

NIPOMO COMMUNITY SERVICES DISTRICT AGENDA

MAY 19, 1999 7:00 P.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

John S
31
620
150
770

BOARD MEMBERS

ROBERT BLAIR, **PRESIDENT**
GENE KAYE, **VICE PRESIDENT**
AL SIMON, **DIRECTOR**
RICHARD MOBRAATEN, **DIRECTOR**
ALEX MENDOZA, **DIRECTOR**

STAFF

DOUGLAS JONES, **GENERAL MANAGER**
DONNA JOHNSON, **SECRETARY TO THE BOARD**
JON SEITZ, **GENERAL COUNSEL**

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

CALL TO ORDER AND FLAG SALUTE

ROLL CALL

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

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

3. SECOND READING AND ADOPTION OF AN ORDINANCE TO ADJUST/CLARIFY FEE

An ordinance increasing Town Division water fees, to cover legal costs, Black Lake sewer fee, to cover O&M costs, clarify Sewer Capacity Fee and Reimbursements

4. FOLKERTS OAKS SEWER - CONNECTION TO DISTRICT SYSTEM

Review procedures to connect the sewers and resolving the Sewer Maintenance Benefit Area

5. ADDENDUM TO NEGATIVE DECLARATION-SOUTHLAND WASTEWATER TREATMENT PLANT EXP

Review the addendum - construction of infiltration basins

6. CONSENT AGENDA

The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the consent agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parentheses.

- a) **BOARD MEETING MINUTES (APPROVE)**
Approval of Regular Board Meeting Minutes of May 5, 1999
- b) **NOTICE OF COMPLETION - SOUTHLAND WASTEWATER FACILITY (APPROVE)**
Approve Notice of Completion of construction of Phase I of the sewer plant improvements
- c) **LOCAL MATCH STATE REVOLVING FUND LOAN PHASE II (APPROVE)**
Resolutions approving Local Match State Revolving Fund Loan for Phase II
 1. Requesting a Local Match State Revolving Fund Loan
 2. Establishing the Southland Wastewater Capital Reserve Fund
 3. Dedicating a source of revenue for the repayment of the Local Match State Revolving Fund Loan
 4. Authorizing the General Manager to execute documents for the Local Match State Revolving Fund Loan

FINANCIAL REPORT

7. APPROVAL OF WARRANTS

OTHER BUSINESS

8. MANAGER'S REPORT

1. CSDA ANNUAL CONFERENCE
2. DWR WATER FACTS - MANAGING GROUNDWATER
3. SCHOOL DISTRICT SALE OF REAL PROPERTY
4. WSJ - LETTER TO EDITOR "THIRSTY FARMS"

9. DIRECTORS COMMENTS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL (a) and (b) GC\$54956.8

- a. NCSD vs. Shell Oil, et. al. Case No. CV 077387
- b. SMVWCD vs NCSD Case No. CV 770214
- c. Real Property Neg, Dist. Rep. Gen. Mgr., Prop rep. Dana Estates, acquisition of tank site easement at Dana-Foothill & Tefft St.
- d. Koch California LTD., vs. NCSD Case NO. CV 990266

ADJOURN

MAY 19 1999

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 19, 1999

**ADOPTION OF AN ORDINANCE
ADJUST/CLARIFY FEES**

ITEM

Second reading and adoption of an ordinance to amend certain District codes for clarification and adjusting the Town Division water rates to cover litigation costs. The items to be adjusted are as follows:

1. Adjust Town Division water and Black Lake Division sewer fees
2. Clarification of Town Division sewer capacity charges
3. Clarify requirement for reimbursement agreement

BACKGROUND

The Nipomo Community Services District has been brought into the groundwater adjudication by the Santa Maria Valley Water Conservation District (SMVWCD) vs NCS D Case No. CV 770214, Santa Clara County. The costs for litigation will come from the Black Lake and Town Divisions' Water Funds.

Water user fees should be adjusted next fiscal year to assist in the ground water litigation costs estimated to be \$100,000.00. The District fees are established pursuant to the California Government Code.

The Black Lake Water Fund consumes approximate 16% of the water consumed by the entire District, therefore, it is appropriate that this fund's share of the legal fees for the groundwater litigation be 16%. The Black Lake Division Water Fund has adequate reserves at this time to fund their share of the litigation, therefore, a rate increase in the Black Lake Division is not recommended.

The Town Division Water Fund is insufficient to cover the estimated legal costs, therefore, existing fees need to be adjusted. It is proposed that the Town Division water fees be modified as follows:

	<u>Current</u>	<u>Proposed Increase</u>	<u>Total</u>
Flat Fee/bi-monthly	\$13.00 per billing period (bi-monthly)	4.50 per billing period	\$17.50
Less than (<) 4000 cu ft bi-monthly	\$0.75 per hundred cubic feet	\$ 0.05/hcf	\$0.80/hcf
Over (>) 4000 cu. ft. bi-monthly	\$1.15/hcf	None	\$1.15

It is estimated that this increase in fees will generate approx. \$85,000 per year to pay for the Town Division's water share of the groundwater litigation.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 19, 1999

ADOPTION OF AN ORDINANCE
ADJUST/CLARIFY FEES
Page 2

Town Division - Sewer Capacity Charges (clarification only -no modification proposed)

In 1997, the Board of Directors adopted the Town Division Sewer Capacity Charges of \$2,370 per DUE with a future increase in the year 2001 of \$2,500. Exhibit A of the proposed ordinance reaffirms these fees, which will be incorporated into the District Code as Exhibit A.

Black Lake Sewer Fees

The Black Lake Sewer Fund presently has no reserves and periodically is in a deficit position. A normal operating fund should have about three months cash reserve to cover unforeseen events. To have adequate funds, it is recommended that the monthly Sewer User Fee be increased \$1.50 per month. "The Legends" 57 homes are expected to be built out by the end of next fiscal year (6/30/00). The Black Lake Advisory Committee has met and support the increase of \$1.50 per month.

Reimbursement Agreement

The District has established a reimbursement agreement for developers who construct the sewer and/or water lines that may benefit other property. The developer may receive reimbursements for facilities they install from future users. This amendment to the reimbursement agreement indicates that the developer is to supply the District all the costs associated with the improvements within 90 days after the District accepts the project. If the cost information is not presented to the District within the 90 days, the applicant will waive its rights to reimbursement.

