center on Friday evening September 11, 1998.

A social hour will get underway at 6:00 p.m. that will be followed by a short presentation by Mike Gotch at 7:00 p.m. on the 1998 legislative session and related matters.

All special districts in the County are encouraged to send representatives to the reception. All LAFCO members and staff of our Local Commission have also been invited to attend the reception.

Please let my staff know how many people from your district will be attending so we may plan accordingly. If you have any questions regarding the program, please do not hesitate to contact me at my office at (805) 434-4900.

I look forward to seeing you there.


William G. Van Orden,
SLO-Chapter of CSDA President

Nipomo: Town is expecting more growth this year

Nipomo sees growth spurt

By Michael Yparrea
Staff Writer

NIPOMO — After years of slow-paced growth, the face of Nipomo is poised forever be changed in an explosion of development projects as developers and planners move into position a series of firsts.

The community's first car wash, first supermarket, and first movie theater.

"Nipomo greatly desires some growth. It has been planning for this since the 1994 General Plan update," said Jay Johnson, the county's Nipomo planner. "Most of the projects that are moving forward focus on the completion of making Nipomo a whole community."

One of those projects could include a proposal by King Ventures in San Luis Obispo to build a new shopping center around a movie theater at the El Mercado site located along the southwest side of Highway 101 and the Tefft Street interchange. The company is expected to turn in its application proposal to the county Planning Department later this week, according to Dave Watson, project coordinator.

"Our goal is not to build the traditional shopping center, but a more hospitality/resort-type development that appeals to a slightly more tourist mentality," Watson said.

The 11-acre mixed use center would have a retail component at one end to include several restaurants, both fast food and sit-down, and a recreational component anchored in the center. A promenade would wind through a cluster of stores parallel to Frontage Road with open areas for pedestrians to sit down and drink coffee. A residential component would include a small motel and apartment project to help blend in with the surrounding residential area at the southern extreme.

Usually, the Planning Department oversees one big development project per year for Nipomo like the one proposed for by King Ventures, Johnson said. This year, planners have been juggling three times as many for the small, rural community.

In September, the San Luis Obispo Planning Commission is expected to consider the development plan for the long overdue and much-awaited Von's grocery store slated for the north west side of Tefft St. between Mary Ave. and Highway 101. In addition to a Von's Market, the proposal includes a drive-thru restaurant and a self service gas station with drive-thru AM/PM convenience store.

Associated shops will be located next to the market.

Crews are also expected to break ground "any time" for the new gas station and fast food restaurant being built by Chevron USA and McDonald's Corp., according to Johnson. Demolition permits are currently under review to change underground tanks and tear down the existing Tefft Street service station located on the east side of the Highway 101 interchange.

Most new development moving into Nipomo will soon have to adhere to The Olde Towne Nipomo Design Plan, which is nearly complete and set to be released early next month, according to Kathy Kubiak, president of the Olde Towne Nipomo Design Group.

A final draft of the plan will be worked out Aug. 27 from 10 a.m. to noon at the Men's Club.

The three-year effort will then go before the Planning Commission before being forwarded to the county Board of Supervisors.

Kubiak said the plan will help define "the look of Nipomo" as new development moves into Nipomo by encouraging a Victorian or Western theme. The plan will also guide numerous improvements for the downtown area including street widening, curbs and gutters, and street lighting.

Those improvements will result in easing some of the fees paid by

developers to build in Nipomo, Kubiak said.

"The next step now is to develop an economic development plan," she added.

Yet despite how smoothly developers have been able to move their proposals forward, there remains one thing that could prove to be a stumbling block for some of the projects.

Water.

The Nipomo Community Services District recently expressed concerns about the Woodlands Specific Plan and the water resources for the development.

A number of published groundwater studies have declared that the Nipomo Mesa sub-unit of the Santa Maria Ground Water Basin to be in a state of overdraft.

According to the specific plan, the project, which calls for 1,320 housing units, a 500-room resort, a 22-acre business park, a 9-acre commercial "village" core and up to 45 holes of golf, would use approximately 1,600 acre feet of water per year when fully developed. The developer, PH Property Development Company, hopes to break ground on the phased project Jan. 1 1999.

However, in a letter to the Planning Commission, the District expressed its position that, while it supports the project, mitigation measures of retrofitting and water conservation are insufficient to adequately offset the water supply for the Woodlands project.

"The mitigation measures often are not enforced satisfactorily to make a difference in water conservation," said Alex Mendoza, president of the district Board of Directors. "The project over time will diminish the water supply for all existing water users on the Mesa."

"Water is the one thing that is going to prove to be a hindrance to any kind of big development boom in Nipomo," Johnson said.

Ultimately, it will become a big issue that will have to be addressed collectively by the county and developers.

