

TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: MARCH 17, 2022

**AGENDA ITEM
E-2
MARCH 23, 2022**

**REVIEW DRAFT BLACKLAKE VILLAGE STREETLIGHT
ASSESSMENT DISTRICT 2022 ENGINEER'S REPORT**

ITEM

Review draft Assessment Engineer's Report for Blacklake Village Streetlight Assessment District 2022 [RECOMMEND REVIEW DRAFT REPORT AND PROVIDE COMMENT].

BACKGROUND

In 1993, the Board of Directors for the Nipomo Community Services District ("District") annexed the Blacklake community into its service area and began providing water, sewer, and street lighting services. Prior to the District's annexation, the County of San Luis Obispo ("County") provided services under County Resolution 83-367, establishing Zone G of County Service Area 1. For street lighting, the District continued to levy an existing annual levy to pay the costs of maintenance, operation, and servicing of the street light improvements.

The costs for energy, labor, and materials have increased, while the revenue has remained static. Accordingly, the Blacklake Village Street Lighting District no longer has enough funds to operate at the current service level. To establish financial sustainability for the Blacklake Village Street Lighting District and avoid significant reductions in service level, the District must consider increasing the assessment revenue for the Blacklake Village Street Lighting District.

The District follows the procedures outlined in the Landscaping and Lighting Act of 1972 in the Streets and Highways Code (the "Act") and Prop. 218 to levy the assessment on each of the property owners served by the Blacklake Village Street Lighting District. At the February 23, 2022 Board meeting, the Board adopted Resolution 2022-1615 to initiate the proceedings and appoint Director of Engineering and Operations, Peter Sevcik as the Assessment Engineer.

Mr. Sevcik has prepared a draft Engineer's Report supporting the formation of Blacklake Village Streetlight Assessment District 2022 to replace the existing assessment structure. The draft Report is attached for your Board's review.

With the passage of Proposition 218 in 1996, any increase in assessments must be approved by the affected property owners through a specified ballot proceeding. In addition, Proposition 218 and related subsequent court decisions create strict criteria for how assessments can be apportioned to the various properties, and the existing assessment structure may not be adequately consistent with these newer criteria. While the assessment structure could continue as a "grandfathered" assessment, any increase must be implemented in accordance with Proposition 218 and subsequent court decisions. For this reason, a new district, Blacklake Village Street Lighting District 2022 ("District"), is proposed to be formed to replace the current assessment structure. The District will be formed and the levies made pursuant to Part 2 of

Division 15 of the *California Streets and Highways Code*, commonly known as the Landscape and Lighting Act of 1972 (“Act”), and Article XIID of the California Constitution (“Article”).

As outlined in the Engineer's Report, the annual assessment is proposed to increase from the current amount of \$50 per year per parcel to \$85 per year per parcel.

In addition, the new assessment district will include provisions for an annual inflationary adjustment. The Consumer Price Index used for the inflationary adjustment will be for the Urban Wage Earners and Clerical Workers in San Francisco/San Jose for February 28 of the current year over the previous year's index on the same date, as developed by the U.S. Bureau of Labor Statistics. This is the same index used for the landscape maintenance district that is managed by the District.

FISCAL IMPACT

Budgeted staff time was used to prepare the Engineer's Report.

A summary of the total annual assessment proposed is:

Operating street lighting assessment	\$	37,245
Capital street lighting assessment	\$	<u>10,100</u>
Total street lighting assessment proceeds	\$	47,345
Number of Parcels		557
Assessment per parcel	\$	85
County charge	\$	2
Total Assessment per parcel	\$	87

STRATEGIC PLAN

Goal 6 – GOVERNANCE AND ADMINISTRATION – Conduct District activities in an efficient, equitable and cost-effective manner.

RECOMMENDATION

Staff recommends that the Board review the draft Engineer's Report and provide comment.

ATTACHMENTS

Attachment A – DRAFT Engineer's Report, Blacklake Village Streetlight Assessment District 2022, dated March 15, 2022

MARCH 23, 2022

ITEM E-2

ATTACHMENT A

ENGINEER'S REPORT

BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022

FISCAL YEAR 2022-2023

**Nipomo Community Services District
County of San Luis Obispo
State of California**

DRAFT

MARCH 17, 2022

Prepared By:

Nipomo Community Services District

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023

The undersigned respectfully submits the enclosed Engineer's Report on the 13th day of April, 2022.

By: _____

Peter V. Sevcik, P.E.
Director of Engineering and Operations
RCE 60411, Expires 06-30-22

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment Diagram thereto attached, was approved and confirmed by the Board of Directors of the Nipomo Community Services District on the 13th day of April, 2022.

By: _____

Secretary of the Nipomo Community
Services District

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment Diagram thereto attached, was filed with the County Auditor of the County of San Luis Obispo on the ____ day of _____, 2022.

By: _____

Secretary of the Nipomo Community
Services District

ENGINEER'S REPORT

BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022

FISCAL YEAR 2022-2023

OVERVIEW

Nipomo Community Services District ("NCSD") has provided street lighting services to Blacklake Village from the time NCSD took over a developer-petitioned assessment district formed by the County. In order to maintain the street lighting system, an annual assessment is levied on each parcel for the service rendered. The current approved maximum annual assessment is \$50.00¹ per parcel.

The chart below shows the history of per parcel annual assessment:

<u>Fiscal Years</u>		<u>Charge</u>	<u>County Fee</u>	<u>Total</u>
1992-93	1 year	\$48.00	\$2.00	\$50.00
1993-94	1 year	\$50.00	\$2.00	\$52.00
1994-95	1 year	\$48.00	\$2.00	\$50.00
1995-96	1 year	\$40.00	\$2.00	\$42.00
1996-97 through 2012-13	17 years	\$34.00	\$2.00	\$36.00
2013-14 through 2017-18	5 years	\$44.00	\$2.00	\$46.00
2018-19 through 2021-22	4 years	\$50.00	\$2.00	\$52.00

The costs for energy, labor, and materials have increased, while the revenue has remained static. Accordingly, the Blacklake Village Street Lighting District no longer has enough funds to operate at the current service level. To establish financial sustainability for the Blacklake Village Street Lighting District and avoid significant reductions in service level, NCSD must consider increasing the assessment revenue for the Blacklake Village Street Lighting District.

With the passage of Proposition 218 in 1996, any increase in assessments must be approved by the affected property owners through a specified ballot proceeding. In addition, Proposition 218 and related subsequent court decisions create strict criteria for how assessments can be apportioned to the various properties, and the existing assessment structure may not be adequately consistent with these newer criteria. While the assessment structure could continue as a "grandfathered" assessment, any increase must be implemented in accordance with Proposition 218 and court decisions. For this reason, a new district, Blacklake Village Street Lighting District 2022 ("District"), is proposed to be formed to replace the current assessment structure. The District will be formed and the levies made pursuant to Part 2 of Division 15 of the *California Streets and Highways Code*, commonly known as the Landscape and Lighting Act of 1972 ("Act"), and Article XIID of the California Constitution ("Article").

For the purposes of this Report, the word "parcel" refers to an individual property assigned its own Assessor Parcel Number by the San Luis Obispo County Assessor's Office. The San Luis Obispo County Auditor/Controller uses Assessor Parcel Numbers and specific

¹ Not including County administrative fee.

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023

Fund Numbers to identify properties assessed for special district benefit assessments on the tax roll.

ASSESSMENT PROCESS

This Engineer's Report ("Report") describes the Blacklake Village Street Lighting Assessment District 2022 ("District"), along with the proposed boundaries, a description of the facilities and public improvements to be improved, serviced and maintained by the assessments (the "Improvements"), and the proposed assessments for Fiscal Year 2022-2023 ("Assessments").

Following submittal of this Report to the NCSD Board of Directors ("Board") for preliminary approval, the Board may, by Resolution, call for an assessment ballot proceeding and public hearing on the proposed establishment of the Assessments for the provision of the Improvements.

If the Board so directs, a notice of assessment and assessment ballot will be mailed to property owners within the District whose property receives special benefit from the Improvements. Such notice will include a description of the Improvements to be funded by the proposed Assessments, the proposed assessment amount for each parcel owned, and an explanation of the method of submitting a ballot on the Assessments. Each notice will include a ballot on which the property owner would mark his or her approval or disapproval of the proposed Assessments and his or her signature, as well as a postage prepaid envelope in which to return the ballot. Ballots are tentatively scheduled to be mailed on or about April 20, 2022.

After the ballots are mailed to affected property owners, a minimum 45-day time period must be provided for the return of the assessment ballots. Following this 45-day time period, a public hearing must be held for the purpose of allowing public testimony regarding the proposed Assessments. The Public Hearing is tentatively scheduled for Wednesday, June 8, 2022 at 9:00 am. At the Public Hearing, the affected property owners will have the opportunity to speak on the issue, voice any concerns or protests, and obtain further information about the proposed Assessments.

Tabulation of the returned ballots will begin after the close of the public input portion of the Public Hearing. The Public Hearing will be continued to allow time for the tabulation of the ballots until later that day or until a date to be determined by the Board. At that time, it is anticipated the tabulation results will be announced. If it is determined that the assessment ballots submitted in opposition to the proposed Assessments do not exceed the assessment ballots submitted in favor of the Assessments (each ballot is weighted by the proportional financial obligation of the property for which the ballot is submitted) the Board may take action to approve the levying of Assessments for Fiscal Year 2022-2023. If the Assessments are so confirmed and approved, the Assessment information will be

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023

submitted to the County Assessor. The County Assessor will include the Assessments on the property tax roll beginning Fiscal Year 2022-2023.

Should the proposed new assessment district fail to be approved by the property owners within the District, NCSD will continue to collect assessments based on the existing assessment structure and will be forced to make corresponding reductions in the level of service so that operating expenses do not exceed available revenue.

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023

ENGINEER'S REPORT FORMAT

This Engineer's Report consists of five (5) Parts as follows:

PART A - Work to be Performed (Page 5) - This portion of the Engineer's Report describes the work to be done, including any plans and specifications that may be needed for the installation of street light improvements. If plans and specifications exist, they are filed with the Secretary. Although separately bound, the plans and specifications are part of this Engineer's Report and are included in it by reference.

PART B - Budget Cost Estimate (Page 6) - Budget cost estimates associated with the operations and maintenance of the described Blacklake Village street light improvements. In addition to an overall budget summary, a detailed FY 2022-2023 Budget and Summary of Fund Balance sheet are provided.

PART C - Method of Apportionment of Assessment (Page 9) - A statement of the method used by the Engineer to determine the proposed amount to be assessed against each parcel within the Assessment District.

PART D - Assessment Roll (Pages 10-29) - A spreadsheet listing of FY 2022-2023 assessments on each benefited parcel of land within the Assessment District. The FY 2022-2023 assessment amount is the estimated cost each parcel (Assessor Parcel Number or APN) will contribute towards the operation and maintenance of the Blacklake Village street light system within the Assessment District for FY 2022-2023, along with the addresses of each APN, as shown on the last equalized assessment roll for taxes.

PART E - Assessment Diagram (Page 30) - The Assessment Diagram (map) showing all of the parcels of real property within the Assessment District.

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023

PART A

WORK TO BE PERFORMED

The Assessment District is proposing to operate and maintain the Blacklake Village street light system. The street lighting system consists of 190 street lamps and includes all street lights within the public right-of-way and easements within Blacklake Village which are not part of a building system. Street lights and appurtenant facilities include, but are not limited to: poles, mast arms, fixtures, bulbs, conduits, and equipment such as anchors, posts, and pedestals as required to provide safe lighting within the boundaries of the District. Maintenance may include replacement of damaged facilities, replacement of burned-out bulbs, painting, upgrading existing light fixtures to more efficient light fixtures, and other allowable items for the life of the Assessment District. Since the Assessment District proposes to operate and maintain street lighting facilities (not to construct new lights), no plans and specifications are associated with this Engineer's Report.

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023

PART B
BUDGET COST ESTIMATE SUMMARY
AND ANNUAL INFLATIONARY ADJUSTMENT

Part B includes the detailed budget for FY 2022-2023 for all the costs associated with the operation and maintenance of the street light system and a summary of the projected fund balance for the Assessment District. The total budget summary for FY 2022-2023 for the Blacklake Village Street Lighting Assessment District 2022 is as follows:

	Proposed 2022-2023 Budget
Beginning Estimated Fund Balance 7/1/2022	\$ (395)
ASSESSMENT REVENUES	
Operating street lighting assessment	\$ 37,245
Capital street lighting assessment	\$ 10,100
Total street lighting assessment proceeds	<u>\$ 47,345</u>
OPERATIONS EXPENDITURES	
Insurance	\$ (110)
Public & Legal Notice	\$ (4,000)
Administration [1]	\$ (1,500)
Street Light Rate Study	\$ (2,500)
PG&E Street Light Fees [2]	\$ (29,400)
Estimated Maintenance for LS-2A Lamps [3]	\$ (1,000)
Payment of Interest [4]	<u>\$ (52)</u>
Total Operations Expenditures	<u>\$ (38,562)</u>
Net Operating Surplus (Deficit)	\$ (1,317)
Plus Interest earnings	\$ -
Net surplus (deficit) from operations	<u>\$ (1,317)</u>
Estimated cash balance 6/30	\$ (1,712)
Cash Reserve Goal [5]	<u>\$ 17,000</u>
CAPITAL EXPENDITURES	
Pole Painting [6]	\$ (8,000)
Conversion of LS-2A lamps to LED [7]	<u>\$ (2,100)</u>
Total Capital Expenditures [8]	\$ (10,100)
Funded Replacement Cash Reserve	\$ -

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023

BUDGET COST ESTIMATE NOTES

1 - Accounting, public hearing, tax roll preparation, reporting maintenance issues to PG&E, and preparation of the annual engineer's report.

2 – Reflects transition of LS-2C lamps (PG&E maintained) to LS-2A (No PG&E maintenance).

3 – Based on a contractor estimate of \$200 per lamp burnout. Amortized over 72 months, this cost is about \$2.78 per each LS-2 lamp.