RECOMMENDATION

It is staff's recommendation to adopt Ordinance No. 99-88 amending the District Codes after receiving public comment by:

1. Adjusting water and sewer fees
2. Clarification of Town Division sewer capacity charges
3. Clarifying requirements for reimbursement agreements

A Roll Call vote would be in order to adopt Ordinance 99-88.

**NIPOMO COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 99-88**

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING TITLE 3, TITLE 4 AND TITLE 5 OF THE
NIPOMO COMMUNITY SERVICES DISTRICT CODE TO:**

1. ADJUST MONTHLY WATER RATES FOR THE TOWN DIVISION;
2. ADJUST MONTHLY SEWER RATES FOR THE BLACK LAKE DIVISION;
3. CLARIFY CALCULATIONS FOR ESTABLISHING SEWER CAPACITY CHARGES; AND
4. CLARIFY REQUIREMENTS FOR REIMBURSEMENT AGREEMENTS

WHEREAS, it is the purpose of this Code Amendment to:

- A. Adjust water rates to maintain adequate levels of revenue equitably collected from all classes of water customers within the Town Division to meet the District's financial obligations pertaining to a lawsuit titled Santa Maria Valley Water Conservation District v. City of Santa Maria, the Nipomo Community Services District, et al.;
- B. Adjust sewer rates to maintain adequate levels of revenue equitably collected from sewer customers within the Black Lake Division.
- C. To clarify the computation for establishing sewer rates and charges; and
- D. To clarify the timing of applications for reimbursement for facility extensions; and

WHEREAS, based upon facts and analysis presented in the Staff Report, Staff presentation, 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
- 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,

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

Section 1. Authority.

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

**NIPOMO COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 99-88**

WATER RATES AND CHARGES

Section 2.

Appendix A and B to Chapter 3.03 of the District Code is amended to read as follows:

Appendix A

Bi-Monthly Minimum Charge

Size of Meter (Inches)	Minimum	Litigation
	See Footnote 4	See Footnotes 1,2,3
	A	B
1" or less	\$13.00	\$17.50
1 ½"	\$30.00	\$36.00
2"	\$42.00	\$50.00
3"	\$60.00	\$70.00
4"	\$90.00	\$100.00
6"	\$150.00	\$165.00

Appendix B

Bi-Monthly Water Rates

0-40 units	\$0.75 per unit	\$0.080 per unit
Over 40 units	\$1.15 per unit	\$1.15 per unit

- Footnote 1: The litigation rates referenced in Column "B" apply to the Town Division only.
- Footnote 2: Unless further action is taken by the District Board of Directors, the rates established in column B shall terminate at the time the District's financial obligations regarding Santa Maria Valley Water Conservation District v. City of Santa Maria, the Nipomo Community Services District, et al. have been satisfied and thereon the rates will revert to those established in Column "A"
- Footnote 3: The effective date of the Column "B" water rates is July 1, 1999.
- Footnote 4: The minimum charges established in Column "A" shall continue to apply to the Black Lake Division.

SEWER RATES AND CHARGES

Section 3.

Subsection B.2. of Section 3.03.180 of the District Code is repealed in its entirety and replaced with the following:

- "B. Sewer rates shall be charged as follows:
1. (unchanged)
 2. Monthly sewer charges are set forth in Exhibit B of the Appendix to Chapter 4.12

**NIPOMO COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 99-88**

Section 4.

Appendix C to Chapter 3.03 of the District Code is repealed in its entirety. Exhibit B of the Appendix to Chapter 4.12 is reaffirmed as amended by this Ordinance.

Section 5.

Subsection A of Section 4.12.080 is repealed in its entirety and replaced with the following:

- "A. Computation Method and Unit Cost. Except as limited elsewhere in this code, the capacity charge shall be computed by multiplying the customer's dwelling unit equivalent (DUE) as determined by the district, times capacity charge. Capacity charges are stated in Appendix A to this chapter.

Section 6

The District hereby reaffirms the following capacity charges established as Exhibit A to the Appendix of Chapter 4.12:

Appendix to Chapter 4.12

Exhibit A

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

Future increases will take effect on July 1st of the year 2001:

	1997	2001
	(Existing)	(Future)
Per DUE	\$2,370	\$2,500

Note: *Volunteers (Properties within the Nipomo Sewer Project Assessment District) with existing structures or new construction replacing structures existing prior to 1985 and having no greater DUE will not have a sewer capacity charge. All other new construction on volunteer property as zoned in 1985 shall have the option to pay the District Sewer Capacity Charge, as defined above or \$2,100/DUE.*

**NIPOMO COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 99-88**

Section 7.

Exhibit B of the Appendix to Chapter 4.12 is repealed in its entirety and replaced with the following:

Appendix to Chapter 4.12

Exhibit B

Bi-Monthly Sewer User Fees
Town Division

Bi-Monthly Operation & Maintenance Charge	Per DUE
All sewer customers Town Division	\$36.00
All sewer customers Black Lake Division	\$43.00
Montecito Verde II Sewer Maintenance District	\$28.00 See Footnote 1
Folkert Oaks Sewer Maintenance District	\$12.00 See Footnote 1
Folkert Oaks Sewer Stand-by Charge	\$ 6.00 See Footnote 1

Footnote 1: Upon connection to the Town Division Wastewater Treatment Plant, the identified Sewer Maintenance District bi-monthly operation and maintenance charges shall be the same as the charges collected from sewer customers of the Town Division.

REIMBURSEMENT AGREEMENTS

Section 8.

Section 5.01.031 is added to the District Code to read as follows:

"5.01.031 Applications for Reimbursement.

- A. In order to qualify for reimbursement of excess costs, pursuant to this Chapter, Applicant shall, within ninety days of District's acceptance of District facilities, deliver to District the following:
1. Written application requesting reimbursement of excess costs; and
 2. A certified statement showing the Applicant's actual costs in constructing District facilities.
- B. The Applicant shall cooperate with the District's Engineer in reviewing costs. If Applicant does not submit the request and the certified statement of costs within ninety days of District's acceptance, Applicant shall have waived all right to reimbursement.