Down With Property Taxes

By JOHN STEELE GORDON

Twenty years ago, the voters of California overwhelmingly passed Proposition 13. An artifact of the very high inflation of the 1970s, it capped property taxes in that state and limited tax increases. Two years later the tax revolt helped propel Ronald Reagan to the presidency. American politics has not been the same since.

The hyperinflation of the 1970s is a distant memory, but the property tax still remains the principal means of funding local government in this country. It is a pernicious relic of the 18th century that ought to be abolished.

The property tax began in the American colonies for two reasons. In a world almost without economic statistics, property was the best measure of a person's ability to pay taxes. And virtually all real property produced income, providing the owner with the means to pay the taxes. Today, however, we are awash in statistics and nearly all residential property is income-absorbing.

In "The Wealth of Nations," Adam Smith described the principles of sound taxation, all of which the property tax violates. Smith's first point, and perhaps his most important, held that "the subjects of every state ought to contribute towards the support of the government . . . in proportion to the revenue which they respectively enjoy under the protection of the state."

The rich, to be sure, tend to live in fancier houses than those of ordinary means. But often they are not fancier in direct proportion to income. To give an example, in my town of North Salem, N.Y., a prosperous suburb of New York City, a median-priced house sells for roughly \$300,000, and a family needs an annual income of about \$90,000 to get a mortgage. Property taxes are about \$8,000 a year, or a whopping 8.7% of that family's gross income, which is considerably more than the same family would pay in state income taxes.

Now consider the case of entertainer David Letterman, who recently bought a house in North Salem. It is a luxurious place, with amenities such as a private gym and a large wine cellar, and it costs him \$62,000 in annual property taxes. That, to be sure, is no small sum. But his income from CBS is no small sum either: \$14 million a year. His local taxes are only 0.4% of his CBS income.

Thus the person living in a typical median-priced house with a middle-class income pays more than 20 times as high a percentage of his income as David Letterman pays to fund local government.

Now take Smith's second principle of taxation: "The tax which each individual is bound to pay ought to be certain, and not arbitrary." Before it can be taxed on its value, property has to be assessed, which is a very subjective business. Though many properties are relatively straightforward to assess—a raised-ranch house on half an acre is likely to be worth much the same as the architecturally identical raised-ranch on half an acre across the street—many others are highly idiosyncratic. Their true value can be determined only by the marketplace.

Mr. Letterman's property taxes, for instance, are currently 7½ times as large as those on the typical median-priced house in North Salem. Yet he bought his house for a reported \$5 million, nearly 17 times the cost of a median-priced house. Mr. Letterman presumably paid a fair price. So his taxes should be roughly 17 times as

much as those on a median-priced house, but they are not, because the house was assessed before Mr. Letterman bought it.

Another of Smith's principles holds that "every tax ought to be contrived as both to take out and to keep out of the pockets of the people as little as possible, over and above what it brings into the public treasury of the state." In other words, taxes should be easy and cheap to collect.

Residential property taxes are not easy for towns to administer. North Salem has only 4,800 residents, but it needs four full-



David Gotthard

time town employees to run its property tax assessment and collection operation. Furthermore, there is a grievance committee, made up of town residents, to rule on whether disputed assessments are correct. Such disputes are frequent.

In hard times, assessment adjustments are often granted. But people get tax relief by means of a subjective decrease in their property's worth rather than from the objective decrease in their income. This can breed, or at least lead one to suspect, corruption. In 1993, for example, six families in North Salem put in swimming pools. Five saw their property taxes go up to reflect the value of the pools. But one family saw its property taxes go *down* after their pool was installed. How come? The tax assessor decided that the property had been overvalued previously and, even with the new pool, was actually worth less. Others noted that the man of the house is a member of the Town Board and had recently voted to have the town hire that particular assessor.

In the modern, highly mobile cash economy that Adam Smith never knew, we might add another principle: Taxes should not distort the economy that generates the wealth to pay them. In other words, people should not make economic decisions for tax reasons. But the residential property tax makes them do exactly that.

The property tax often forces the breakup of large holdings and their transformation into suburban sprawl. This explains why many states make agricultural exemptions from property taxes, which serve the noble goal of preserving agricultural land and open space, but quite unintentionally also relieve those who qualify for them of much of their share of the cost of local government.

Often the beneficiaries of these exemptions are not farmers at all. In North Salem, for instance, there are seven agricultural exemptions in force, only two of which qualify as legitimate agricultural businesses. The other five are the estates of very rich residents—including Mr. Letterman—none of whom could remotely be called farmers. They simply fulfill the minimum requirements for the exemption (for example, by having a thoroughbred horse foal in their barn, or by having some

of their acreage). By doing so they often end up paying less in total property taxes than their middle-class neighbors.

The alternative to a property tax would be a supplement to the state income tax. The state would simply tell each town and school district what the total net taxable income of their residents was in the previous tax year, a figure easily determined by the state income-tax computers. The town or school district would, in turn, tell the state how many percentage points to add on to the state income tax rate in order to produce the needed local revenue. The state would then forward the money to the towns and school districts.