4 – Fund balance at end of FY 2021-2022 is projected to be deficit of \$395. In FY 2022-2023, Blacklake Village Street Lighting Assessment District is projected to face cash flow constraints due to the timing of tax roll revenue disbursements. Average monthly operations and maintenance costs are approximately \$2,700 (not including pole painting). It is assumed that the Blacklake Village will receive a short-term loan from NCSD and repay the loan once assessments are received from the County. It is assumed that Blacklake Village will repay the loan with interest based on the Local Agency Investment Fund interest rate (assumed to be 0.24% quarterly based on the September 2021 rate).

5 - Section 22569 of the 1972 Landscape and Lighting Act specifies that the reserve fund should not exceed the cost to operate the District from July through December while waiting for the County property tax revenue distributions. For Blacklake Village, this amount is approximately \$17,000.

6 - Based on contractor quote (prevailing wage) of \$280 per lamp escalated by 3% annually to 2023. Assumes Blacklake Village will paint approximately 27 lamps per year (i.e. one seventh of its inventory reflecting a typical seven-year lifespan of paint).

7 - Based on potential high-end cost estimates to convert 30 LS-2A lamps to LED, Blacklake Village may need to cash fund a portion of the conversion. For planning purposes, the cash-funded portion is estimated at \$350 per lamp and is proposed to be accumulated over five years from street light assessments.

8 - Any unspent capital assessments will be added to the street light funded replacement reserve on an annual basis. The maximum reserve balance is \$25,000 reflecting a high potential total LED conversion cost of \$700 per lamp for 30 LS-2A lamps plus annual inflation.

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023

ANNUAL INFLATIONARY ADJUSTMENTS

Beyond FY 2022-2023, assessments may be subject to an annual inflationary adjustment (often referred to as an Assessment Range Formula or escalator) based on the Consumer Price Index (CPI). The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustments that are inevitably associated with providing for the maintenance and operation of lighting improvements, thereby reducing the need for additional noticing and balloting procedures simply because of inflationary factors.

Commencing in FY 2023-2024 and each fiscal year thereafter in perpetuity, the maximum assessment rate established for the improvements in FY 2022-2023 (the previous fiscal year) may be adjusted by the percentage increase of the Consumer Price Index (CPI) but not to exceed 10% per year. The Consumer Price Index used for the inflationary adjustment shall be for the Urban Wage Earners and Clerical Workers in San Francisco/San Jose for February 28 of the current year over the previous year's index on the same date, as developed by the U.S. Bureau of Labor Statistics. This percentage difference shall then establish the range of increase to the maximum assessment rate allowed. If the percentage change in CPI is negative, the maximum assessment rate may be adjusted from the previous fiscal year by 3%. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, NCSD may use the revised index or comparable system as approved by the NCSD Board of Directors for determining fluctuations in the cost of living.

Although the maximum rate for the District may increase each year, the actual amount to be assessed is based on the annual budget and may be less than the maximum rate. The property owners must approve any proposed assessment that exceeds the adjusted maximum rate before it can be imposed.

The maximum assessment that may be levied in a fiscal year is increased annually by the following formula

$$\left. \begin{array}{l} \text{(Prior Year's Annual Maximum Assessment x CPI)} \\ \text{Plus} \\ \text{Prior Year's Annual Maximum Assessment} \end{array} \right\} = \text{Current Year's Annual Maximum Assessment}$$

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023

PART C

METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

The District consists of all assessor parcels within the boundaries as defined by the Assessment Diagram and the parcels identified by the Assessor Parcel Numbers listed with the levy roll included with this Report. The parcel list includes all assessable privately owned parcels within the boundaries. There are no assessable public properties within the District boundaries. The method used for apportioning the Assessment is based on the proportional special benefits to be derived by the properties in the District over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the Improvements and the second step is to allocate the Assessments to property based on the estimated relative special benefit for each type of property.

DISCUSSION OF BENEFIT

In summary, the Assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's use of the improvements or a property owner's specific demographic status. With reference to the requirements for Assessments, Section 22573 of the Act states:

The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.

Proposition 218, as codified in Article XIID of the California Constitution, has confirmed that Assessments must be based on the special benefit to property:

No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

SPECIAL BENEFIT

Streetlighting is an optional improvement, not required by state or federal law, that is an enhancement over and above requisite infrastructure, and thus is a special benefit. The majority of the benefits of the streetlights are received by the benefited property, with a small portion of the benefits received by the general public on major streets only. This portion received by the general public is captured and quantified in the following section.

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

The factors that determine special benefit conferred on parcels are detailed below:

IMPROVED VISIBILITY AND SAFETY

Well maintained, effective street lighting provides special benefit to proximate parcels, within range of the light, because it allows for safer and improved use of the property in the evenings, early morning, and at night. Street lighting provides special benefit because it increases neighborhood safety and, at least indirectly, reduces the likelihood of crime on the proximate parcels. Over time, the Improvements continue to confer a particular and distinct special benefit upon parcels within the District because of the nature of the Improvements. The proper maintenance of the streetlights and appurtenant facilities increases visibility and local human presence and, in many situations, helps reduce property-related crimes, especially vandalism, against assessed properties in the District.

IMPROVED ACCESS, NAVIGATION AND TRAFFIC SAFETY

Well maintained, effective street lighting enhances ingress, egress and accessibility of all forms to the assessed parcels in the evening, early morning, and at night by increasing visibility. Improved visibility also helps prevent local automobile, bicycle, and pedestrian traffic accidents related to the assessed parcels. This benefit includes a reduction in accidents during non-daylight hours.

IMPROVED COMMUNITY CHARACTER AND VITALITY

Well maintained, effective street lighting promotes evening and nighttime social interaction of residents and customers of businesses and industry. This creates a positive atmosphere and enhanced community image in the evening and at night for the assessed parcels. All of the above-mentioned items also contribute to a specific enhancement to each of the parcels within the District. The proximate street lights make each parcel safer, more visible, more accessible, more useful, more valuable and more desirable; and this further strengthens the basis of these Assessments.

GENERAL VERSUS SPECIAL BENEFIT

The proceeds from the Assessments are used to fund the described Improvements and increased levels of maintenance to facilities that serve and benefit the properties in the District. In absence of the Blacklake Street Lighting Assessment District 2022, such Improvements would not be properly maintained. Therefore, the District's purpose is to

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

ensure that the necessary and beneficial public facilities for property in the District are properly maintained, operated and repaired over time. The Assessments will ensure that street lighting and associated improvements within and adjacent to the District are functional, well maintained and effective. These public resources directly benefit the property in the District and will confer distinct and special benefits to the properties within the District. The Improvements and Services are specifically designed, located and created to provide additional and improved resources for property inside the District and not the public at large although the Improvements maintained by the Services may be available to the general public. Other properties that are outside the District do not enjoy the unique proximity and other special benefit factors described previously. These Improvements and Services are of special benefit to properties located within the District because they provide a direct advantage to properties in the District that would not be provided in the absence of the Assessments. Any general benefits to surrounding properties outside of the Assessment District, if any, are collateral and conferred concomitantly.

QUANTIFICATION OF GENERAL BENEFIT

Although the analysis used to support these assessments concludes that the benefits are solely special, as described above, consideration is made for the suggestion that a portion of the benefits are general. General benefits cannot be funded by these assessments. The funding for general benefits must come from other sources. The maintenance and servicing of these Improvements is also partially funded, directly and indirectly, from other sources, including the Nipomo Community Services District and San Luis Obispo County. This funding comes in the form of administrative support funded by other sources and more than compensates for general benefits, if any, received by the properties within the Assessment District.

The following is a brief description of the manner that the annual assessment has been apportioned (spread) to each parcel in the Blacklake Village Street Lighting Assessment District:

The method of spread utilized equates all parcels within the Blacklake Village Area to an Equivalent Single-Family Dwelling (ESD) unit use, or portion thereof. There are 555 single family dwelling parcels within the District, each with one unit of benefit and 2 commercial/other parcels within the District, each with one unit of benefit. Each and every property receives a special benefit from the street lights being maintained and energized nightly—by increased driving safety within the District limits, by increased pedestrian

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

safety when traveling at night, and by increased personal property safety from the presence of lit areas.

Once the total number of ESD units is determined for the entire Assessment District, the total number of use units shall be divided into the Blacklake Village street lighting maintenance budget for FY 2022-2023 (see Part B). This will result in the proposed annual assessment per ESD unit for the upcoming fiscal year. The annual assessment per use unit shall be multiplied by the total ESD units established for each parcel, or portion thereof (being one unit for each single-family dwelling parcel and one unit for each commercial/other), to determine the proposed total annual assessment for each parcel within the Assessment District (see Part D).

Operating street lighting assessment	\$	37,245
Capital street lighting assessment	\$	<u>10,100</u>
Total street lighting assessment proceeds	\$	47,345
Number of Parcels		557
Assessment per parcel	\$	85
County charge	\$	2
Total Assessment per parcel	\$	87

As described in Part B, the proposed total assessment revenues for FY 2022-2023 for the Blacklake Village Street Lighting Assessment District are \$47,345. A total of 557 parcels (or equivalent single-family dwelling units and commercial/other) at \$85.00 per parcel plus \$2 for County parcel handling fee, for a total amount of \$87.00, are estimated for FY 2022-2023. The individual assessment for each parcel is listed in the following pages. The lines and dimensions of each parcel are shown on the map in the office of the NCSD and the County of San Luis Obispo. The addresses of each of the property owners as shown on the County of San Luis Obispo Assessor's Tax Assessment Roll have been keyed to the special assessment number (Assessor Parcel Number) as shown on the FY 2022-2023 Assessment Roll.

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

	Parcel Number	SERVICE ADDRESS	ASSESSMENT
1	91243001	645 BLACK RIDGE LN	\$87.00
2	91243002	635 BLACK RIDGE LN	\$87.00
3	91243003	625 BLACK RIDGE LN	\$87.00
4	91243004	615 BLACK RIDGE LN	\$87.00
5	91243005	605 BLACK RIDGE LN	\$87.00
6	91243006	600 BLACK RIDGE LN	\$87.00
7	91243007	610 BLACK RIDGE LN	\$87.00
8	91243008	620 BLACK RIDGE LN	\$87.00
9	91243009	630 BLACK RIDGE LN	\$87.00
10	91243010	640 BLACK RIDGE LN	\$87.00
11	91243013	606 SHELTER RIDGE	\$87.00
12	91243014	1120 REDBERRY PLACE	\$87.00
13	91243015	1130 REDBERRY PLACE	\$87.00
14	91243016	1140 REDBERRY PLACE	\$87.00
15	91243017	1150 REDBERRY PLACE	\$87.00
16	91243018	1160 REDBERRY PLACE	\$87.00
17	91243019	1070 REDBERRY PLACE	\$87.00
18	91243020	1180 REDBERRY PLACE	\$87.00
19	91243021	1190 REDBERRY PLACE	\$87.00
20	91243022	680 SHELTER RIDGE	\$87.00
21	91243023	660 SHELTER RIDGE	\$87.00
22	91243024	650 SHELTER RIDGE	\$87.00
23	91243025	644 SHELTER RIDGE	\$87.00
24	91243026	640 SHELTER RIDGE	\$87.00
25	91243027	638 SHELTER RIDGE	\$87.00
26	91243028	626 SHELTER RIDGE	\$87.00
27	91243029	616 SHELTER RIDGE	\$87.00
28	91243030	605 SHELTER RIDGE	\$87.00
29	91243031	611 SHELTER RIDGE	\$87.00
30	91243032	617 SHELTER RIDGE	\$87.00
31	91243033	625 SHELTER RIDGE	\$87.00
32	91243034	629 SHELTER RIDGE	\$87.00
33	91243035	635 SHELTER RIDGE	\$87.00

ENGINEER'S REPORT

BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022

FISCAL YEAR 2022-2023

PART D

ASSESSMENT ROLL

34	91243036	641	SHELTER RIDGE	\$87.00
35	91243037	649	SHELTER RIDGE	\$87.00
36	91243038	655	SHELTER RIDGE	\$87.00
37	91243039	661	SHELTER RIDGE	\$87.00
38	91243040	665	SHELTER RIDGE	\$87.00
39	91243041	673	SHELTER RIDGE	\$87.00
40	91243042	679	SHELTER RIDGE	\$87.00
41	91243043	685	SHELTER RIDGE	\$87.00
42	91244001	650	BLACK RIDGE LN	\$87.00
43	91244002	660	BLACK RIDGE LN	\$87.00
44	91244003	670	BLACK RIDGE LN	\$87.00
45	91244004	680	BLACK RIDGE LN	\$87.00
46	91244005	690	BLACK RIDGE LN	\$87.00
47	91244006	695	BLACK RIDGE LN	\$87.00
48	91244007	685	BLACK RIDGE LN	\$87.00
49	91244008	675	BLACK RIDGE LN	\$87.00
50	91244009	665	BLACK RIDGE LN	\$87.00
51	91244010	655	BLACK RIDGE LN	\$87.00
52	91244011	660	SOUTHRIDGE LN	\$87.00
53	91244012	670	SOUTHRIDGE LN	\$87.00
54	91244013	680	SOUTHRIDGE LN	\$87.00
55	91244014	690	SOUTHRIDGE LN	\$87.00
56	91244015	695	SOUTHRIDGE LN	\$87.00
57	91244016	1111	MIDDLE RIDGE	\$87.00
58	91244017	675	SOUTHRIDGE LN	\$87.00
59	91244018	665	SOUTHRIDGE LN	\$87.00
60	91244019	655	SOUTHRIDGE LN	\$87.00
61	91244022	695	MISTY GLEN PL	\$87.00
62	91244023	687	MISTY GLEN PL	\$87.00
63	91244024	679	MISTY GLEN PL	\$87.00
64	91244025	671	MISTY GLEN PL	\$87.00
65	91244026	663	MISTY GLEN PL	\$87.00
66	91244027	655	MISTY GLEN PL	\$87.00
67	91244028	650	MISTY GLEN PL	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

