

Harold Snyder
P.O. Box 926
Nipomo, CA 93444

March 9, 2012

Lisa Bognuda,
Nipomo Community Services District (NCSD)
148 Wilson Street, P.O. Box 326
Nipomo, CA 93444

lbognuda@ncsd.ca.gov
(805) 929-1133 Phone
(805) 929-1932 Fax

Dear Lisa Bognuda:

This letter is a request for public records which are in the possession of the Nipomo Community Services District pursuant to the California Public Records Act (Govt. Code 6250, et seq.).

The following is a list of the reasonably identifiable public records which I requested copies of on March 8th 2012 and am still requesting:

1. In your response you stated:

“Additionally, we believe the District Assessment Engineer may have received a tariff map and other maps from GSWC related to its boundary and parcels that receive water service from GSWC. If these records are of interest, please contact Lisa Bognuda and the District will consult with the Assessment Engineer to process a response.”

The records are “of Interest” and I am requesting a copy of the documents.

2. In your response you stated:

“Therefore, please call Lisa Bognuda at the District office, telephone # (805) 929-1133 on the afternoon of March 9th to arrange delivery.”

I am requesting a copy of the documents, if they will not be posted on your website by 3/12/12

3. In your response you stated:

“Additionally, we believe the District Assessment Engineer may have received a tariff map from RWC related to its boundary. If these records are of interest, please contact Lisa Bognuda at the District office, telephone # (805) 929-1133 and we will consult with the Assessment Engineer to process a response.”

The records are “of Interest” and I am requesting a copy of the documents.

4. In your response you stated:

“Therefore, please call Lisa Bognuda at the District office, telephone # (805) 929-1133 on the afternoon of March 9th to arrange delivery.”

I am requesting a copy of the documents, if they will not be posted on your website by 3/12/12

If a portion of the information contained in the records we have requested is exempt from disclosure by express provisions of law, Govt. Code 6254 requires segregation and deletion of that material in order that the remainder of the information may be released.

Please take note that Govt. Code 6256 requires the Nipomo Community Services District to determine, within ten (10) days after receipt of this request, whether the Nipomo Community Services District will comply with this request. If the Nipomo Community Services District decides not to comply with all or any portion of this request, Govt. Code 6256 requires notification to us of the reasons for the determination not later than ten (10) days from your receipt of this request. Further, Govt. Code 6256.2 prohibits the use of any provision of the Public Records Act to delay access for the purposes of inspecting public records. Govt. Code 6256.2 also requires that any notification of denial of this request for records must set forth the names and titles or positions of each person responsible for the denial.

Thank You

A handwritten signature in black ink, appearing to read "Harold Snyder", with a horizontal line extending from the end of the signature.

Harold Snyder

NIPOMO COMMUNITY

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JON SEITZ, GENERAL COUNSEL

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: ncsd.ca.gov

March 8, 2012

Mr. Harold Snyder
P. O. Box 926
Nipomo, California 93444
kochcal@earthlink.net

Dear Mr. Snyder:

SUBJECT: FEBRUARY 27, 2012 PUBLIC DOCUMENT REQUEST

Please accept this letter in response to your letter of February 27, 2012, received February 27, 2012, which the Nipomo Community Services District (District) interprets as a request for public records. This response has been reviewed by District Legal Counsel, Jon Seitz, and is the person responsible for raising any objections referenced in this response.

Your letter of February 27, 2012, states in relevant part:

"The following is a list of the reasonably identifiable public records which I request copies of:

1. In the NCS D 2/29/12 board packet Item E-2 NCS D posted a set of maps for Golden State Water Company GSWC "Assessment diagram" with the parcels that are proposed to be taxed for the WIP pipeline (now called the supplemental water project).

I had asked Kari at the 2/1/12 presentation where she got the maps and she said she did not create them and they came from GSWC.

I requested and received a copy of the GSWC tariff map from GSWC on or about and February 16, 2012. It does not match the map that is being used for the proposed tax area.

It's clear that some parcels that **are** on the tariff map are **in** the taxed area that do not have service.

It's clear that some parcels that **are** on the tariff map are **not in** the taxed area that do not have service.

It's clear that some parcels that **are not** on the tariff map are **in** the taxed area.

I am requesting a copy of the transmittal/letter/email from GSWC (or others for GSWC) that is being used by NCSD as the source of the data to decide which parcels, around parcels that GSWC serves, will be in the proposed assessment.

DISTRICT RESPONSE:

The District objects to the entirety of Request #1. In order to respond to this Request, the District is required to affirm the statements outlined in the preceding paragraphs which the District is not required to do. Therefore, the District objects to the entirety of Request #1 because the Request does not reasonably describe an identifiable record or records as required by Government Code Section 6253(b). Further, the Assessment Engineer is the author of the Assessment Engineers Report which includes the parcels that will be assessed. The District will make the Assessment Engineers Report available to you upon its receipt currently anticipated to be Friday, March 9, 2012. Additionally, we believe the District Assessment Engineer may have received a tariff map and other maps from GSWC related to its boundary and parcels that receive water service from GSWC. If these records are of interest, please contact Lisa Bognuda and the District will consult with the Assessment Engineer to process a response.