MISCELLANEOUS

Section 9. 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

**NIPOMO COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 99-88**

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 10. Repeal of Prior Ordinances and Resolutions

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

Section 11. 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 12. 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 13. 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 14. 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 15. 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.

**NIPOMO COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 99-88**

Introduced at a regular meeting of the Board of Directors held on May 5, 1999 and passed and adopted by the Board of Directors of the Nipomo Community Services District on the 19th day of May, 1999, by the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAINING:

Robert L. Blair, President of the Board
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
District Legal Counsel

ordinance\ord 99-88

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 19, 1999

AGENDA ITEM
MAY 19 1999



FOLKERTS OAKS SEWER
CONNECTION TO DISTRICT SYSTEM

ITEM

Review procedures for connecting the sewers at Folkerts Oaks Subdivision and resolving the Sewer Maintenance Benefit Area.

BACKGROUND

The Folkerts Oaks Subdivision was developed prior to the construction of the District's area-wide sewer system. Sewers were installed in the Folkerts Oaks road right-of-ways and the waste is disposed into an on-site septic tank and disposal system. A Sewer Maintenance District was established for the collection, treatment or disposal of sewage.

The discharge order from the Regional Water Quality Control Board stated that when District wide sewers are available, the Folkerts Oaks on-site sewer system should be connected to the area-wide collector system. The District has been waiting for Phase I of the expansion of the Southland Wastewater Treatment Facility to be completed before there was capacity to take the wastewater from Folkerts Oaks.

The District is proceeding with connection of Folkerts Oaks to the area-wide system. The original agreement with the developer requires the developer to make the connection between the on-site system and the District system. The developer has been contacted. His engineer is drawing up plans to make this connection.

When this connection is made, the Folkerts Oaks property owners would need to pay the standard Sewer Capacity Fee for each residence. There are sufficient reserves in the Folkerts Oaks Maintenance District Fund to pay for the Capacity Fees for the residents. Therefore, no out-of-pocket money will be necessary to pay Capacity Fees. Once the sewers are connected, the area-wide residential sewer user fee of \$18.00 per month will be charged. District legal counsel is reviewing the process of resolving the Sewer Maintenance District and will make a report to your Honorable Board.

RECOMMENDATION

This item is brought to the Board for information purposes. When the District receives the engineer's drawings for connection and legal counsel has prepared the necessary documents, this item will be brought back to the Board for consideration and adoption of the necessary papers to resolve the Sewer Maintenance Benefit Area.

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TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 19, 1999

AGENDA ITEM
MAY 19 1999



ADDENDUM TO NEGATIVE DECLARATION OF THE
SOUTHLAND WASTEWATER TREATMENT PLANT EXPANSION

ITEM

Review and approve an addendum to the Negative Declaration of the Southland Wastewater Treatment Plant Expansion adopted October 2, 1996.

BACKGROUND

At the Regular Meeting of October 2, 1996, your Honorable Board reviewed the Environmental Determination of the expansion of the Southland Wastewater Treatment Plant Phase I and made the determination that a Negative Declaration was in order. Since that time, the District has acquired an additional 20 acres to expand the wastewater treatment facility of which ten acres will be for new percolation ponds. The addendum to the Negative Declaration addresses the construction of the percolation ponds and the storage of the excess material on part of the ten acres acquired by the District.

Mr. Garing of Garing, Taylor and Associates will make a brief presentation to the Board on the addendum to the Negative Declaration and answer any questions the Board may have.

RECOMMENDATION

It is staff's recommendation that the Board approve the addendum to the Negative Declaration of the Southland Wastewater Treatment Plant Expansion.

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RESOLUTION NO. 99-689

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING AN ADDENDUM TO THE NEGATIVE DECLARATION OF THE SOUTHLAND
WASTEWATER TREATMENT FACILITY EXPANSION DATED OCTOBER 2, 1996**

WHEREAS, on October 2, 1996, the Board of Directors adopted an Environmental Negative Declaration (herein "Declaration") for the Southland Wastewater Treatment Plant Expansion Project (herein "the Project");

WHEREAS, the Declaration described the Project as the construction of improvements to the existing headworks; replacement of the existing aeration system; and construction of additional aeration lagoons, sludge drying beds, additional infiltration basins, and a new air blower building at the Southland Wastewater Treatment Plant;

WHEREAS, the Declaration acknowledged that the Project would consist of the following components:

Phase I and III

2 Sludge drying beds
1 Aerated lagoon
Air blower building & new
aeration system

Phase II

1 Aerated lagoon
Upgrade headwork's pumping plant
7 Infiltration basins

WHEREAS, the District has acquired additional lands (herein "Additional Lands") immediately adjacent to the District's Wastewater Treatment Facility;

WHEREAS, Garing, Taylor and Associates (herein "District Engineer") have prepared an addendum to the Declaration for the Project to facilitate components of the Project to be constructed on the Additional Lands;

WHEREAS, on May 19, 1999 the District Board of Directors considered the addendum to the adopted negative Declaration; and

WHEREAS, based on the Staff Report, the District Engineer's Report, Staff presentation and public comment, the District Board of Directors, based on its independent judgment, finds:

1. That the hearing on this Resolution was properly noticed pursuant to the Brown Act
2. That there is no substantial evidence of changes in circumstances or new information under which the Project was undertaken that require major revisions to the previously adopted Declaration for the Project.

RESOLUTION NO. 99- 689

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING AN ADDENDUM TO THE NEGATIVE DECLARATION OF THE
SOUTHLAND WASTEWATER TREATMENT FACILITY EXPANSION DATED OCTOBER 2, 1996

- 3. That construction of components of the Project on Additional Lands only requires technical changes to the Project and do not require major revisions to the previously adopted Declaration.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED THAT THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT as follows:

- 1. Based on the Board's independent judgment, there is no substantial evidence that the construction of Project components on the Additional Lands will have a significant affect on the environment that was not otherwise considered by the prior Declaration adopted by the Board.
- 2. The Addendum to the Negative Declaration for the Southland Water Treatment Facility Expansion complies with CEQA Guidelines Section 15164, and is approved.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services District this 19th day of May, 1999, on the following roll call vote:

AYES: Directors _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

Robert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
District Legal Counsel

MAY 19 1999

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 19, 1999

CONSENT AGENDA

The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the consent agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendation for each item is noted in parentheses.