68	91244029	660	MISTY GLEN PL	\$87.00
69	91244030	670	MISTY GLEN PL	\$87.00
70	91244031	676	MISTY GLEN PL	\$87.00
71	91246001	1025	SUNDAY DR	\$87.00
72	91246003	608	MISTY GLEN PL	\$87.00
73	91246004	612	MISTY GLEN PL	\$87.00
74	91246005	1020	SUNDAY DR	\$87.00
75	91246006	1014	SUNDAY DR	\$87.00
76	91246007	616	MISTY GLEN PL	\$87.00
77	91246008	1015	SUNDAY DR	\$87.00
78	91246009	1011	SUNDAY DR	\$87.00
79	91246010	630	MISTY GLEN PL	\$87.00
80	91246011	640	MISTY GLEN PL	\$87.00
81	91246012	635	MISTY GLEN PL	\$87.00
82	91246013	625	MISTY GLEN PL	\$87.00
83	91246014	1009	SUNDAY DR	\$87.00
84	91246015	1005	SUNDAY DR	\$87.00
85	91246017	1006	SUNDAY DR	\$87.00
86	91246018	615	MISTY GLEN PL	\$87.00
87	91246019	611	MISTY GLEN PL	\$87.00
88	91246020	605	MISTY GLEN PL	\$87.00
89	91246025	1050	WILLOW RD	\$87.00
90	91246026	1030	SUNDAY DR	\$87.00
91	91246029	1001	SUNDAY DR	\$87.00
92	91410001	559	WOODGREEN WAY	\$87.00
93	91410002	555	WOODGREEN WAY	\$87.00
94	91410003	551	WOODGREEN WAY	\$87.00
95	91410004	547	WOODGREEN WAY	\$87.00
96	91410005	543	WOODGREEN WAY	\$87.00
97	91410006	539	WOODGREEN WAY	\$87.00
98	91410007	535	WOODGREEN WAY	\$87.00
99	91410008	531	WOODGREEN WAY	\$87.00
100	91410009	527	WOODGREEN WAY	\$87.00
101	91410010	523	WOODGREEN WAY	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

102	91410011	519	WOODGREEN WAY	\$87.00
103	91410012	515	WOODGREEN WAY	\$87.00
104	91410013	511	WOODGREEN WAY	\$87.00
105	91410014	507	WOODGREEN WAY	\$87.00
106	91410015	487	MISTY VIEW WAY	\$87.00
107	91410016	524	WOODGREEN WAY	\$87.00
108	91410017	528	WOODGREEN WAY	\$87.00
109	91410018	532	WOODGREEN WAY	\$87.00
110	91410019	536	WOODGREEN WAY	\$87.00
111	91410020	540	WOODGREEN WAY	\$87.00
112	91410021	542	WOODGREEN WAY	\$87.00
113	91410022	548	WOODGREEN WAY	\$87.00
114	91410023	550	WOODGREEN WAY	\$87.00
115	91410024	554	WOODGREEN WAY	\$87.00
116	91410025	558	WOODGREEN WAY	\$87.00
117	91410026	560	WOODGREEN WAY	\$87.00
118	91410027	561	MISTY VIEW WAY	\$87.00
119	91410028	557	MISTY VIEW WAY	\$87.00
120	91410029	549	MISTY VIEW WAY	\$87.00
121	91410030	545	MISTY VIEW WAY	\$87.00
122	91410031	537	MISTY VIEW WAY	\$87.00
123	91410032	535	MISTY VIEW WAY	\$87.00
124	91410033	529	MISTY VIEW WAY	\$87.00
125	91410034	525	MISTY VIEW WAY	\$87.00
126	91410035	519	MISTY VIEW WAY	\$87.00
127	91410036	515	MISTY VIEW WAY	\$87.00
128	91410037	511	MISTY VIEW WAY	\$87.00
129	91410038	491	MISTY VIEW WAY	\$87.00
130	91410039	486	MISTY VIEW WAY	\$87.00
131	91410040	490	MISTY VIEW WAY	\$87.00
132	91410041	494	MISTY VIEW WAY	\$87.00
133	91410042	498	MISTY VIEW WAY	\$87.00
134	91410043	502	MISTY VIEW WAY	\$87.00
135	91410044	506	MISTY VIEW WAY	\$87.00

ENGINEER'S REPORT

BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022

FISCAL YEAR 2022-2023

PART D

ASSESSMENT ROLL

136	91410045	510	MISTY VIEW WAY	\$87.00
137	91410046	514	MISTY VIEW WAY	\$87.00
138	91410047	518	MISTY VIEW WAY	\$87.00
139	91410048	522	MISTY VIEW WAY	\$87.00
140	91410049	526	MISTY VIEW WAY	\$87.00
141	91410050	530	MISTY VIEW WAY	\$87.00
142	91410051	534	MISTY VIEW WAY	\$87.00
143	91410052	538	MISTY VIEW WAY	\$87.00
144	91410053	542	MISTY VIEW WAY	\$87.00
145	91410054	546	MISTY VIEW WAY	\$87.00
146	91410055	550	MISTY VIEW WAY	\$87.00
147	91410058	554	MISTY VIEW WAY	\$87.00
148	91411006	1490	GOLF COURSE LN	\$87.00
149	91412001	1337	BLACK SAGE CIR	\$87.00
150	91412002	1343	BLACK SAGE CIR	\$87.00
151	91412003	1347	BLACK SAGE CIR	\$87.00
152	91412004	1353	BLACK SAGE CIR	\$87.00
153	91412005	1357	BLACK SAGE CIR	\$87.00
154	91412006	1363	BLACK SAGE CIR	\$87.00
155	91412007	1367	BLACK SAGE CIR	\$87.00
156	91412008	1373	BLACK SAGE CIR	\$87.00
157	91412009	1377	BLACK SAGE CIR	\$87.00
158	91412010	1379	BLACK SAGE CIR	\$87.00
159	91412011	1383	BLACK SAGE CIR	\$87.00
160	91412012	1387	BLACK SAGE CIR	\$87.00
161	91412013	1393	BLACK SAGE CIR	\$87.00
162	91412014	1397	BLACK SAGE CIR	\$87.00
163	91412015	1392	BLACK SAGE CIR	\$87.00
164	91412016	1378	BLACK SAGE CIR	\$87.00
165	91412017	1374	BLACK SAGE CIR	\$87.00
166	91412018	1370	BLACK SAGE CIR	\$87.00
167	91412019	1354	BLACK SAGE CIR	\$87.00
168	91412020	1348	BLACK SAGE CIR	\$87.00
169	91412021	1344	BLACK SAGE CIR	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

170	91413001	637	BARBERRY WAY	\$87.00
171	91413002	635	BARBERRY WAY	\$87.00
172	91413003	631	BARBERRY WAY	\$87.00
173	91413004	627	BARBERRY WAY	\$87.00
174	91413005	623	BARBERRY WAY	\$87.00
175	91413006	619	BARBERRY WAY	\$87.00
176	91413007	615	BARBERRY WAY	\$87.00
177	91413008	613	BARBERRY WAY	\$87.00
178	91413009	609	BARBERRY WAY	\$87.00
179	91413010	612	BARBERRY WAY	\$87.00
180	91413011	618	BARBERRY WAY	\$87.00
181	91413012	624	BARBERRY WAY	\$87.00
182	91413013	630	BARBERRY WAY	\$87.00
183	91413014	636	BARBERRY WAY	\$87.00
184	91413015	642	BARBERRY WAY	\$87.00
185	91413016	648	BARBERRY WAY	\$87.00
186	91413017	654	BARBERRY WAY	\$87.00
187	91413018	1263	BLACK SAGE CIR	\$87.00
188	91413019	1265	BLACK SAGE CIR	\$87.00
189	91413020	1267	BLACK SAGE CIR	\$87.00
190	91413021	1271	BLACK SAGE CIR	\$87.00
191	91413022	1277	BLACK SAGE CIR	\$87.00
192	91413023	605	BARBERRY WAY	\$87.00
193	91413024	1285	BLACK SAGE CIR	\$87.00
194	91413025	1293	BLACK SAGE CIR	\$87.00
195	91413026	1297	BLACK SAGE CIR	\$87.00
196	91413027	1303	BLACK SAGE CIR	\$87.00
197	91413028	1307	BLACK SAGE CIR	\$87.00
198	91413029	1313	BLACK SAGE CIR	\$87.00
199	91413030	1317	BLACK SAGE CIR	\$87.00
200	91413031	1323	BLACK SAGE CIR	\$87.00
201	91413032	1327	BLACK SAGE CIR	\$87.00
202	91413033	1333	BLACK SAGE CIR	\$87.00
203	91413034	1338	BLACK SAGE CIR	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

204	91413035	1334	BLACK SAGE CIR	\$87.00
205	91413036	1326	BLACK SAGE CIR	\$87.00
206	91413037	1298	BLACK SAGE CIR	\$87.00
207	91413038	1294	BLACK SAGE CIR	\$87.00
208	91413039	1292	BLACK SAGE CIR	\$87.00
209	91413040	1286	BLACK SAGE CIR	\$87.00
210	91413041	1280	BLACK SAGE CIR	\$87.00
211	91413042	1278	BLACK SAGE CIR	\$87.00
212	91413043	1276	BLACK SAGE CIR	\$87.00
213	91413044	1270	BLACK SAGE CIR	\$87.00
214	91413045	1268	BLACK SAGE CIR	\$87.00
215	91413046	1264	BLACK SAGE CIR	\$87.00
216	91414001	1258	BLACK SAGE CIR	\$87.00
217	91414002	1254	BLACK SAGE CIR	\$87.00
218	91414003	1250	BLACK SAGE CIR	\$87.00
219	91414004	1248	BLACK SAGE CIR	\$87.00
220	91414005	1244	BLACK SAGE CIR	\$87.00
221	91414006	1240	BLACK SAGE CIR	\$87.00
222	91414007	1238	BLACK SAGE CIR	\$87.00
223	91414008	1234	BLACK SAGE CIR	\$87.00
224	91414009	1230	BLACK SAGE CIR	\$87.00
225	91414010	1228	BLACK SAGE CIR	\$87.00
226	91414011	1224	BLACK SAGE CIR	\$87.00
227	91414012	1220	BLACK SAGE CIR	\$87.00
228	91414013	1216	BLACK SAGE CIR	\$87.00
229	91414014	1212	BLACK SAGE CIR	\$87.00
230	91414015	681	BARBERRY WAY	\$87.00
231	91414016	675	BARBERRY WAY	\$87.00
232	91414017	667	BARBERRY WAY	\$87.00
233	91414018	645	BARBERRY WAY	\$87.00
234	91414019	643	BARBERRY WAY	\$87.00
235	91414020	641	BARBERRY WAY	\$87.00
236	91414021	639	BARBERRY WAY	\$87.00
237	91414022	660	BARBERRY WAY	\$87.00

ENGINEER'S REPORT

BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022

FISCAL YEAR 2022-2023

PART D

ASSESSMENT ROLL

238	91414023	666	BARBERRY WAY	\$87.00
239	91414024	672	BARBERRY WAY	\$87.00
240	91414025	678	BARBERRY WAY	\$87.00
241	91414026	684	BARBERRY WAY	\$87.00
242	91414027	1247	BLACK SAGE CIR	\$87.00
243	91414028	1249	BLACK SAGE CIR	\$87.00
244	91414029	1255	BLACK SAGE CIR	\$87.00
245	91414030	1259	BLACK SAGE CIR	\$87.00
246	91415002	1405	GOLF COURSE LN	\$87.00
247	91415003	1407	GOLF COURSE LN	\$87.00
248	91415004	1409	GOLF COURSE LN	\$87.00
249	91415005	1413	GOLF COURSE LN	\$87.00
250	91415006	1415	GOLF COURSE LN	\$87.00
251	91415007	1417	GOLF COURSE LN	\$87.00
252	91415008	1419	GOLF COURSE LN	\$87.00
253	91415009	1423	GOLF COURSE LN	\$87.00
254	91415010	1425	GOLF COURSE LN	\$87.00
255	91415011	1427	GOLF COURSE LN	\$87.00
256	91415012	1429	GOLF COURSE LN	\$87.00
257	91415013	1433	GOLF COURSE LN	\$87.00
258	91415014	1435	GOLF COURSE LN	\$87.00
259	91415015	1437	GOLF COURSE LN	\$87.00
260	91415016	1439	GOLF COURSE LN	\$87.00
261	91415017	1453	GOLF COURSE LN	\$87.00
262	91415018	1455	GOLF COURSE LN	\$87.00
263	91415019	1457	GOLF COURSE LN	\$87.00
264	91415020	1459	GOLF COURSE LN	\$87.00
265	91415021	1463	GOLF COURSE LN	\$87.00
266	91415022	1465	GOLF COURSE LN	\$87.00
267	91415023	1467	GOLF COURSE LN	\$87.00
268	91415024	1469	GOLF COURSE LN	\$87.00
269	91415025	1473	GOLF COURSE LN	\$87.00
270	91415026	1475	GOLF COURSE LN	\$87.00
271	91415027	1477	GOLF COURSE LN	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

272	91415028	1479	GOLF COURSE LN	\$87.00
273	91415029	1483	GOLF COURSE LN	\$87.00
274	91415030	1485	GOLF COURSE LN	\$87.00
275	91415031	1487	GOLF COURSE LN	\$87.00
276	91415032	1489	GOLF COURSE LN	\$87.00
277	91415033	1403	GOLF COURSE LN	\$87.00
278	91416001	1398	TOURNEY HILL L	\$87.00
279	91416002	1396	TOURNEY HILL L	\$87.00
280	91416003	1394	TOURNEY HILL L	\$87.00
281	91416004	1392	TOURNEY HILL L	\$87.00
282	91416005	1390	TOURNEY HILL L	\$87.00
283	91416006	1388	TOURNEY HILL L	\$87.00
284	91416007	1386	TOURNEY HILL L	\$87.00
285	91416008	1384	TOURNEY HILL L	\$87.00
286	91416009	1382	TOURNEY HILL L	\$87.00
287	91416010	1380	TOURNEY HILL L	\$87.00
288	91416011	1378	TOURNEY HILL L	\$87.00
289	91416012	1376	TOURNEY HILL L	\$87.00
290	91416013	1374	TOURNEY HILL L	\$87.00
291	91416014	1372	TOURNEY HILL L	\$87.00
292	91416015	1370	TOURNEY HILL L	\$87.00
293	91416016	1368	TOURNEY HILL L	\$87.00
294	91416017	1366	TOURNEY HILL L	\$87.00
295	91416018	1364	TOURNEY HILL L	\$87.00
296	91416019	1362	TOURNEY HILL L	\$87.00
297	91416020	1360	TOURNEY HILL L	\$87.00
298	91416021	1358	TOURNEY HILL L	\$87.00
299	91416022	1356	TOURNEY HILL L	\$87.00
300	91416023	1354	TOURNEY HILL L	\$87.00
301	91416024	1352	TOURNEY HILL L	\$87.00
302	91416025	1342	TOURNEY HILL L	\$87.00
303	91416026	1340	TOURNEY HILL L	\$87.00
304	91416027	1338	TOURNEY HILL L	\$87.00
305	91416028	1336	TOURNEY HILL L	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