The results of such a change would be altogether salutary. If it turned out that North Salem had an average household income of \$125,000, the town and the school together would have to add about 7.5 percentage points to the state tax rate to collect as much money as they do today from the property tax. That means that the family living in a median-priced house, with an income to match, would pay \$6,900 in local taxes instead of \$8,000. An elderly couple with the mortgage long since paid off and a retirement income of \$35,000 a year might well see their out-of-pocket housing costs halved. Meanwhile, the David Lettermans of the world would have it socked to them big time. Perhaps this would give some of them that dose of reality missing in the rest of their lives.

Mr. Gordon is a contributing editor at American Heritage magazine.

THE WALL STREET JOURNAL.

WARRANTS SEPTEMBER 30, 1998

HAND WRITTEN CHECKS

| | |
|-------------------|----------|
| 18089 Peter Hess | \$642.15 |
| 18090 Rick Motley | 465.66 |

VOIDS

10287
10307
2570

NET PAYROLL

| | |
|---------------|-------------|
| CK# 2571-2578 | \$12,109.25 |
|---------------|-------------|

COMPUTER GENERATED CHECKS

| | | | |
|-------|----------|--------------------------------------|-------------|
| 10288 | 10/01/98 | ADVANTAGE ANSWERING PLUS | \$97.95 |
| 10289 | 10/01/98 | ALL PURE CHEMICAL CO | \$641.70 |
| 10290 | 10/01/98 | ROBERT BLAIR | \$100.00 |
| 10291 | 10/01/98 | BOGNUDA, LISA | \$130.00 |
| 10292 | 10/01/98 | CLANIN & ASSOCIATES, INC. | \$343.20 |
| 10293 | 10/01/98 | CLEAR SOLUTIONS | \$448.31 |
| 10294 | 10/01/98 | DANA PROPERTIES | \$205.90 |
| 10295 | 10/01/98 | DEPARTMENT OF GENERAL SERVICES | \$13.55 |
| 10296 | 10/01/98 | EMPLOYMENT DEVELOPMENT DEPARTMENT | \$995.14 |
| 10297 | 10/01/98 | FGL ENVIRONMENTAL ANALYTICAL CHEMIST | \$184.00 |
| 10298 | 10/01/98 | KATHLEEN FAIRBANKS | \$100.00 |
| 10299 | 10/01/98 | GTE WIRELESS | \$43.76 |
| 10300 | 10/01/98 | GROENIGER & COMPANY | \$1,098.94 |
| 10301 | 10/01/98 | GREAT WESTERN ALARM AND COMMUNICATIO | \$25.00 |
| 10302 | 10/01/98 | IKON | \$151.84 |
| 10303 | 10/01/98 | DOUG JONES | \$300.00 |
| 10304 | 10/01/98 | GENE KAYE | \$100.00 |
| 10305 | 10/01/98 | ALEX MENDOZA | \$608.92 |
| 10306 | 10/01/98 | MID STATE BANK-MASTERCARD | \$367.29 |
| 10308 | 10/01/98 | M.T.S. METER TESTING SERVICES | \$2,887.57 |
| 10309 | 10/01/98 | NIPOMO AUTO PARTS | \$73.16 |
| 10310 | 10/01/98 | NIPOMO GARDENING EQUIP REPAIR SHOP | \$3.93 |
| 10311 | 10/01/98 | P G & E | \$30,552.44 |
| 10312 | 10/01/98 | PACIFIC BELL | \$181.83 |
| 10313 | 10/01/98 | PERS HEALTH BENEFIT SERVICES | \$3,294.60 |
| 10314 | 10/01/98 | PUBLIC EMPLOYEES RETIREMENT SYSTEM | \$1,855.22 |
| 10315 | 10/01/98 | PRECISION JANITORIAL SERVICE | \$135.00 |
| 10316 | 10/01/98 | RELIABLE OFFICE SUPPLY | \$30.59 |
| 10317 | 10/01/98 | SHIPSEY & SEITZ, INC. | \$3,818.00 |
| 10318 | 10/01/98 | ALBERT SIMON | \$100.00 |
| 10319 | 10/01/98 | SOUTHERN CALIF GAS COMPANY | \$21.36 |
| 10320 | 10/01/98 | STATE COMPENSATION INSURANCE FUND | \$2,554.64 |
| 10321 | 10/01/98 | STATE WATER RESOURCES CONTROL BOARD | \$1,200.00 |
| 10322 | 10/01/98 | TERMINIX INTERNATIONAL | \$42.00 |
| 10323 | 10/01/98 | TIMES PRESS RECORDER | \$24.00 |
| 10324 | 10/01/98 | UNITED GREEN MARK, INC. | \$12.00 |
| 10325 | 10/01/98 | WIRSING GRAPHICS & TYPESETTING | \$43.76 |