- a) BOARD MEETING MINUTES (APPROVE)
Approval of Regular Board Meeting Minutes of May 5, 1999

- b) NOTICE OF COMPLETION-SOUTHLAND WASTEWATER FACILITY (APPROVE)
Approve Notice of Completion of construction of Phase I of the sewer plant improvements

- c) LOCAL MATCH STATE REVOLVING FUND LOAN PHASE II (APPROVE)
Resolutions approving Local Match State Revolving Fund Loan for Phase II
 1. Requesting a Local Match State Revolving Fund Loan
 2. Establishing the Southland Wastewater Capital Reserve Fund
 3. Dedicating a source of revenue for the repayment of the Local Match State Revolving Fund Loan
 4. Authorizing the General Manager to execute documents for the Local Match State Revolving Fund Loan

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**NIPOMO COMMUNITY SERVICES DISTRICT
MINUTES**

AGENDA ITEM

6a

MAY 5, 1999 7:00 P.M.
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

MAY 19 1999

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
GENE KAYE, VICE PRESIDENT
AL SIMON, DIRECTOR
RICHARD MOBRAATEN, DIRECTOR
ALEX MENDOZA, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
DONNA JOHNSON, SECRETARY TO THE BOARD
JON SEITZ, GENERAL COUNSEL

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

CALL TO ORDER AND FLAG SALUTE

President Blair called the meeting to order at 7:00 p.m. and led the flag salute.

ROLL CALL

At Roll Call, all Board members were present.

APPROVAL OF MINUTES

1. REGULAR MEETING OF APRIL 21, 1999

Upon motion of Director Kaye, seconded by Director Mendoza, the Board unanimously approved the Minutes of the April 21, 1999 Regular meeting.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

President Blair opened the meeting to Public Comments.

There were no public comments

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

3. INTRODUCTION OF AN ORDINANCE TO ADJUST/CLARIFY FEES (PUBLIC HEARING)

Ordinance to increase Town Division water fees, to cover legal costs, Black Lake sewer fees, to cover O & M costs, clarify Sewer Capacity Fees and Reimbursement Agreements

Mr. Jones explained the proposed ordinance. District Legal Counsel, Jon Seitz explained further.

During this agenda item, the following members of the public spoke: Carol Mitchell, 760 Drumm Lane, Nipomo - Asked for clarification of reimbursement agreement. Upon motion of Director Mobraaten and seconded by Director Kaye, the Board unanimously agreed to introduce Ordinance 99-88 and set the next meeting, May 19, 1999, for adoption. Vote 5-0

4. DRUMM LANE SEWERS

Review extension of sewer line in Southland St. & Drumm Lane

President Blair excused himself from the Board for this item because of a conflict of interest. Vice President Kaye took the Chair.

Mr. Jones presented four methods which could possibly be used to fund the extension of a sewer line in Southland Street to Drumm Lane.

During this agenda item, the following members of the public spoke:

Carol Mitchell, 760 Drumm Lane, Nipomo

Joe Bailey, 765 Drumm Lane, Nipomo

Upon motion of Director Kaye and seconded by Director Mendoza, the Board directed staff to contact the SLO Health Department about possible health hazardous septic systems on properties on Southland Street. Vote 4-0

MINUTES SUBJECT TO BOARD APPROVAL

5. RITE-AID PHARMACY DEVELOPMENT

Request for water & sewer service for Rite-Aid Project at Tefft & Mary Streets

Mr. Jones presented the request from EDA representing Rite-Aid Pharmacy.

During this agenda item, the following member of the public spoke: John Snyder 662 Eucalyptus Rd, Nipomo - Does the District know how many acre feet per year this development will need? Answer- A water meter will be set based on the development requirements.

Upon motion of Director Kaye and seconded by Director Mendoza, the Board approved issuance of an Intent-to-Serve letter with the conditions as outlined in the Board letter for a commercial development on the northwest intersection of Tefft St. and Mary Ave. Vote 4-1 with Director Simon abstaining.

6. OAKGLEN-MALLAGH WATER LINE EASEMENT

Accept water line easement between Oakglen & Mallagh Streets

Mr. Jones explained that negotiations have been completed for an easement for the water line constructed across Nipomo Creek between Oakglen Ave. and Mallagh to improve the water distribution system. An Easement Agreement has been prepared for recordation. A resolution authorizing recordation of the Easement Agreement has been prepared. There were no public comments. Upon motion of Director Simon and seconded by Director Mendoza, the Board unanimously approved Resolution 99-685, accepting and approving the Easement Agreement with corrections as noted on pages 2 and 3 for recording.

RESOLUTION 99-685
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING AND APPROVING DOCUMENT FOR RECORDING

7. **CONSENT AGENDA** *The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the consent agenda and will be considered separately. Questions of clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.*

Mr. Jones described the four items on the Consent Agenda. There were no public comments. Upon motion of Director Kaye and seconded by Director Mobraaten, the Board unanimously approved the items on the Consent Agenda.

- a) CAL PERS DEFERRED COMP PLAN (Approve)
Employee participation in PERS Deferred Plan Plan

RESOLUTION 99-688
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING ADOPTION OF CALIFORNIA PUBLIC EMPLOYEES'
DEFERRED COMPENSATION PLAN

- b) ACCEPTANCE OF TRACT 1940 (BONITA HOMES) IMPROVEMENTS (Approve)
Resolution accepting water and sewer improvements for a 9-lot development

RESOLUTION 99-686
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE SEWER IMPROVEMENTS FOR THE
NIPOMO LIBRARY (SAN LUIS OBISPO COUNTY)

- c) ACCEPTANCE OF LIBRARY IMPROVEMENTS (APPROVE)
Resolution accepting sewer line extension to the County Library

RESOLUTION 99-687
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING ADOPTION OF CALIFORNIA PUBLIC EMPLOYEES'
DEFERRED COMPENSATION PLAN

- d) NOTICE OF COMPLETION OF THE SUN DALE WELL (APPROVE)
Approving the Notice of Completion of the Sun Dale Well

FINANCIAL REPORT

- 8. APPROVAL OF WARRANTS
Upon motion of Director Mobraaten and seconded by Director Kaye, the Board unanimously approved the Warrants presented at the May 5, 1999 meeting.