306	91416029	1334	TOURNEY HILL L	\$87.00
307	91416030	1332	TOURNEY HILL L	\$87.00
308	91416031	1330	TOURNEY HILL L	\$87.00
309	91416032	1328	TOURNEY HILL L	\$87.00
310	91416033	1350	TOURNEY HILL L	\$87.00
311	91416034	1348	TOURNEY HILL L	\$87.00
312	91416035	1346	TOURNEY HILL L	\$87.00
313	91416036	1344	TOURNEY HILL L	\$87.00
314	91419001	622	RIVIERA CIRCLE	\$87.00
315	91419002	626	RIVIERA CIRCLE	\$87.00
316	91419003	630	RIVIERA CIRCLE	\$87.00
317	91419004	634	RIVIERA CIRCLE	\$87.00
318	91419005	638	RIVIERA CIRCLE	\$87.00
319	91419006	642	RIVIERA CIRCLE	\$87.00
320	91419007	646	RIVIERA CIRCLE	\$87.00
321	91419008	650	RIVIERA CIRCLE	\$87.00
322	91419009	654	RIVIERA CIRCLE	\$87.00
323	91419010	658	RIVIERA CIRCLE	\$87.00
324	91419011	648	WOODGREEN WAY	\$87.00
325	91419012	654	WOODGREEN WAY	\$87.00
326	91419013	658	WOODGREEN WAY	\$87.00
327	91419014	662	WOODGREEN WAY	\$87.00
328	91419015	668	WOODGREEN WAY	\$87.00
329	91419016	674	WOODGREEN WAY	\$87.00
330	91419017	678	WOODGREEN WAY	\$87.00
331	91419018	682	WOODGREEN WAY	\$87.00
332	91419020	689	WOODGREEN WAY	\$87.00
333	91419021	685	WOODGREEN WAY	\$87.00
334	91419022	681	WOODGREEN WAY	\$87.00
335	91419023	677	WOODGREEN WAY	\$87.00
336	91419028	649	WOODGREEN WAY	\$87.00
337	91419029	645	WOODGREEN WAY	\$87.00
338	91419030	641	WOODGREEN WAY	\$87.00
339	91419031	637	WOODGREEN WAY	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

340	91419032	629	WOODGREEN WAY	\$87.00
341	91419033	625	WOODGREEN WAY	\$87.00
342	91419034	619	RIVIERA CIRCLE	\$87.00
343	91419035	623	RIVIERA CIRCLE	\$87.00
344	91419036	633	RIVIERA CIRCLE	\$87.00
345	91419037	637	RIVIERA CIRCLE	\$87.00
346	91419038	645	RIVIERA CIRCLE	\$87.00
347	91419039	649	RIVIERA CIRCLE	\$87.00
348	91419040	653	RIVIERA CIRCLE	\$87.00
349	91419041	657	RIVIERA CIRCLE	\$87.00
350	91419042	634	WOODGREEN WAY	\$87.00
351	91419043	630	WOODGREEN WAY	\$87.00
352	91419055	669	WOODGREEN WAY	\$87.00
353	91419056	653	WOODGREEN WAY	\$87.00
354	91419057	657	WOODGREEN WAY	\$87.00
355	91419058	673	WOODGREEN WAY	\$87.00
356	91419060	690	WOODGREEN WAY	\$87.00
357	91440001	1290	ST ANDREWS WAY	\$87.00
358	91440002	1286	ST ANDREWS WAY	\$87.00
359	91440003	1284	ST ANDREWS WAY	\$87.00
360	91440004	1280	ST ANDREWS WAY	\$87.00
361	91440005	1276	ST ANDREWS WAY	\$87.00
362	91440006	1272	ST ANDREWS WAY	\$87.00
363	91440007	1268	ST ANDREWS WAY	\$87.00
364	91440008	1264	ST ANDREWS WAY	\$87.00
365	91440009	1260	ST ANDREWS WAY	\$87.00
366	91440010	1256	ST ANDREWS WAY	\$87.00
367	91440011	1252	ST ANDREWS WAY	\$87.00
368	91440012	1248	ST ANDREWS WAY	\$87.00
369	91440013	1244	ST ANDREWS WAY	\$87.00
370	91441001	496	COLONIAL PLACE	\$87.00
371	91441002	490	COLONIAL PLACE	\$87.00
372	91441003	465	TEE COURT	\$87.00
373	91441004	445	TEE COURT	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

374	91441005	420	TEE COURT	\$87.00
375	91441006	440	TEE COURT	\$87.00
376	91441007	460	TEE COURT	\$87.00
377	91441008	480	COLONIAL PLACE	\$87.00
378	91441009	470	COLONIAL PLACE	\$87.00
379	91441010	460	COLONIAL PLACE	\$87.00
380	91441011	450	COLONIAL PLACE	\$87.00
381	91441014	420	COLONIAL PLACE	\$87.00
382	91441015	495	COLONIAL PLACE	\$87.00
383	91441016	485	COLONIAL PLACE	\$87.00
384	91441017	475	COLONIAL PLACE	\$87.00
385	91441018	465	COLONIAL PLACE	\$87.00
386	91441019	455	COLONIAL PLACE	\$87.00
387	91441020	445	COLONIAL PLACE	\$87.00
388	91441022	425	COLONIAL PLACE	\$87.00
389	91441023	415	COLONIAL PLACE	\$87.00
390	91441024	410	COLONIAL PLACE	\$87.00
391	91441027	440	COLONIAL PLACE	\$87.00
392	91441028	430	COLONIAL PLACE	\$87.00
393	91441029	435	COLONIAL PLACE	\$87.00
394	91442001	1196	OAKMONT PLACE	\$87.00
395	91442002	1190	OAKMONT PLACE	\$87.00
396	91442003	1184	OAKMONT PLACE	\$87.00
397	91442004	1178	OAKMONT PLACE	\$87.00
398	91442005	1172	OAKMONT PLACE	\$87.00
399	91442006	1166	OAKMONT PLACE	\$87.00
400	91442007	1160	OAKMONT PLACE	\$87.00
401	91442008	1154	OAKMONT PLACE	\$87.00
402	91442009	1148	OAKMONT PLACE	\$87.00
403	91442010	1142	OAKMONT PLACE	\$87.00
404	91442011	1136	OAKMONT PLACE	\$87.00
405	91442012	1130	OAKMONT PLACE	\$87.00
406	91442013	1124	OAKMONT PLACE	\$87.00
407	91442014	1118	OAKMONT PLACE	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

408	91442015	1112 OAKMONT PLACE	\$87.00
409	91442016	1106 OAKMONT PLACE	\$87.00
410	91442017	1105 OAKMONT PLACE	\$87.00
411	91442018	1115 OAKMONT PLACE	\$87.00
412	91442019	1125 OAKMONT PLACE	\$87.00
413	91442020	1135 OAKMONT PLACE	\$87.00
414	91442021	1155 OAKMONT PLACE	\$87.00
415	91442022	1141 OAKMONT PLACE	\$87.00
416	91442023	1145 OAKMONT PLACE	\$87.00
417	91442024	460 LINKS DRIVE	\$87.00
418	91442025	470 LINKS DRIVE	\$87.00
419	91442026	480 LINKS DRIVE	\$87.00
420	91442027	490 LINKS DRIVE	\$87.00
421	91443001	1090 REDBERRY PLACE	\$87.00
422	91443002	1080 REDBERRY PLACE	\$87.00
423	91443003	1050 REDBERRY PLACE	\$87.00
424	91443004	1040 REDBERRY PLACE	\$87.00
425	91443005	1020 REDBERRY PLACE	\$87.00
426	91443006	1010 REDBERRY PLACE	\$87.00
427	91443007	1035 REDBERRY PLACE	\$87.00
428	91443008	1022 WAILEA WAY	\$87.00
429	91443009	1012 WAILEA WAY	\$87.00
430	91443010	1002 WAILEA WAY	\$87.00
431	91443011	1001 WAILEA WAY	\$87.00
432	91443012	1011 WAILEA WAY	\$87.00
433	91443013	1021 WAILEA WAY	\$87.00
434	91443014	1031 WAILEA WAY	\$87.00
435	91443015	1041 WAILEA WAY	\$87.00
436	91443016	1051 WAILEA WAY	\$87.00
437	91444001	595 WOODGREEN WAY	\$87.00
438	91444002	591 WOODGREEN WAY	\$87.00
439	91444003	587 WOODGREEN WAY	\$87.00
440	91444004	583 WOODGREEN WAY	\$87.00
441	91444005	579 WOODGREEN WAY	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

442	91444006	575	WOODGREEN WAY	\$87.00
443	91444007	571	WOODGREEN WAY	\$87.00
444	91444008	567	WOODGREEN WAY	\$87.00
445	91444009	563	WOODGREEN WAY	\$87.00
446	91444011	556	RIVIERA CIRCLE	\$87.00
447	91444012	560	RIVIERA CIRCLE	\$87.00
448	91444013	564	RIVIERA CIRCLE	\$87.00
449	91444014	568	RIVIERA CIRCLE	\$87.00
450	91444015	572	RIVIERA CIRCLE	\$87.00
451	91444016	576	RIVIERA CIRCLE	\$87.00
452	91444017	580	RIVIERA CIRCLE	\$87.00
453	91444018	584	RIVIERA CIRCLE	\$87.00
454	91444019	588	RIVIERA CIRCLE	\$87.00
455	91444020	1533	CHAMPIONS LANE	\$87.00
456	91444021	1529	CHAMPIONS LANE	\$87.00
457	91444022	1523	CHAMPIONS LANE	\$87.00
458	91444023	1517	CHAMPIONS LANE	\$87.00
459	91444024	1511	CHAMPIONS LANE	\$87.00
460	91444025	1505	CHAMPIONS LANE	\$87.00
461	91444026	1506	CHAMPIONS LANE	\$87.00
462	91444027	1512	CHAMPIONS LANE	\$87.00
463	91444028	1518	CHAMPIONS LANE	\$87.00
464	91444029	1524	CHAMPIONS LANE	\$87.00
465	91444030	1530	CHAMPIONS LANE	\$87.00
466	91444031	1536	CHAMPIONS LANE	\$87.00
467	91444033	621	WOODGREEN WAY	\$87.00
468	91444034	617	WOODGREEN WAY	\$87.00
469	91444035	613	WOODGREEN WAY	\$87.00
470	91444036	609	WOODGREEN WAY	\$87.00
471	91444037	605	WOODGREEN WAY	\$87.00
472	91444038	622	MASTERS CIRCLE	\$87.00
473	91444039	618	MASTERS CIRCLE	\$87.00
474	91444040	614	MASTERS CIRCLE	\$87.00
475	91444041	610	MASTERS CIRCLE	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

476	91444042	606	MASTERS CIRCLE	\$87.00
477	91444043	602	MASTERS CIRCLE	\$87.00
478	91444044	596	MASTERS CIRCLE	\$87.00
479	91444045	592	MASTERS CIRCLE	\$87.00
480	91444046	588	MASTERS CIRCLE	\$87.00
481	91444047	584	MASTERS CIRCLE	\$87.00
482	91444048	580	MASTERS CIRCLE	\$87.00
483	91444049	576	MASTERS CIRCLE	\$87.00
484	91444050	572	MASTERS CIRCLE	\$87.00
485	91444051	568	MASTERS CIRCLE	\$87.00
486	91444052	564	MASTERS CIRCLE	\$87.00
487	91444053	545	RIVIERA CIRCLE	\$87.00
488	91444054	549	RIVIERA CIRCLE	\$87.00
489	91444055	553	RIVIERA CIRCLE	\$87.00
490	91444056	557	RIVIERA CIRCLE	\$87.00
491	91444057	561	RIVIERA CIRCLE	\$87.00
492	91444058	565	RIVIERA CIRCLE	\$87.00
493	91444059	571	RIVIERA CIRCLE	\$87.00
494	91444060	579	RIVIERA CIRCLE	\$87.00
495	91444061	587	RIVIERA CIRCLE	\$87.00
496	91444062	605	RIVIERA CIRCLE	\$87.00
497	91444063	611	RIVIERA CIRCLE	\$87.00
498	91444064	615	RIVIERA CIRCLE	\$87.00
499	91444067	618	WOODGREEN WAY	\$87.00
500	91444068	622	WOODGREEN WAY	\$87.00
501	91445001	510	JONES LANE	\$87.00
502	91445002	520	JONES LANE	\$87.00
503	91445003	530	JONES LANE	\$87.00
504	91445004	1620	SARAZEN COURT	\$87.00
505	91445005	1630	SARAZEN COURT	\$87.00
506	91445006	1635	SARAZEN COURT	\$87.00
507	91445007	1625	SARAZEN COURT	\$87.00
508	91445008	550	JONES LANE	\$87.00
509	91445009	560	JONES LANE	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