2. I am requesting a copy of the document with the signature of the person who made the decision as to which parcels are in or out of the assessment for the GSWC "Assessment diagram".

DISTRICT RESPONSE:

The Assessment Engineer's Report will be made available in response to this Request. It is currently anticipated that the Engineer's Report will be delivered to the District on or after Friday, March 9, 2012. Therefore, please call Lisa Bognuda at the District office, telephone # (805) 929-1133 on the afternoon of March 9th to arrange delivery.

3. I am also requesting a copy of the transmittal/letter/email from RWC (or others for RWC) that is being used by NCSD as the source of the data to decide which parcels, around parcels that RWC serves, will be in the proposed assessment.

DISTRICT RESPONSE:

The District objects to the entirety of Request #3. In order to respond to this Request, the District is required to affirm the statements outlined in the preceding paragraphs (see Request #1 above) which the District is not required to do. Therefore, the District objects to the entirety of Request #3 because the Request does not reasonably describe an identifiable record or records as required by Government Code Section 6253(b). Further, the Assessment Engineer is the author of the Assessment Engineer's Report which includes parcels that will be assessed. The District will make the Assessment Engineer's Report available to you upon receipt currently anticipated to be Friday, March 9, 2012. Additionally, we believe the District Assessment Engineer may have received a tariff map from RWC related to its boundary. If these records are of interest, please contact Lisa Bognuda at the District office, telephone # (805) 929-1133 and we will consult with the Assessment Engineer to process a response.

4. I am requesting a copy of the document with the signature the person who made the decision as to which parcels are in or out of the assessment for the RWC "Assessment diagram".

DISTRICT RESPONSE:

The Assessment Engineer's Report will be made available in response to this Request. It is currently anticipated that the Engineer's Report will be delivered to the District on or after Friday, March 9, 2012. Therefore, please call Lisa Bognuda at the District office (805) 929-1133 on the afternoon of March 9th to arrange delivery.

Very Truly Yours,

NIPOMO COMMUNITY SERVICES DISTRICT



Michael S. LeBrun
General Manager

Harold Snyder
P.O. Box 926
Nipomo, CA 93444

RECEIVED
FEB 27 2012
NIPOMO COMMUNITY
SERVICES DISTRICT

February 27, 2012

Michael LeBrun,
Nipomo Community Services District (NCSO)
148 Wilson Street, P.O. Box 326
Nipomo, CA 93444

mlebrun@ncsd.ca.gov
(805) 929-1133 Phone
(805) 929-1932 Fax

Dear Michael LeBrun:

This letter is a request for public records which are in the possession of the Nipomo Community Services District pursuant to the California Public Records Act (Govt. Code, 6250, et seq.).

The following is a list of the reasonably identifiable public records which I request copies of:

1. In the NCSO 2/29/12 board packet Item E-2 NCSO posted a set of maps for Golden State Water Company GSWC "Assessment diagram" with the parcels that are proposed to be taxed for the WIP pipeline (now called the supplemental water project).

I had asked Kari at the 2/1/12 presentation where she got the maps and she said she did not create them and they came from GSWC.

I requested and received a copy of the GSWC tariff map from GSWC on or about and February 16, 2012. It does not match the map that is being used for the proposed tax area.

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2. I am requesting a copy of the document with the signature of the person who made the decision as to which parcels are in or out of the assessment for the GSWC "Assessment diagram"
3. I am also requesting a copy of the transmittal/letter/email from RWC (or others for RWC) that is being used by NCSO as the source of the data to decide which parcels, around parcels that RWC serves, will be in the proposed assessment.
4. I am requesting a copy of the document with the signature the person who made the decision as to which parcels are in or out of the assessment for the RWC "Assessment diagram"

If a portion of the information contained in the records we have requested is exempt from disclosure by express provisions of law, Govt. Code 6254 requires segregation and deletion of that material in order that the remainder of the information may be released.

Please take note that Govt. Code 6256 requires the Nipomo Community Services District to determine, within ten (10) days after receipt of this request, whether the Nipomo Community Services District will comply with this request. If the Nipomo Community Services District decides not to comply with all or any portion of this request, Govt. Code 6256 requires notification to us of the reasons for the determination not later than ten (10) days from your receipt of this request. Further, Govt. Code 6256.2 prohibits the use of any provision of the Public Records Act to delay access for the purposes of inspecting public records. Govt. Code 6256.2 also requires that any notification of denial of this request for records must set forth the names and titles or positions of each person responsible for the denial.

Also as before my understanding is the coping cost is \$15 per CD or DVD. I you have any questions please let me know.

Thank You

A handwritten signature in black ink, appearing to read "Harold Snyder", with a stylized flourish at the end.

Harold Snyder