OTHER BUSINESS

- 9. MANAGER'S REPORT
Manager Doug Jones presented information on the following items:
 - 1. BUDGET STUDY SESSION
 - 2. SCHOOL DISTRICT CORRESPONDENCE
 - 3. FIRST QUARTER INCIDENT REPORT
- 10. DIRECTORS' COMMENTS
COMMITTEE REPORTS
 - a) Draft FY 99-00 Budget
Director Kaye reported on the following meetings that he attended.
 - b) Nipomo Advisory Counsel April 23
 - c) Chamber of Commerce April 28

CLOSED SESSION

District Legal Counsel, Jon Seitz, announced the need to go into Closed Session to discuss the following items.

- CONFERENCE WITH LEGAL COUNSEL (a) and (b) GC54956.8
- a. NCSD vs. Shell Oil, et. al. Case No. CV 077387
 - b. SMVWCD vs NCSD Case No. CV 770214
 - c. Real Property Neg, Dist. Rep. Gen. Mgr., Prop rep. Dana Estates, acquisition of tank site easement at Dana-Foothill Rd. & Tefft St.
 - d. KOCH CALIFORNIA LTD., vs. NCSD CASE NO. CV 990266

The Board came back into Open Session and had no reportable action.

ADJOURN

President Blair adjourned the meeting at 8:40 p.m.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 19, 1999

NOTICE OF COMPLETION
SOUTHLAND WASTEWATER FACILITY

ITEM

Approving Notice of Completion of Phase I of the Southland Wastewater Treatment Plant Expansion.

BACKGROUND

The District has received a zero percent interest loan from the State Revolving Fund to expand the Southland Wastewater Treatment Plant facility in a two phase program. The first phase, which consisted of installing new aeration ponds, new bottom aerators, blower building, modifying the head works and supporting facilities, is now completed.

RECOMMENDATION

It is staff's recommendation that the Board approve the Notice of Completion and authorize the General Manager to file the Notice of Completion for the Phase I of the Southland Wastewater Treatment Facility.



Civil Engineering
Surveying
Project Development

AGENDA ITEM
MAY 19 1999

6^b

May 10, 1999

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

Dear Doug,

SUBJECT: Recommendation for Acceptance of Improvements for Southland Wastewater Treatment Plant Expansion, Phase I

As of April 30, 1999, all improvements including change orders for the above mentioned project were complete.

I hereby recommend that the Board accept the project and authorize filing of a Notice of Completion.

If you have any questions, please contact me.

Very truly yours,

GARING, TAYLOR & ASSOCIATES, INC.

Jim Garing, P.E.
President

ctyltr\n-z\ND98042H.jgh

RECEIVED
MAY 19 1999
NIPOMO COMMUNITY SERVICES DISTRICT

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

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

Notice is hereby given that:

- 1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
- 2. The full name of the owner is Nipomo Community Services District
- 3. The full address of the owner is Post Office Box 326
148 South Wilson Street, Nipomo, CA 93444
- 4. The nature of the interest or estate of the owner is: In fee.

(If other than fee, strike "In fee" and insert, for example, "purchaser under contract of purchase," or "lessee")

- 5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

NAMES	ADDRESSES
Nipomo Community Services District	P O Box 326, Nipomo, CA 93444

- 6. A work of improvement on the property hereinafter described was completed on April 30, 1999. The work done was:
Construction of new aeration ponds, aerator, piping and associated facilities for Phase I of the expansion of the Wastewater Treatment Facility

- 7. The name of the contractor, if any, for such work of improvement was John Madonna Construction

- 8. The property on which said work of improvement was completed is in the city of Nipomo

County of San Luis Obispo, State of California, and is described as follows: Construction of Phase I Southland Wastewater Project

- 9. The street address of said property is 509 Southland Street, Nipomo, CA

Dated: May 19, 1999
Verification for Individual Owner

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

VERIFICATION

I, the undersigned, say: I am the _____ Manager _____ the declarant of the foregoing I
(“President of”, “Manager of”, “A partner of”, “Owner of”, etc.)

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

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

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

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

MAY 19 1999

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 19, 1999

LOCAL MATCH STATE REVOLVING FUND LOAN-PHASE II OF EXPANSION

ITEM

Adopting four resolutions for a zero percent (0%) loan for Phase II of the Southland Wastewater Treatment Facility Expansion.

BACKGROUND

The Southland Wastewater Treatment Facility is under expansion via a two-phase project. Phase I has been completed and Phase II is currently out to bid. The funding for both phases is from the State Water Resources Control Board Local Match State Revolving Fund Loan (zero percent interest loan). The loan is a 20 year, zero percent interest loan provided the District agree to provide a local match of approximately 17% (same requirements as Phase I).

There were four resolutions adopted for Phase I – Project Number C-06-4501-110. The State Water Resources Control Board has requested the District adopt the same four resolutions for Phase II – Project Number C-06-4501-120.

The contents of the Resolutions are the same that were adopted for Phase I with the exception of the resolution requesting a local match state revolving fund loan. The Phase II eligible costs are estimated to be \$1,000,000, therefore, the District is be required to provide the matching funds of approximately \$170,000. The matching funds have been included in the District's 1999-2000 budget.

RECOMMENDATION

It is recommended that your Honorable Board adopt the four Resolutions for Phase II of the Southland Wastewater Treatment Facility.

Res. 99-690	Requesting a Local Match State Revolving Fund Loan
Res. 99-691	Establishing the Southland Wastewater Capital Reserve Fund
Res. 99-692	Dedicating a source of revenue for the repayment of the Local Match State Revolving Fund Loan
Res. 99-693	Authorizing the General Manager to execute documents for the Local Match State Revolving Fund Loan

RESOLUTION NO. 99-690

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REQUESTING A LOCAL MATCH STATE REVOLVING FUND LOAN**

WHEREAS, the Board of Directors of the Nipomo Community Services District requests to participate in the State Water Resources Control Board Local Match State Revolving Fund Loan, and

WHEREAS, said Local Match State Revolving Fund Loan proceeds will be used to expand the District's Southland Wastewater Treatment Facility (Phase II).