510	91445010	1585 HOGAN COURT	\$87.00
511	91445011	1575 HOGAN COURT	\$87.00
512	91445012	1565 HOGAN COURT	\$87.00
513	91445013	1555 HOGAN COURT	\$87.00
514	91445014	1545 HOGAN COURT	\$87.00
515	91445015	1535 HOGAN COURT	\$87.00
516	91445016	1525 HOGAN COURT	\$87.00
517	91445017	1515 HOGAN COURT	\$87.00
518	91445018	1510 HOGAN COURT	\$87.00
519	91445019	1520 HOGAN COURT	\$87.00
520	91445020	535 SNEAD LANE	\$87.00
521	91445021	525 SNEAD LANE	\$87.00
522	91445022	515 SNEAD LANE	\$87.00
523	91445023	510 SNEAD LANE	\$87.00
524	91445024	520 SNEAD LANE	\$87.00
525	91445025	530 SNEAD LANE	\$87.00
526	91445026	540 SNEAD LANE	\$87.00
527	91445027	555 JONES LANE	\$87.00
528	91445028	545 JONES LANE	\$87.00
529	91445029	535 JONES LANE	\$87.00
530	91445030	525 JONES LANE	\$87.00
531	91445031	515 JONES LANE	\$87.00
532	91446001	510 VARDON COURT	\$87.00
533	91446002	520 VARDON COURT	\$87.00
534	91446003	530 VARDON COURT	\$87.00
535	91446004	540 VARDON COURT	\$87.00
536	91446005	550 VARDON COURT	\$87.00
537	91446006	560 VARDON COURT	\$87.00
538	91446007	570 VARDON COURT	\$87.00
539	91446008	580 VARDON COURT	\$87.00
540	91446009	590 VARDON COURT	\$87.00
541	91446010	595 VARDON COURT	\$87.00
542	91446011	529 BYRON LANE	\$87.00
543	91446012	525 BYRON LANE	\$87.00

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART D
ASSESSMENT ROLL

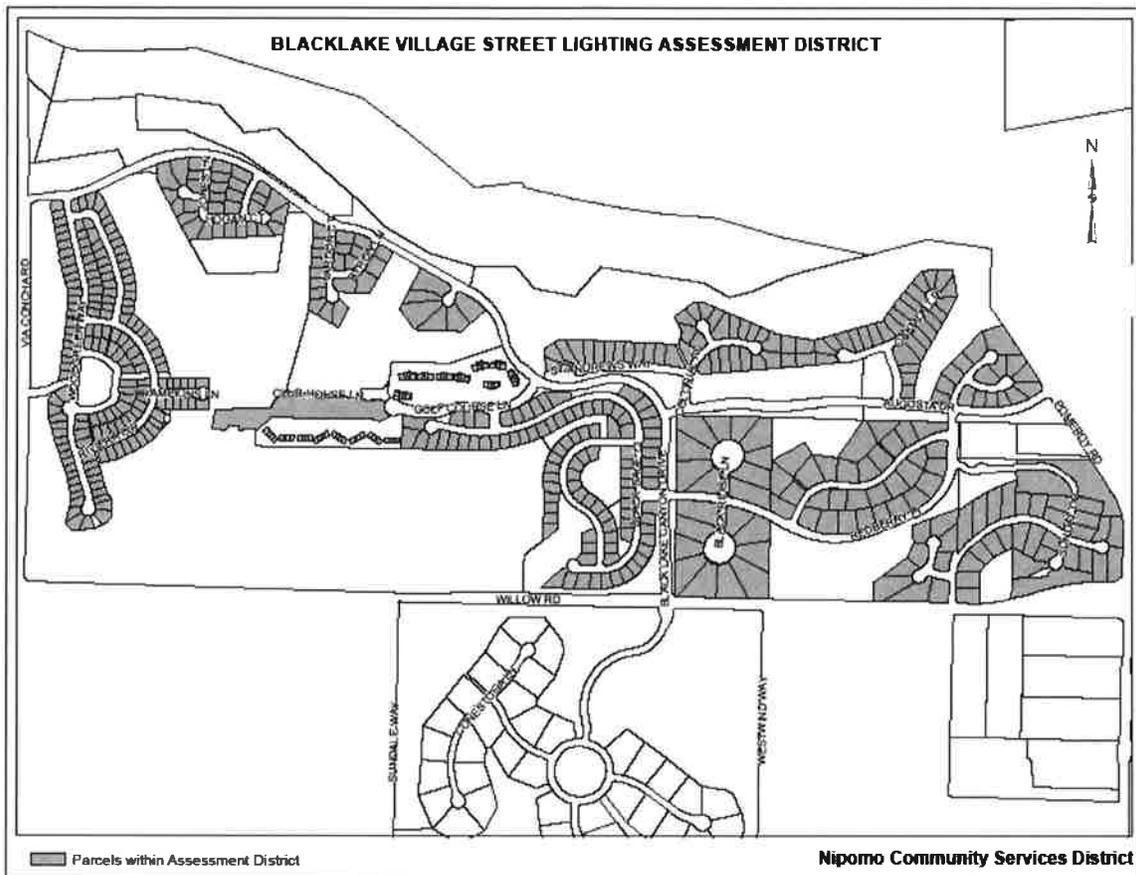
544	91446013	515	BYRON LANE	\$87.00
545	91446014	505	BYRON LANE	\$87.00
546	91446015	510	BYRON LANE	\$87.00
547	91446016	520	BYRON LANE	\$87.00
548	91446017	530	BYRON LANE	\$87.00
549	91446018	540	BYRON LANE	\$87.00
550	91446019	525	VARDON COURT	\$87.00
551	91446020	515	VARDON COURT	\$87.00
552	91446021	510	KATHRYN COURT	\$87.00
553	91446022	520	KATHRYN COURT	\$87.00
554	91446023	530	KATHRYN COURT	\$87.00
555	91446024	535	KATHRYN COURT	\$87.00
556	91446025	525	KATHRYN COURT	\$87.00
557	91446026	515	KATHRYN COURT	\$87.00

TOTAL	\$47,345.00
--------------	--------------------

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART E
ASSESSMENT DIAGRAM

Attached is the Assessment Diagram (Map) for the Assessment District. Please note that the lines and dimensions of each parcel, as well as the distinctive assessment number, are shown on the Assessor's Maps available at the NCSD and the County of San Luis Obispo Assessor's Office.

ENGINEER'S REPORT
BLACKLAKE VILLAGE STREET LIGHTING ASSESSMENT DISTRICT 2022
FISCAL YEAR 2022-2023
PART E
ASSESSMENT DIAGRAM



TO: BOARD OF DIRECTORS

FROM: CRAIG STEELE
GENERAL COUNSEL

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER

DATE: MARCH 18, 2022

**AGENDA ITEM
E-3
MARCH 23, 2022**

APPROVE RESOLUTION OF NECESSITY FOR THE ACQUISITION OF SAN LUIS OBISPO COUNTY ASSESSOR'S PARCEL NUMBER 091-192-052 FOR PUBLIC PURPOSES IN CONNECTION WITH THE DISTRICT'S EUREKA WELL REPLACEMENT PROJECT

RECOMMENDATION

That the Board of Directors:

- 1) Open and conduct a public hearing to consider the adoption of Resolution No. 2022-XXXX (Resolution of Necessity), declaring certain real property interests necessary for public infrastructure purposes and authorizing the acquisition thereof, in connection with the Eureka Well Replacement Project ("Project"), receive from District staff the evidence stated and referred to in this Agenda Report ("Report"), take testimony from any person wishing to be heard on issues A, B, C, and D below with respect to the proposed Resolution of Necessity, and consider all evidence to determine whether to adopt the proposed Resolution of Necessity; and
- 2) If the Board of Directors finds, based upon the evidence contained and referred to in this Report, the testimony and comments received at the hearing, and all written testimony submitted to the Board of Directors, that the evidence warrants the necessary findings with respect to the proposed Resolution of Necessity, then District staff recommends that the Board of Directors, in the exercise of its discretion, adopt the above-referenced Resolution of Necessity, with the Resolution of Necessity requiring a 4/5ths vote of the entire Board of Directors; and
- 3) If the Board of Directors approves the Resolution of Necessity, then District staff recommends that the Board of Directors authorize the General Manager to take all necessary steps to acquire the real property interests identified in the Resolution of Necessity and to take all necessary steps to deposit with the State Treasurer's Office the probable compensation required by law for issuance of an Order for Pre-Judgment Possession; and
- 4) Authorize the General Manager of the Nipomo Community Services District to execute all necessary documents.

BACKGROUND

A. Description of the Project

The District seeks to acquire a partial fee interest in the real property with a street address of 793 Guadalupe Road, Arroyo Grande, California, County of San Luis Obispo, and further identified as San Luis Obispo County Assessor Parcel Number 091-192-052.

Part of the property that is proposed to be acquired is an existing easement currently utilized as the District's Eureka Well and water tank site. The Eureka Well had historically been one of the District's largest producing wells. The well was drilled in 1979 and the 2007 Master Plan Update identified a nominal flow capacity of 890 gallons per minute (gpm) for the well based on the long-term average of flow records. In late 2016, the well casing failed and District staff

determined that the well was no longer serviceable. The well has been properly destroyed and now needs to be replaced with a new well. The District's acquisition of the subject property interests will enable the District to drill a replacement well on the same site as the destroyed well. Utilizing the same site is necessary to ensure the excellent water quality and quantity characteristics exhibited by the destroyed well. In addition, using the existing site for the replacement well will maximize use of the District's investment in support infrastructure already located at the site.

As part of the Project, the District is seeking to acquire a partial fee interest in the real property identified as 793 Guadalupe Road, Arroyo Grande, California, County of San Luis Obispo, and further identified as San Luis Obispo County Assessor Parcel Number 091-192-052. Staff has been unable to reach a voluntary agreement with the property owner(s) for partial-fee simple interest property rights, hereafter collectively called the "Subject Property Interests". Where a voluntary agreement cannot be reached for the purchase of private property by the District for use in a public project, the District may seek to acquire private property by the adoption of a Resolution of Necessity to use the eminent domain process.

The District is authorized to acquire the collective Subject Property Interests for a public use, namely public infrastructure and related improvements, and all uses necessary and convenient thereto, pursuant to the authority conferred upon the District to acquire property by eminent domain by Section 19 of Article 1 of the California Constitution, California Government Code Sections 56036, and 61000, *et seq.* (Community Services District Law), and California Code of Civil Procedure Sections 1230.010, *et seq.* ("Eminent Domain Law"), including, but not limited to Sections 1240.010, 1240.020, 1240.030, 1240.040, 1240.110, 1240.120, 1240.510, 1240.610, and 1240.650 and other provisions of law.

In order to adopt a Resolution of Necessity, the Board of Directors must find and determine that:

- A. The public interest and necessity require the Project;
- B. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- C. The property interest described in the Resolution of Necessity is necessary for the Project; and
- D. The District has made the offer required by Government Code Section 7267.2 to the record owners of the real property the District seeks to acquire.

The public hearing on the Resolution of Necessity relates only to findings A, B, C and D above. The amount of just compensation for the Subject Property Interests are not an issue for consideration at this public hearing before the Board of Directors. The Board previously authorized an appraisal of the value of the Subject Property Interests. Just compensation will be determined, instead, in the eminent domain proceedings or further negotiations and settlement if the Board of Directors, in its sole discretion, adopts the proposed Resolution of Necessity. The proposed Resolution of Necessity and exhibits are attached to this Report and are incorporated herein by this reference.

B. Description of Subject Property Interests

The District seeks to acquire the following real property interests from the record owners of the property identified below:

(1) 7,875 square foot (a 5,625 square foot parcel, and 2,250 square foot parcel) partial-fee simple interest acquisition for public infrastructure purposes from 793 Guadalupe Road, Arroyo Grande, California (APN 091-192-052) owned by J & J Premier Property Investment, LLC and Maria Rocio Amburgey.

The Subject Property Interests, comprised of the above-described partial-fee simple interest area, are described more particularly in the Resolution of Necessity. The Resolution of Necessity with its respective exhibits are attached hereto and incorporated herein by this reference.

C. Environmental Analysis

Staff determined that the proposed project was statutorily exempt from CEQA pursuant to Public Resources Code section 21080 et seq. as there is no physical change to the use of the site, so it can be seen with certainty that there will be no significant effect on the environment. Staff also determined that the proposed Project was eligible for a Categorical Exemption pursuant to Section 15302(c) of the CEQA guidelines in that the proposed Project involves the reconstruction of an existing facility with negligible or no expansion to the existing use.

D. The District's Actions Pursuant to Government Code Section 7267 et seq.

Pursuant to California Government Code Section 7262 et seq., the District obtained fair market value appraisal for the Subject Property Interests in the amount of \$7,000, with date of value for the Subject Property Interests of May 3, 2021. The District set just compensation in accordance with the appraised fair market value dated May 3, 2021, followed by a written offer to the above noted "record owners" seeking to purchase the Subject Property Interests, pursuant to Government Code Section 7267.2.

The District's written offer letters sent on or about September 11, 2021 included an information pamphlet describing the eminent domain process and the record owners' rights therein. In accordance with Government Code Section 7267.2, the written offers contained a written statement of, and summary of the basis for, the amount established as just compensation. The written offers set forth the date of value used by the appraisers and explained the appraisers' opinion of the highest and best use of the Subject Property Interests. The written offers explained the applicable zoning and General Plan designation of the underlying property. The written offers summarized the principal transactions relied on by the appraisers to arrive at the appraisers' opinion of value. In addition, the written offers explained the appraisers' valuation analysis, including the analysis of severance damages. The written offers also contained a list of the comparable sales data relied on by the appraisers. The District further offered to pay the record owners the reasonable costs, up to \$5,000.00, for an independent appraisal of the Subject Property Interests pursuant to Code of Civil Procedure Section 1263.025.

As of March 15, 2022, the record owners had not accepted the District's offer to purchase the Subject Property Interests, nor did they provide an independent appraisal as a counter offer. There has been no response to date from the record owners to the District's communications.

District staff attempted to engage in good faith negotiations with the record owners for the Subject Property Interests but was unable to reach a voluntary agreement to purchase the Subject Property Interests. Accordingly, based on the timing of the Project, it is necessary that the Board of Directors consider the adoption of a Resolution of Necessity at this time.

E. The District's Actions Pursuant to Code of Civil Procedure Section 1245.235

Pursuant to Code of Civil Procedure Section 1245.235, the District sent a letter and notice by first class mail on March 2, 2022 to the addresses of the record owners of the Subject Property Interests informing them of the District's intent to consider at its March 23, 2022 meeting the adoption of a Resolution of Necessity for the acquisition of the Subject Property Interests by eminent domain. The notice advised the record owners of their right to appear and be heard regarding the District's proposed adoption of a Resolution of Necessity by filing a written request with the District to appear at the hearing, within fifteen days of the date the notice was mailed. The notices specifically informed the record owners that they have an opportunity to appear before the Board of Directors and raise questions concerning whether the public interest and necessity require the Project; whether the Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury; whether the Subject Property Interests the District seeks to acquire from the record owners are necessary for the Project; and whether the District made the offer to the record owners of the real property the District seeks to acquire according to Government Code Section 7267.2.