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED THAT THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT hereby agrees to the following in return for a local match State Revolving Fund (SRF) Loan:

1. To contribute the state match share equal to 16.667 percent of the eligible project costs, in an estimated amount of \$170,000.
2. To pay an administrative fee of up to 0.575% of the eligible project cost for the administrative match amount, if requested by the State Water Resources Control Board (SWRCB), prior to the issuance of the local match SRF loan contract, provided that the fee shall be waived by the SWRCB if sufficient monies to fund the administrative match are available from other sources.
3. To establish a state match account for the project and deposit sufficient funds, as necessary, to make the state match payments to the contractor(s).
4. To provide the SWRCB, Division of Clean Water Programs (Division) a certification with each progress payment request stating that the appropriate state match amount for the requested payment has been paid to the contractor(s).
5. To provide the Division with copies of the canceled checks documenting payment of the state match amount, on a quarterly basis.

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

AYES: Directors
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 19th day of May 1999.

Robert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

RESOLUTION NO. 99-691

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING THE SOUTHLAND WASTEWATER CAPITAL RESERVE FUND**

WHEREAS, the Board of Directors of the Nipomo Community Services District ("DISTRICT") desires to expand the Southland Wastewater Treatment Facility to meet the needs of the community; and

WHEREAS, to fund the proposed said facility expansion the District has requested a Local Match State Revolving Fund (SRF) Loan for Project No. C-06-4501-120, and

WHEREAS, a condition of approval of said loan requires the District to establish a Wastewater Capital Reserve Fund (WCRF) for expansion, major repair or replacement of the facilities contained within the Southland Wastewater Treatment Plant.

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

- 1) The Nipomo Community Services District hereby establishes the Southland Wastewater Capital Reserve Fund for Project No. C-06-4501-120. The minimum deposit into the WCRF shall be one-half of one percent of the SRF Loan each year for ten years along with interest earned. The WCRF shall be administered in accordance with the guidelines listed in the "Policy for Implementing the SRF for Construction of Wastewater Treatment Facilities, dated January 18, 1996".
- 2) The WCRF shall remain in effect until such loan or loans are fully discharged or the State Water Resources Control Board amends its requirements in writing.

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 19TH day of May 1999.

Robert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

RESOLUTION NO. 99-692

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
DEDICATING A SOURCE OF REVENUE FOR THE
REPAYMENT OF THE LOCAL MATCH STATE REVOLVING FUND LOAN**

WHEREAS, the Board of Directors of the Nipomo Community Services District ("DISTRICT") desires to expand the Southland Wastewater Treatment Facility to meet the needs of the community; and

WHEREAS, to fund the proposed said facility expansion the DISTRICT has requested a Local Match State Revolving Fund Loan, and

WHEREAS, a condition of approval of said loan requires the District to establish one or more dedicated sources of revenue for the repayment of the loan.

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

- 1) The Nipomo Community Services District hereby dedicates the following sources of revenue from sewer capacity charges, general property taxes, or user fees for the repayment of any and all Local Match State Revolving Fund loans for Project No. C-06-4501-120:
- 2) These dedicated sources of revenue shall remain in effect until such loan or loans are fully discharged unless modification or changes of such dedication is approved, in writing, by the State Water Resources Control Board.

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 19TH day of May 1999.

Rboert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

RESOLUTION NO. 99-693

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING THE GENERAL MANAGER TO EXECUTE
DOCUMENTS FOR THE LOCAL MATCH STATE REVOLVING FUND LOAN**

WHEREAS, the Nipomo Community Services District (District) has applied for a Local Match State Revolving Fund Loan through the State Water Resources Control Board for expansion of the Southland Wastewater Treatment Facility, and

WHEREAS, the District wishes to designate a representative to execute the necessary documents to acquire said loan, and

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

1. The General Manager or his designee is hereby authorized and directed to sign and file, for and on behalf of the Nipomo Community Services District, a Financial Assistance Application for a loan/grant from the State Water Resources Control Board in the amount not to exceed \$1,900,000.00 for the design and construction of the Southland Wastewater Treatment Plant Expansion – Local Match State Revolving Fund Project No. C-06-4501-120.
2. Nipomo Community Services District hereby agrees and further does authorize the aforementioned representative or his designee to certify that the District has and will comply with all applicable state and federal statutory and regulatory requirements related to any federal and state loan/grant funds received.
3. The General Manager or his designee of the Nipomo Community Services District is hereby authorized to negotiate and execute a loan/grant contract and any amendments or change orders thereto on behalf of the Nipomo Community Services District.

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

AYES: Directors
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 19th day May 1999.

Robert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: MAY 19, 1999

AGENDA ITEM

MAY 19 1999

8

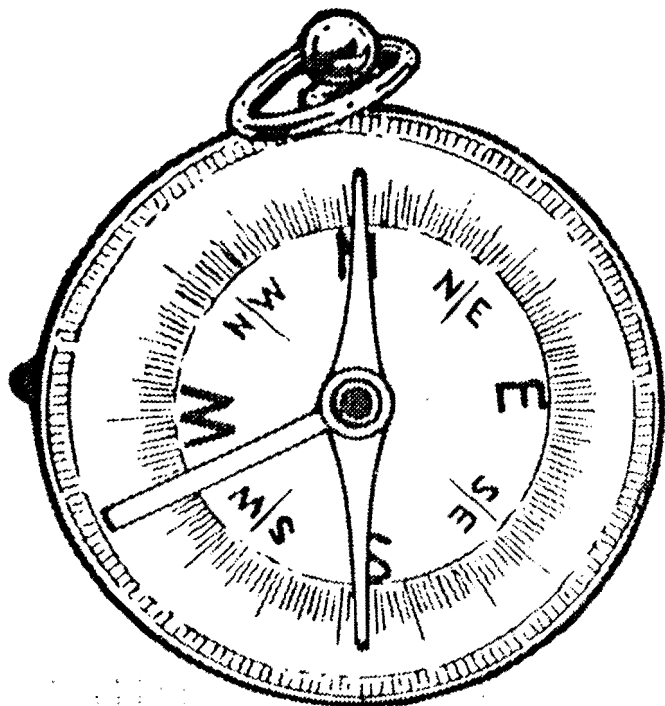
MANAGER'S REPORT

1. CSDA ANNUAL CONFERENCE
If any Board member is interested in attending this conference, please inform staff.
2. DWR WATER FACTS - MANAGING GROUNDWATER
3. SCHOOL DISTRICT SALE OF REAL PROPERTY
4. WSJ - LETTER TO EDITOR "THIRSTY FARMS"
Article from the Wall Street Journal

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CSDA's 30th Annual Conference!