As of March 15, 2022, the District had not received any written requests to appear and be heard at the hearing.

REQUIRED FINDINGS FOR THE ADOPTION OF THE RESOLUTION OF NECESSITY

A. The Public Interest and Necessity Require the Project

The Project, as planned and designed, is in the public interest and necessity and is needed to provide reliable water supply of sufficient quality and quantity to serve both current and future customers over the long-term. As of 2016, the District operated five (5) active groundwater wells. The Project involves the replacement of one of the District's largest producing wells, Eureka #1. The original well was drilled in 1979 and the 2007 Master Plan Update identified a nominal flow capacity of 890 gallons per minute (gpm). On or around June 2016, the District commissioned a study in support of its Water Supply Reliability Certification and Data Submission required by the State Water Resources Control Board. This study showed that Eureka #1 was the second largest producing well in the District and accounted for approximately 25.1% of the District's pump rate capacity. In late 2016, the well casing for Eureka #1 failed and District staff determined that the well was no longer serviceable. The well was subsequently decommissioned.

The Project, as planned and designed, includes the drilling of a new well adjacent to the location of Eureka #1 in order to utilize the excellent water quality and quantity characteristics of that site. In addition, using the existing site for the replacement well will maximize use of the District's investment in support infrastructure at the site.

The Project, as planned and designed, is consistent with Goals 1, 2, and 5 of the District's Strategic Plan. Goal 1 is to "actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future." The construction of a new well on this site will restore approximately one-quarter of the District's pump rate capacity and provide high-quality water to the District's customers. Goal 2 is to "plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations." The Project will fulfill this goal by utilizing existing support infrastructure at the site while using modern and environmentally sustainable construction methods. Goal 5 is to "maintain a proactive program to ensure readiness of systems and cost-effective operations." The Project will further this goal by bringing increased pumping capacity back online in order to meet the District's growing water demand needs.

The Project was planned and located to minimize the impact on the adjacent properties. An existing easement exists on the larger of the two parcels to sought to be acquired. This area contains the decommissioned Eureka #1 well, as well as various equipment and water tanks

related to this use. The larger parcel is already physically separated from the rest of the property by a metal chain-link fence. The smaller parcel adjoins the west side of the larger parcel and is located in the former roadway easement for Guadalupe Road, which has been abandoned and reverted to the property owners. Thus, no existing structures or developed land will be affected by the Project.

The public use for which the District seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, will not unreasonably interfere with or impair the continuance of the public use to which any easement holders may have appropriated the area (Code of Civil Procedure Section 1240.510). The public use for which the District seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, is a more necessary public use within the meaning of Code of Civil Procedure Section 1240.650 than the uses to which public utility easement holders may have appropriated any utility easements located in the Subject Property Interests that are affected by the Project. Accordingly, the District is authorized to acquire the Subject Property Interests pursuant to California Government Code Sections 56036, and 61000, et seq. and Code of Civil Procedure Sections 1240.510, 1240.610, and 1240.650.

B. The Project is Planned or Located in a Manner that Will Be Most Compatible with the Greatest Public Good and Least Private Injury

The Project is planned and located in the manner that is most compatible with the greatest public good and the least private injury. The Project is planned and designed to provide reliable water supply of sufficient quality and quantity to serve both current and future customers over the long-term. The Project involves the replacement of one of the District's largest producing wells, Eureka #1, which has historically accounted for approximately 25.1% of the District's pump rate capacity. In late 2016, the well casing for Eureka #1 failed and District staff determined that the well was no longer serviceable. The well was subsequently decommissioned. The Project will restore significant pumping capacity for the District and its customers. Accordingly, the Project will benefit the residents and businesses of the District, and the community as a whole.

The Project, as planned and designed, is consistent Goals 1, 2, and 5 of the District's Strategic Plan. Goal 1 is to "actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future." The construction of a new well on this site will restore approximately one-quarter of the District's pump rate capacity and provide high-quality water to the District's customers. Goal 2 is to "plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations." The Project will fulfill this goal by utilizing existing support infrastructure at the site while using modern and environmentally sustainable construction methods. Goal 5 is to "maintain a proactive program to ensure readiness of systems and cost-effective operations." The Project will further this goal by bringing increased pumping capacity back online in order to meet the District's growing water demand needs.

The Project was planned and located to minimize the impact on the adjacent properties. An existing easement exists on the larger of the two parcels to sought to be acquired. This site contains the decommissioned Eureka #1 well, as well as various equipment and water tanks related to this use. The larger parcel is already physically separated from the rest of the property by a metal chain-link fence. The smaller parcel adjoins the west side of the larger parcel and is located in the former roadway easement for Guadalupe Road, which has been abandoned and reverted to the property owners. Thus, no existing structures or developed land will be affected by the Project.

The public use for which the District seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, will not unreasonably interfere with or impair the continuance of the public use to which any easement holders may have appropriated the area (Code of Civil Procedure Section 1240.510). The public use for which the District seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, is a more necessary public use within the meaning of Code of Civil Procedure Section 1240.650 than the uses to which public utility easement holders may have appropriated any utility easements located in the Subject Property Interests that are affected by the Project. Accordingly, the District is authorized to acquire the Subject Property Interests pursuant to Code of Civil Procedure Sections 1240.510, 1240.610, and 1240.650.

C. The Subject Property Interests Described in the Resolution of Necessity are Necessary for the Project

The District seeks to construct the Project, as planned and designed, to restore and improve groundwater pumping capacity for the District. The Project, as planned and designed, includes the drilling of a new well adjacent to the location of Eureka #1 in order to utilize the excellent water quality and quantity characteristics of that site. In addition, using the existing site for the replacement well will maximize use of the District's investment in support infrastructure at the site.

The District cannot construct the Project without the acquisition of the following Subject Property Interests, which are described more particularly in the proposed Resolution of Necessity:

- (1) 7,875 square foot (a 5,625 square foot parcel, and 2,250 square foot parcel) partial-fee simple interest acquisition for public infrastructure purposes from 793 Guadalupe Road, Arroyo Grande, California (APN 091-192-052) owned by J & J Premier Property Investment, LLC and Maria Rocio Amburgey.

As stated above, the public use for which the District seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, will not unreasonably interfere with or impair the continuance of the public use to which any easement holders may have appropriated the area (Code of Civil Procedure Section 1240.510). The public use for which the District seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, is a more necessary public use within the meaning of Code of Civil Procedure Section 1240.650 than the uses to which public utility easement holders may have appropriated any utility easements located in the Subject Property Interests that are affected by the Project. Accordingly, the District is authorized to acquire the Subject Property Interests pursuant to California Government Code Sections 56036, and 61000, et seq. and Code of Civil Procedure Sections 1240.510, 1240.610, and 1240.650.

D. The District Has Made the Offer Required by Government Code Section 7267.2 to the Record Owners of the Subject Property Interests

The District, pursuant to Government Code Section 7267 et seq., obtained a fair market value appraisal of the Subject Property Interests, set just compensation in accordance with the appraised fair market value, and extended a written offer to the record owners of the Subject Property Interests described in the attached Resolution of Necessity. The District's written offer included an information pamphlet describing the eminent domain process and the record owners' rights therein. In accordance with Government Code Section 7267.2, the District's written offer contained a written statement of and summary of the basis for, the amount it established as just

compensation. The written offer set forth the date of value used by the appraisers and explained the appraisers' opinion of the highest and best use of the Subject Property Interests. The written offer described the applicable zoning and General Plan designation of the Subject Property Interests. The District's written offer summarized the principal transactions relied on by the appraisers to arrive at the appraisers' opinion of value. The written offer explained the appraisers' valuation analysis, including the analysis of severance damages. The written offer also contained a list of the comparable sales data relied on by the appraisers. The District further offered to pay the record owners the reasonable costs, up to \$5,000.00, for an independent appraisal of the Subject Property Interests pursuant to Code of Civil Procedure Section 1263.025.

STRATEGIC PLAN

Goal 1. WATER SUPPLIES. Actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future.

Goal 2. FACILITIES THAT ARE RELIABLE, ENVIRONMENTALLY SENSIBLE AND EFFICIENT. Plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations.

B.1 NCSD shall maintain long-range infrastructure management, upgrade and replacement planning.

Goal 5. OPERATIONS. Maintain a proactive program to ensure readiness of systems and cost-effectiveness of operations.

Goal 6. GOVERNANCE AND ADMINISTRATION. Conduct District activities in an efficient, equitable and cost-effective manner.

FISCAL IMPACT

Eureka Well Replacement Project	
Project Funding	\$1,000,000
Construction Contract Proposal	(\$738,678)
Change Order Contingency	(\$70,000)
Construction Management Proposal	(\$52,160)
Project Funding Balance	\$139,162
<i>Appraised Value of Subject Property Interests to Be Acquired</i>	<i>\$7,000</i>

RECOMMENDATION

Staff and counsel recommend that the Board of Directors open and conduct public hearings to consider the adoption the attached Resolution, declaring the certain real property interests described in that Resolution and this report necessary for public purposes and authorizing the acquisition thereof in connection with the Project; to receive from District staff the evidence stated and referred to in this Report, take testimony from any person wishing to be heard on findings A, B, C, and D (listed above) with respect to the proposed Resolution of Necessity; and consider all evidence to determine whether to adopt the proposed Resolution of Necessity. If the Board of Directors finds, based upon the evidence contained and referred to in this Report, the testimony and comments received at this hearing, and all written testimony submitted to the Board of Directors, that the

evidence warrants the necessary findings with respect to the proposed Resolution of Necessity, then District staff recommends that the Board of Directors, in the exercise of its discretion, adopt the attached Resolution, by the required 4/5ths vote of the entire Board of Directors. If the Board of Directors approves the Resolution of Necessity, then District staff recommends that the Board of Directors authorize the General Manager to take all necessary steps to file and prosecute the eminent domain proceedings to acquire the real property interests identified in the Resolution of Necessity and to take all necessary steps to deposit the amount of probable compensation as required by law for issuance of an Order for Pre-Judgment Possession with the State Treasurer's Office. Finally, it is recommended that the Board authorize the General Manager of the Nipomo Community Services District to execute all necessary documents to accomplish the aforementioned tasks. All of these recommendations are incorporated in the attached Resolution.

ATTACHMENTS

- A. Resolution No. 2022-XXXX – A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT, DECLARING THAT THE ACQUISITION OF A REAL PROPERTY INTEREST BY EMINENT DOMAIN IS NECESSARY FROM THE REAL PROPERTY IDENTIFIED AS SAN LUIS OBISPO COUNTY ASSESSOR'S PARCEL NUMBER 091-192-052 FOR PUBLIC PURPOSES IN CONNECTION WITH THE NCSD'S EUREKA WELL REPLACEMENT PROJECT, AND ALL USES NECESSARY AND CONVENIENT THERETO.

- B. Notice of Exemption

ATTACHMENTS BY REFERENCE

The following documents are on file in the Nipomo Community Services District Office:

- Subject Property Interests' Legal Descriptions and Plats;
- Nipomo Community Services District 2018 Strategic Plan
- Michael K. Nunley & Associates June 21, 2016 Technical Memorandum Re: Water Supply Reliability Certification - Supporting Analysis
- Copies of notice pursuant to Code of Civil Procedures Section 1245.235 from the City to the record owners of the Subject Property Interests;
- All statutorily required letters and notices to the record owners of the Subject Property Interests, including but not limited to Notice of Decision to Appraise, Offer to Purchase and documents regarding good faith negotiations;
- Board Agendas, Resolutions, and fiscal impact estimates for the Project.

MARCH 23, 2022

ITEM E-3

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO
COMMUNITY SERVICES DISTRICT, DECLARING THAT THE
ACQUISITION OF A REAL PROPERTY INTEREST BY EMINENT
DOMAIN IS NECESSARY FROM THE REAL PROPERTY IDENTIFIED
AS SAN LUIS OBISPO COUNTY ASSESSOR'S PARCEL NUMBER
091-192-052 FOR PUBLIC PURPOSES IN CONNECTION WITH THE
NCSD'S EUREKA WELL REPLACEMENT PROJECT, AND ALL USES
NECESSARY AND CONVENIENT THERETO.**

WHEREAS, the Nipomo Community Services District ("NCSD") is undertaking the Eureka Well Replacement Project (the "Project"); and

WHEREAS, the Project involves the drilling of a new groundwater well to replace the decommissioned Eureka #1 well, which previously provided approximately one-quarter of the NCSD's groundwater; and

WHEREAS, the Project requires the acquisition of property or property interests from private parties; and

WHEREAS, the Project will be a groundwater pumping Project serving the public interest; and

WHEREAS, California Government Code Sections 56036, and 61000, et seq. and Code of Civil Procedure Sections 1240.510, 1240.610, and 1240.650 authorizes NCSD to exercise the power of eminent domain to acquire said property or property interests for public use by condemnation; and

WHEREAS, NCSD is also authorized to acquire said property interests for public use by condemnation pursuant to Section 19 of Article 1 of the California Constitution, California Government Code Sections 56036, and 61000, et seq. and California Code of Civil Procedure Section 1230.010 et seq. (Eminent Domain Law), including but not limited to Sections 1240.010, 1240.020, 1240.110, 1240.120, 1240.320, 1240.330, 1240.510, 1240.610, 1240.650 and by other provisions of law; and

WHEREAS, a portion of the real property with the street address of 793 Guadalupe Road in the City of Arroyo Grande, California, and identified as San Luis Obispo County Tax Assessor's Parcel Number 091-192-052 (the "Property") is required for the Project. The specific portion of the Property required for the Project is an approximate 7,875 square foot (a 5,625 square foot parcel, and 2,250 square foot parcel) partial-fee simple interest legally described and depicted in Exhibit "1" hereto (the "Subject Property Interests"); and

WHEREAS, the Project will maintain reasonable vehicular and pedestrian access to and from the Property at all times; and

WHEREAS, NCSD extended a written offer of compensation to the owner or owners of record for the acquisition of the Subject Property Interests in accordance with California Government Code Section 7267.2; and

WHEREAS, in accordance with Code of Civil Procedure Section 1245.235, NCSD mailed a Notice of Hearing regarding the intent of NCSD to consider the adoption of a Resolution of Necessity for acquisition by eminent domain of the Subject Property Interest. The Notice of Hearing was mailed to the listed address of all persons whose names appear on the last equalized county assessment roll as the owner or owners of the Property; and

WHEREAS, the Project, including all amendments thereto, together with the staff reports, environmental documents and all other evidence presented to NCSD's Board of Directors at the times the Project and the amendments thereto were adopted, are incorporated herein by this reference and made a part hereof as though fully set forth herein; and

WHEREAS, pursuant to Code of Civil Procedure Section 1245.235, NCSD scheduled a hearing for March 23, 2022 at 9:00 a.m. at the Jon S. Seitz Board Room, 148 South Wilson Street, Nipomo, California, and gave to each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll notice and a reasonable opportunity to appear at said hearing and to be heard on the matters referred to in Code of Civil Procedure Section 1240.030, and said parties were provided notification if an opportunity arose that would have allowed them to appear virtually online or by telephone at said hearing; and

WHEREAS, said hearing has been held by NCSD's Board of Directors and each person whose property is to be acquired by eminent domain was afforded an opportunity to be heard on those matters specified in NCSD's notice of intention to conduct a hearing on whether or not to adopt a Resolution of Necessity and referred to in Code of Civil Procedure Section 1240.030; and

WHEREAS, NCSD may adopt a Resolution of Necessity pursuant to Code of Civil Procedure Section 1240.040.