*Winds of Change:
Plotting a Course Into the 21st Century*



September 22-24, 1999

Bahia Resort Hotel, San Diego

(619) 488-0551

Mark your calendars!

Reserve your sleeping rooms immediately!

Room block deadline is August 20, 1999.

\$119 single/double occupancy.

Registration materials will be mailed in June.

Water Facts

State of California
The Resources Agency
Department of
Water Resources



California Water Management

7 Steps for Managing Groundwater Supplies

Many communities in California use groundwater as the main source for their public water supply systems, and many individual residences are totally dependent on groundwater for their supply. In addition, many agricultural operations are partly or entirely dependent on groundwater for their water supply—especially in times of drought.

The amount of groundwater in storage in each basin is dependent on the precipitation, recharge, and the total extraction of all the wells. A groundwater management plan that is designed for the political, institutional, legal, and technical specifics of the basin can help everyone maintain the quality and quantity of the groundwater supply.

The following 7-step groundwater management program will help local groundwater managers, individuals, residents, and public water supply system operators determine how far groundwater levels will decline if a certain amount of groundwater is extracted. With this information, they will be able to make informed decisions in managing their groundwater resources to assure an available supply in the future.

Before you do anything, evaluate the data you have already collected. Eventually you may need more

data but start with what you have. This initial evaluation will help you plan additional programs that will lead to more efficient management.

Next, find out what statutory authority your agency operates under and whether the Water Code provides authority to manage groundwater. Many local agencies are now taking advantage of AB 3030 (California Water Code § 10750, et seq) to develop groundwater management plans for their agency, while others have developed groundwater management plans under other statutory authority or case law authority.

7 Steps

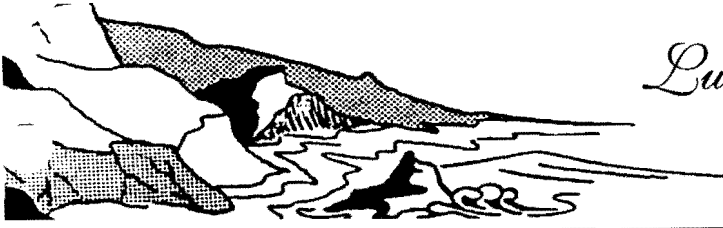
1 Locate and identify water wells, and collect groundwater level and groundwater quality data.

The location of each water well in the area should be recorded, and each well should be assigned a "State well number" by DWR. Collect drillers' logs and compile water-level measurements and water-quality analyses that are available from each of the wells. Plot this information on maps and graphs for use in steps 2, 3, 4, and 5. This is the start of a monitoring program.

2 Determine the amount of groundwater that is extracted by each well or otherwise removed from the groundwater basin.

Total the amount of groundwater extracted by all wells and add whatever other water is removed from

Water Facts are short reports on water resources issues of general interest. They are published periodically by the California Department of Water Resources and can be obtained free by contacting DWR Bulletins & Reports, P.O. Box 942836, Sacramento, CA 94236-0001; 916/653-1097.



Lucia Mar Unified School District

602 Orchard Street ♦ Arroyo Grande, CA 93420
(805) 473-4390 ♦ Fax: (805) 473-1593

ARROYO GRANDE

NIPOMO

GROVER BEACH

OCEANO

PISMO BEACH

NOTICE OF INTENTION TO DISPOSE OF REAL PROPERTY

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

The Board of Education of the Lucia Mar Unified School District ("District") is the owner of certain real property located in the City of Nipomo, County of San Luis Obispo. The ten (10)-acre parcel of vacant residential property is located on the northeast corner of Osage Street and Tajas Place and has an Assessor's Parcel Number of 092-122-056 ("Property"). The Property is more particularly described in the attached Exhibit, copies of which are on file for review at the District office located at 602 Orchard Street, City of Arroyo Grande, County of San Luis Obispo.

The District intends to dispose of the above-described Property either through sale or exchange of real property in accordance with the applicable requirements of the California Education Code and the California Government Code. Pursuant to Education Code Section 17464(a) and Government Code Section 54222(b), the District is offering the Property at fair market value to certain entities and associations, including the Nipomo Community Services District.

Should the Nipomo Community Services District be interested in acquiring the Property, through purchase or exchange, for park, recreational, or open-space purposes, it must notify the District in writing of such interest within sixty (60) days after receipt of this notice. Such written notice should be sent to the attention of Sandra Davis, Assistant Superintendent of Business, at the address shown above.

Dated: April 23, 1999

LUCIA MAR UNIFIED SCHOOL DISTRICT

MAY 7 1999

Thirsty Farms ^{دورن} 4/21/99

Your March 31 story, "Citizens Send Mixed Signals About Water," reported on a study showing that—although Californians have no idea how much water they use—they would be willing to try to reduce water consumption by 20%. As a result, consumers can likely expect a campaign by our utilities and government asking us to do just that.

But 85% of the water consumed in California is used by agriculture. If the rest of us cut back on water use by 20%, overall consumption will be reduced by merely 3%. On the other hand, a 4% cut-back by agriculture would have the same impact on total water consumption. Can we, perhaps, look forward to a future article discussing plans and programs intended to encourage farmers and ranchers to cut back on their water use?

Until then, here's a suggestion for a program that might encourage agricultural conservation: Start charging for the water used by farmers and ranchers—at cost.