NOW, THEREFORE, BE IT RESOLVED, BY AT LEAST A TWO-THIRDS VOTE OF NCSD'S BOARD OF DIRECTORS UNDER CODE OF CIVIL PROCEDURE SECTIONS 1240.030 AND 1245.230, NCSD DOES HEREBY FIND AND DETERMINE AS FOLLOWS:

Section 1. Special District

The Nipomo Community Services District is a Special District, defined as an agency of the state for the local performance of governmental or proprietary functions within limited boundaries.

Section 2. Authority to Acquire Property

The real property interest described in Section 3 of this Resolution is to be taken for a public use, namely for public infrastructure purposes, in connection with the Eureka Well Replacement Project, ("Project"), pursuant to the authority conferred upon NCSD to acquire property by eminent domain by Section 19 of Article 1 of the California Constitution, California Government Code Sections 56036, and 61000, et seq. (Community Services District Law), California Code of Civil Procedure Section 1230.010 et seq. (Eminent Domain Law), including but not limited to Sections 1240.010, 1240.020, 1240.110, 1240.120, 1240.510, 1240.610, 1240.650 and by other provisions of law.

Section 3. Property Description

NCSD seeks to acquire a 7,875 square foot (a 5,625 square foot parcel, and 2,250 square foot parcel) partial-fee simple interest for public infrastructure purposes from 793 Guadalupe Road, Arroyo Grande, California, APN 091-192-052 ("Subject Property Interests"). The Subject Property Interests are legally described on Exhibit "A" and depicted on the map attached as Exhibit "B".

Section 4. Public Use

NCSD seeks to acquire the Subject Property Interests for a public use, namely public infrastructure and related improvements, and all uses necessary and convenient thereto related to the Project.

The public use for which the NCSD seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, will not

unreasonably interfere with or impair the continuance of the public use to which any easement holders may have appropriated the area (Code of Civil Procedure Section 1240.510). The public use for which NCSD seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, is a more necessary public use within the meaning of Code of Civil Procedure Section 1240.650 than the uses to which public utility easement holders may have appropriated any utility easements located in the Subject Property Interests that are affected by the Project. Accordingly, NCSD is authorized to acquire the Subject Property Interests pursuant to California Government Code Sections 56036, and 61000, et seq. and Code of Civil Procedure Sections 1240.510, 1240.610, and 1240.650.

Section 5. The Public Interest and Necessity Require the Proposed Project

The Project, as planned and designed, is in the public interest and necessity and is needed to provide reliable water supply of sufficient quality and quantity to serve both current and future customers over the long-term. As of 2016, NCSD operated five (5) active groundwater wells. The Project involves the replacement of one of NCSD's largest producing wells, Eureka #1. The original well was drilled in 1979 and the 2007 Master Plan Update identified a nominal flow capacity of 890 gallons per minute (gpm). On or around June 2016, NCSD commissioned a study in support of its Water Supply Reliability Certification and Data Submission required by the State Water Resources Control Board. This study showed that Eureka #1 was the second largest producing well in NCSD and accounted for approximately 25.1% of NCSD's pump rate capacity. In late 2016, the well casing for Eureka #1 failed and NCSD staff determined that the well was no longer serviceable. The well was subsequently decommissioned.

The Project, as planned and designed, includes the drilling of a new well adjacent to the location of Eureka #1 in order to utilize the excellent water quality and quantity characteristics of that site. In addition, using the existing site for the replacement well will maximize use of NCSD's investment in support infrastructure at the site.

The Project, as planned and designed, is consistent Goals 1, 2, and 5 of NCSD's Strategic Plan. Goal 1 is to "actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future." The construction of a new well on this site will restore approximately one-quarter of NCSD's pump rate capacity and provide high-quality water to NCSD's customers. Goal 2 is to "plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations." The Project will fulfill this goal by utilizing existing support infrastructure at the site while using modern and environmentally sustainable construction methods. Goal 5 is to "maintain a proactive program to ensure readiness of systems and cost-effective operations." The Project will further this goal by bringing increased pumping capacity back online in order to meet NCSD's growing water demand needs.

The Project was planned and located to minimize the impact on the adjacent properties. An existing easement exists on the larger of the two parcels to sought to be acquired. This site contains the decommissioned Eureka #1 well, as well as various equipment and water tanks related to this use. The larger parcel is already physically separated from the rest of the property by a metal chain-link fence. The smaller parcel adjoins the west side of the larger parcel and is located in the former roadway easement for Guadalupe Road, which has been abandoned and reverted to the property owners. Thus, no existing structures or developed land will be affected by the Project.

The public use for which NCSD seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, will not unreasonably interfere with or impair the continuance of the public use to which any easement holders may have appropriated the area (Code of Civil Procedure Section 1240.510). The public use for which NCSD seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, is a more necessary public use within

the meaning of Code of Civil Procedure Section 1240.650 than the uses to which public utility easement holders may have appropriated any utility easements located in the Subject Property Interests that are affected by the Project. Accordingly, NCSD is authorized to acquire the Subject Property Interests pursuant to California Government Code Sections 56036, and 61000, et seq. and Code of Civil Procedure Sections 1240.510, 1240.610, and 1240.650.

Section 6. The Proposed Project is Planned or Located in a Manner that Will Be Most Compatible with the Greatest Public Good and Least Private Injury

The Project is planned and located in the manner that is most compatible with the greatest public good and the least private injury. The Project is planned and designed to provide reliable water supply of sufficient quality and quantity to serve both current and future customers over the long-term. The Project involves the replacement of one of NCSD's largest producing wells, Eureka #1, which has historically accounted for approximately 25.1% of NCSD's pump rate capacity. In late 2016, the well casing for Eureka #1 failed and NCSD staff determined that the well was no longer serviceable. The well was subsequently decommissioned. The Project will restore significant pumping capacity for NCSD and its customers. Accordingly, the Project will benefit the residents and businesses of NCSD, and the community as a whole.

The Project, as planned and designed, is consistent Goals 1, 2, and 5 of NCSD's Strategic Plan. Goal 1 is to "actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future." The construction of a new well on this site will restore approximately one-quarter of NCSD's pump rate capacity and provide high-quality water to NCSD's customers. Goal 2 is to "plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations." The Project will fulfill this goal by utilizing existing support infrastructure at the site while using modern and environmentally sustainable construction methods. Goal 5 is to "maintain a proactive program to ensure readiness of systems and cost-effective operations." The Project will further this goal by bringing increased pumping capacity back online in order to meet NCSD's growing water demand needs.

The Project was planned and located to minimize the impact on the adjacent properties. An existing easement exists on the larger of the two parcels to sought to be acquired. This site contains the decommissioned Eureka #1 well, as well as various equipment and water tanks related to this use. The larger parcel is already physically separated from the rest of the property by a metal chain-link fence. The smaller parcel adjoins the west side of the larger parcel and is located in the former roadway easement for Guadalupe Road, which has been abandoned and reverted to the property owners. Thus, no existing structures or developed land will be affected by the Project.

The public use for which NCSD seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, will not unreasonably interfere with or impair the continuance of the public use to which any easement holders may have appropriated the area (Code of Civil Procedure Section 1240.510). The public use for which NCSD seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, is a more necessary public use within the meaning of Code of Civil Procedure Section 1240.650 than the uses to which public utility easement holders may have appropriated any utility easements located in the Subject Property Interests that are affected by the Project. Accordingly, NCSD is authorized to acquire the Subject Property Interests pursuant to California Government Code Sections 56036, and 61000, et seq. and Code of Civil Procedure Sections 1240.510, 1240.610, and 1240.650.

Section 7. The Subject Property Interests Described in the Resolution of Necessity are Necessary for the Proposed Project

NCSD seeks to construct the Project, as planned and designed, to restore and improve groundwater pumping capacity for NCSD. The Project, as planned and designed, includes the drilling of a new well adjacent to the location of Eureka #1 in order to utilize the excellent water quality and quantity characteristics of that site. In addition, using the existing site for the replacement well will maximize use of NCSD's investment in support infrastructure at the site.

NCSD cannot construct the Project without the acquisition of the following Subject Property Interests, which are described more particularly in the proposed Resolution of Necessity:

- (1) 7,875 square foot (a 5,625 square foot parcel, and 2,250 square foot parcel) partial-fee simple interest acquisition for public infrastructure purposes from 793 Guadalupe Road, Arroyo Grande, California (APN 091-192-052) owned by J & J Premier Property Investment, LLC and Maria Rocio Amburgey.

As stated above, the public use for which NCSD seeks to acquire the Subject Property Interest, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, will not unreasonably interfere with or impair the continuance of the public use to which any easement holders may have appropriated the area (Code of Civil Procedure Section 1240.510). The public use for which NCSD seeks to acquire the Subject Property Interests, namely public infrastructure and related improvements, and all uses necessary or convenient thereto, is a more necessary public use within the meaning of Code of Civil Procedure Section 1240.650 than the uses to which public utility easement holders may have appropriated any utility easements located in the Subject Property Interests that are affected by the Project. Accordingly, NCSD is authorized to acquire the Subject Property Interests pursuant to California Government Code Sections 56036, and 61000, et seq. and Code of Civil Procedure Sections 1240.510, 1240.610, and 1240.650.

Section 8. NCSD Has Made the Offer Required by Government Code Section 7267.2 to the Record Owner of the Subject Property Interests

NCSD, pursuant to Government Code Section 7267 et seq., obtained a fair market value appraisal of the Subject Property Interests, set just compensation in accordance with the appraised fair market value, and extended a written offer to the record owners of the Subject Property Interests described in the attached Resolution of Necessity. NCSD's written offer included an information pamphlet describing the eminent domain process and the record owners' rights therein. In accordance with Government Code Section 7267.2, NCSD's written offer contained a written statement of and summary of the basis for, the amount it established as just compensation. The written offer set forth the date of value used by the appraisers and explained the appraisers' opinion of the highest and best use of the Subject Property Interests. The written offer described the applicable zoning and General Plan designation of the Subject Property Interests. NCSD's written offer summarized the principal transactions relied on by the appraisers to arrive at the appraisers' opinion of value. The written offer explained the appraisers' valuation analysis, including the analysis of severance damages. The written offer also contained a list of the comparable sales data relied on by the appraisers. NCSD further offered to pay the record owners the reasonable costs, up to \$5,000.00, for an independent appraisal of the Subject Property Interests pursuant to Code of Civil Procedure Section 1263.025.

Section 9. Findings

Based on the evidence presented at the hearing regarding the proposed Project, including the Agenda Report and documents referenced therein, the Board of Directors hereby finds and determines that:

- A. The public interest and necessity require the proposed Project;

- B. The proposed Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- C. The Subject Property Interests described in Exhibit "A" and depicted in Exhibit "B" is necessary for the proposed Project; and
- D. NCSD made the offer required by Government Code Section 7267.2 to the owners of record.

Section 10. Compliance with the California Environmental Quality Act ("CEQA")

Staff determined that the proposed project was statutorily exempt from CEQA pursuant to Public Resources Code section 21080 et seq. as there is no physical change to the use of the site, so it can be seen with certainty that there will be no significant effect on the environment. Staff also determined that the proposed Project was eligible for a Categorical Exemption pursuant to Section 15302(c) of the CEQA guidelines in that the proposed Project involves the reconstruction of an existing facility with negligible or no expansion to the existing use.

Section 11. Compliance with Government Code Section 1245.235

Pursuant to Code of Civil Procedure Section 1245.235, the Board of Directors scheduled a public hearing for 9:00 a.m., March 23, 2022, at the Jon S. Seitz Board Room, 148 South Wilson Street, Nipomo, California, and gave to each person who owns an interest in the property affected by such acquisition and whose name and address appeared on the last equalized county assessment roll, notice and a reasonable opportunity to appear at said hearing and be heard on the matters referred to in Code of Civil Procedure Section 1240.030.

Section 12. Incorporation by Reference

The findings and declarations contained in this Resolution are based upon the record before the Board of Directors, including the Agenda Report and all documents referenced therein, all of which are incorporated herein by this reference, and any testimony and/or comments submitted to NCSD by the record owners and/or their representative(s). These documents include, but are not limited to, the NCSD Strategic Plan, the Water Supply Reliability Certification Analysis referenced in the Agenda Report, the offer letter sent to the record owners by NCSD, and the notice to the record owners pursuant to Code of Civil Procedure Section 1245.235 of NCSD's intent to consider the adoption of the Resolution of Necessity.

Section 13. General Manager's Authority

The NCSD General Manager is authorized to make such minor changes in the description of the property interest involved herein and in the pleadings to be filed herein as he deems necessary, upon the advice of counsel, for the conduct of the condemnation action or other proceedings necessary to acquire the Subject Property Interests.