DUDLEY McFADDEN

Sunnyvale

WARRANTS MAY 17, 1999

HAND WRITTEN CHECKS

18136	SANTA MARIA TIRE	385.31
18137	SENATE PUBLICATIONS	4.31
18138	EMPLOYMENT DEV.	429.57
18139	M. HENNING	20.18
18140	CLYATT	452.45
18141	NEWDOLL CONST.	394.60
18142	TLC CONST.	470.40
18143	WITTSTROM CONST.	476.75

NET PAYROLL

CK# 2717-2724 \$11,676.28

VOIDS

2716
10896

C:\WARRANTS\W051799.doc

COMPUTER GENERATED CHECKS

10903	05/19/99	ALL PURE CHEMICAL CO	\$1,233.76
10904	05/19/99	ROBERT BLAIR	\$100.00
10905	05/19/99	BOGNUDA, LISA	\$25.79
10906	05/19/99	CALIFORNIA ELECTRIC SUPPLY	\$272.85
10907	05/19/99	COSTCO MEMBERSHIP	\$240.00
10908	05/19/99	DEPARTMENT OF GENERAL SERVICES	\$10.33
10909	05/19/99	FGL ENVIRONMENTAL ANALYTICAL CHEMIST	\$334.40
10910	05/19/99	GARING, TAYLOR & ASSOCIATES, INC.	\$14,171.89
10911	05/19/99	GTE CALIFORNIA	\$31.54
10912	05/19/99	GTE WIRELESS	\$22.63
10913	05/19/99	IKON OFFICE SOLUTIONS	\$260.92
10914	05/19/99	JOHNSON, DONNA	\$25.42
10915	05/19/99	KARDEL COMPUTER SERVICES	\$37.50
10916	05/19/99	GENE KAYE	\$100.00
10917	05/19/99	ALEX MENDOZA	\$100.00
10918	05/19/99	MILLS-KOEHLER	\$50.00
10919	05/19/99	MISSION UNIFORM SERVICE	\$168.82
10920	05/19/99	MOBRAATEN, RICHARD	\$100.00
10921	05/19/99	NIPOMO ACE HARDWARE, INC.	\$107.65
10922	05/19/99	NIPOMO GARBAGE COMPANY	\$54.75
10923	05/19/99	NIPOMO SHELL	\$175.06
10924	05/19/99	PACIFIC BELL	\$192.09
10925	05/19/99	PETTY CASH-MIDSTATE BANK	\$148.56
10926	05/19/99	RICHARDS, WATSON & GERSHON	\$14,975.80
10927	05/19/99	SAN LUIS OBISPO COUNTY HEALTH DEPART	\$648.00
10928	05/19/99	SANTA MARIA TIMES	\$37.00
10929	05/19/99	S/G TESTING LABORATORIES, INC.	\$85.00
10930	05/19/99	SHIPSEY & SEITZ, INC.	\$1,856.00
10931	05/19/99	ALBERT SIMON	\$100.00
10932	05/19/99	SOUTHERN CALIF GAS COMPANY	\$399.00
10933	05/19/99	STATE DEPARTMENT OF HEALTH SERVICES	\$2,766.72
10934	05/19/99	STATEWIDE SAFETY & SIGNS, INC.	\$41.83
10935	05/19/99	USA BLUE BOOK	\$1,160.06
10936	05/19/99	WILSON, LEE ELECTRIC COMPANY	\$274.83
10937	05/19/99	WIRSING GRAPHICS & TYPESETTING	\$344.87

JUN 02 1999

WARRANTS JUNE 2, 1999

HAND WRITTEN CHECKS

18144	KELLEY CONST.	444.45
18145	TJN DOZER	470.90
18146	BURROW ESCROW	14.15

COMPUTER GENERATED CHECKS

10938	05/28/99	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$452.49
10939	05/28/99	DOUG JONES	\$300.00
10940	05/28/99	PUBLIC EMPLOYEES RETIREMENT SYSTEM	\$1,799.68
10941	06/02/99	ADVANTAGE ANSWERING PLUS	\$103.95
10942	06/02/99	BAKER, R, INC.	\$30,346.86
10943	06/02/99	ROBERT BLAIR	\$100.00
10944	06/02/99	CALIFORNIA NEVADA SECTION, AWWA	\$37.00
10945	06/02/99	CHEVRON	\$448.08
10946	06/02/99	DANA PROPERTIES	\$205.90
10947	06/02/99	EASTER RENTS	\$2,782.36
10948	06/02/99	FGL ENVIRONMENTAL ANALYTICAL CHEMIST	\$179.20
10949	06/02/99	GILLESPIE LANDSCAPE	\$232.00
10950	06/02/99	GMAC COMMERCIAL MORTGAGE	\$10,875.00
10951	06/02/99	GTE CALIFORNIA	\$31.89
10952	06/02/99	GROENIGER & COMPANY	\$384.68
10953	06/02/99	GREAT WESTERN ALARM AND COMMUNICATIO	\$25.00
10954	06/02/99	JOHNSON, DONNA	\$25.78
10955	06/02/99	KAMAN	\$62.85
10956	06/02/99	KARDEL COMPUTER SERVICES	\$363.75
10957	06/02/99	GENE KAYE	\$100.00
10958	06/02/99	McKESSON WATER PRODUCTS	\$20.80
10959	06/02/99	ALEX MENDOZA	\$150.00
10960	06/02/99	MID STATE BANK-MASTERCARD	\$202.93
10961	06/02/99	MOBRAATEN, RICHARD	\$150.00
10962	06/02/99	NIPOMO GARBAGE COMPANY	\$54.75
10963	06/02/99	NIPOMO REXALL DRUG	\$9.98
10964	06/02/99	P G & E	\$17,631.97
10965	06/02/99	PERRY'S ELECTRIC MOTORS & CONTROLS	\$182.60
10966	06/02/99	PERS HEALTH BENEFIT SERVICES	\$3,061.69
10967	06/02/99	POSTALIA, INC.	\$489.05
10968	06/02/99	PRECISION JANITORIAL SERVICE	\$135.00
10969	06/02/99	RELIABLE OFFICE SUPPLY	\$33.46
10970	06/02/99	SAN LUIS OBISPO COUNTY HEALTH DEPART	\$1,048.81
10971	06/02/99	ALBERT SIMON	\$100.00
10972	06/02/99	SLO-CSDA CHAPTER	\$25.00
10973	06/02/99	SOUTHERN CALIF GAS COMPANY	\$76.74
10974	06/02/99	STATE WATER RESOURCES CONTROL BOARD	\$50.00
10975	06/02/99	TERMINIX INTERNATIONAL	\$42.00
10976	06/02/99	TIMES PRESS RECORDER	\$31.50
10977	06/02/99	UNION ASPHALT, INC.	\$461.77
10978	06/02/99	WYATT & BAKER, Lawyers	\$4,547.05
10979	06/02/99	BAKER, R, INC.	\$30,286.39
10980	06/02/99	STATE WATER RESOURCES CONTROL BOARD	\$70.00

NET PAYROLL

CK# 2726-2733 \$11,607.778

VOIDS

2725

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