Section 14. Further Authorizations

NCSD Staff is hereby authorized and directed to take any appropriate action consistent with the purpose of this Resolution, including but not limited to, the issuance of a check in the amount of Seven Thousand Dollars (\$7,000.00) to deposit with the State Treasurer's Office as the probable amount of compensation that will be awarded in the eminent domain proceedings to acquire the Subject Property Interests.

Section 15. Effective Date

This Resolution shall be deemed effective upon adoption.

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

AYES:

NOES:

ABSENT:

CONFLICTS:

The foregoing resolution is hereby adopted this 23rd day of March 2022.

ED EBY
President, Board of Directors

ATTEST:

APPROVED AS TO FORM AND
LEGAL EFFECT

MARIO IGLESIAS
General Manager and
Secretary to the Board

CRAIG A. STEELE
District Legal Counsel

Exhibit "A"
Legal Description

A PORTION OF LOT 61 OF POMEROY'S RE-SUBDIVISION OF A PART OF THE "LOS BERROS TRACT" IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED SEPTEMBER 26, 1909, FILED IN BOOK A, AT PAGE 109 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF PARCEL 1 OF PARCEL MAP CO-89-131, AS DESIGNATED ACCORDING TO THE MAP RECORDED MAY 29, 1991, FILED IN BOOK 48, AT PAGE 20 OF PARCEL MAPS IN THE OFFICE OF THE RECORDER FOR SAID COUNTY;

THENCE, ALONG THE NORTH LINE OF SAID PARCEL 1, NORTH 89° 58' 37" WEST, 554.92 FEET; TO THE **POINT OF BEGINNING**;

THENCE, LEAVING SAID NORTH LINE OF PARCEL 1, ALONG A LINE PARALLEL AND 75.00 FEET EAST OF THE WESTERLY LINE OF SAID PARCEL 1, SOUTH 00°00'00" EAST, 75.00 FEET;

THENCE, ALONG A LINE PARALLEL AND 75.00 FEET SOUTH OF THE NORTHERLY LINE OF SAID PARCEL 1, NORTH 89°58'37" EAST, 75.00 FEET TO THE EAST LINE OF THAT CERTAIN VACATION DOCUMENT ENTITLED VACATION OF SUPERSEDED STATE HIGHWAY IN THE COUNTY OF SAN LUIS OBISPO, ROAD 05-SLO-1-PM 5.0, REQUEST NO. 11511, RECORDED FEBRUARY 7, 2012, AS DOCUMENT NUMBER 2012007087, IN THE OFFICE OF THE RECORDER OF SAID COUNTY;

THENCE, CONTINUING ALONG SAID PARALLEL LINE, NORTH 89°58'37" EAST, 30.00 FEET TO THE CENTERLINE OF SAID SUPERSEDED STATE HIGHWAY ROUTE 1 RIGHT OF WAY;

THENCE, ALONG SAID CENTERLINE, NORTH 00°00'00" EAST, 75.00 FEET;

THENCE, LEAVING SAID CENTERLINE, NORTH 89°58'37" WEST, 30.00 FEET TO THE EAST LINE OF SAID SUPERSEDED STATE HIGHWAY ROUTE 1 RIGHT OF WAY, ALSO BEING THE NORTHWEST CORNER OF SAID PARCEL 1;

THENCE, ALONG THE NORTH LINE OF SAID PARCEL 1, NORTH 89°58'37" WEST, 75.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 7,875 SQUARE FEET.

END DESCRIPTION

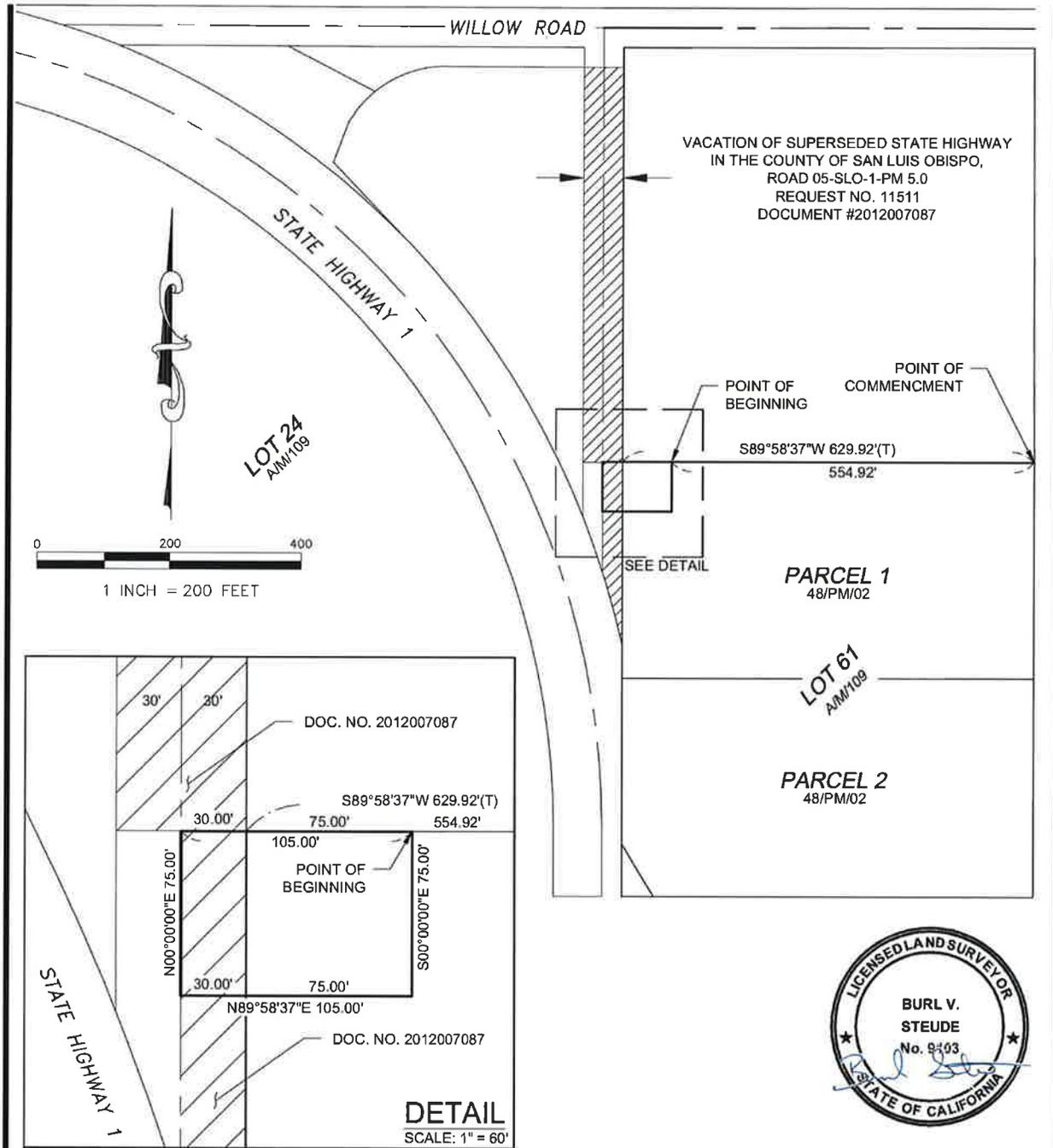
PREPARED BY: _____


BURL V. STEUDE, PLS 9103

DATE: July 30, 2021



Exhibit "B"
Map



PREPARED FOR:

NIPOMO COMMUNITY SERVICES DISTRICT
148 SOUTH WILSON STREET
NIPOMO, CA 93444

PREPARED BY:

Cannon
1050 SOUTHWOOD DRIVE
SAN LUIS OBISPO, CA 93401 (805) 544-7407
Civil Engineering • Planning • Surveying

JOB # 170616.01

EUREKA WELL PROJECT
WILLOW ROAD
NIPOMO, CA

DRAWN BY: RBP

SCALE: AS NOTED

MARCH 23, 2022

ITEM E-3

ATTACHMENT B



NIPOMO COMMUNITY SERVICES DISTRICT
 P.O. BOX 326, NIPOMO, CA 93444-0326
 805-929-1133

NOTICE OF EXEMPTION

PROJECT TITLE: AUTHORIZATION OF RESOLUTION OF NECESSITY TO ACQUIRE A PARTIAL FEE INTEREST IN 793 GUADALUPE ROAD FOR THE EUREKA WELL REPLACEMENT PROJECT

Project Location (Specific street address): 793 Guadalupe Road Arroyo Grande, CA	Project Applicant, Phone No. & Email: Nipomo Community Services District 805-929-1133; miglesias@ncsd.gov
Project Location (County): San Luis Obispo	Applicant Address (specific): P.O. Box 326 Nipomo, CA 93444

Description of Nature, Purpose and Beneficiaries of Project: On March 23, 2022 the Board of Directors of the Nipomo Community Services District (“District”) and the Board of Directors of the Nipomo Public Facilities Corporation adopted Resolution No. 2022-XXX, authorizing a Resolution of Necessity to acquire a partial fee interest at 793 Guadalupe Road as part of the Eureka Well Replacement Project. No new physical change to the environment not previously evaluated under CEQA is included as a part of this project.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Nipomo Community Services District and Nipomo Public Facilities Corporation

Exempt Status: (Check One)

- Ministerial {Sec. 21080(b)(1); 15268}
- Declared Emergency {Sec. 21080(b)(3); 15269(a)}
- Emergency Project {Sec. 21080(b)(4); 15269(b)(c)}
- Categorical Exemption {Sec. 15302}
- Statutory Exemption {PRC Section 21080 et seq.; CEQA Guidelines Sec. 15273}

Reason why project is exempt: Adoption of Resolution No. 2022-XXX is categorically exempt from California Environmental Quality Act (“CEQA”) review pursuant to CEQA Guidelines Section 15302 because the Project consists of the replacement or reconstruction of a decommissioned groundwater well located generally on the same site as the decommissioned well and equipment being replaced and will have generally the same purpose and capacity as that existing system. No new physical change to the environment not previously reviewed under CEQA is proposed or approved by this action. Adoption of the Resolution is also statutorily exempt from CEQA review pursuant to Public Resources Code section 21080 et seq. as there is no physical change to the use of the site, so it can be seen with certainty that there will be no significant effect on the environment.

Mario Iglesias, General Manager
Lead Agency Contact Person

805-929-1133
Telephone

miglesias@ncsd.ca.gov
Email

If filed by applicant:

1. Attach certified document of exemption finding
2. Has a notice of exemption been filed by the public agency approving the project?
 YES NO

Signature _____ Date _____
 Name (Print) Mario Iglesias Title General Manager

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER



DATE: MARCH 18, 2022

CONSIDER ANNUAL EMPLOYEE COST OF LIVING ADJUSTMENT

ITEM

Review and consider annual employee Cost of Living Adjustment (COLA) for 2022-2023 Fiscal Budget. [RECOMMEND REVIEW AND DISCUSS ANNUAL EMPLOYEE COLA AND DIRECT STAFF TO PREPARE FISCAL YEAR 2022-2023 BUDGET WITH APPROPRIATE COLA]

BACKGROUND

On March 15, 2022, the Finance and Audit Committee (F&A Com.) met and discussed, among other items, the annual employee COLA. The COLA is evaluated annually by the committee and follows the direction provided by Nipomo Community Services District (“NCS D”) Resolution 2017-1440 (COLA Resolution). Because the COLA Resolution guides staff in calculating the COLA, the F&A Committee’s review of the matter is typically a ministerial act, primarily to provide committee members with the reassurance that staff is following NCS D procedures.

The information and calculations provided the F&A Com. at the March 15, 2022 committee meeting was as follows:

The NCS D Employee Handbook, Section 3000(E) states the following:

Cost of Living Adjustments – Annually, the Board may consider a Cost of Living Adjustment (COLA). If the COLA is approved, District Salary Schedule will be adjusted accordingly, thus keeping the schedule current. Therefore, an employee may receive both a Cost of Living Adjustment and an increase in compensation pursuant to subdivision C above in any given year until the employee reaches Step 5. Upon reaching Step 5, the only salary adjustments an employee will receive will be Board-approved COLA, unless the employee is eligible for longevity pay.

On April 12, 2017, the Board of Directors approved Resolution 2017-1440 which included:

Cost of Living Adjustments shall use the Consumer Price Index for the California Consumer Price Index All Items for Urban Wage Earners and Clerical Workers.

Staff computed the Consumer Price Index for California All Items for Urban Wage Earners and Clerical Workers to be 4.73%. (Attachment D)

The seven previous years COLA computation and Board approval has been as follows:

Table 1. 7-Year History of NCS D COLA

Fiscal year	Methodology Used	COLA Computation	Board Approved	Difference
7/1/21	California CPI	1.75%	1.75%	0.00%
7/1/20	California CPI	2.95%	2.95%	0.00%
7/1/19	California CPI	3.87%	3.87%	0.00%
7/1/18	California CPI	2.87%	2.87%	0.00%
7/1/17	California CPI	1.88%	1.88%	0.00%
7/1/16	Avg of LA/SF (1)	1.40%	1.40%	0.00%
7/1/15	Avg of LA/SF (1)	1.90%	1.90%	0.00%

(1) Average of Urban Wage Earners and Clerical Workers for the Los Angeles-Riverside-Orange County and San Francisco-Oakland-San Jose

Staff's recommendation to the Committee as stated in the staff report was to "review the COLA and direct Staff for budget preparation purposes" as this information is necessary to construct the fiscal year 2022-2023 budget.

The F&A Com. reviewed and discussed the item and concluded that, in light of the current economic conditions highlighted by unprecedented inflationary pressures, the NCSB Board of Directors should consider alternative methodologies to calculate the COLA.

The annual inflation rate in the United States accelerated to 7.9% in February of 2022, the highest since January of 1982. It is anticipated that the cost pressures on consumers will not recede in the future, but continue to escalate or, at best, keep prices at their February 2022 level. With that in mind, the F&A Com. suggested staff construct a COLA that recognizes inflation by examining the Consumer Price Index identified in the COLA Resolution. In short, two methodologies were discussed at the F&A Com. meeting and are presented for Board consideration: Annual average (current methodology) and End-of-Year methodology.

Current Methodology

The current methodology is defined and explained in the March 15, 2022 F&A Com. agenda item No. 4 [Attachment A]. The computation is as follows:

- A) 2021 Annual (\$288.595) – 2020 Annual (\$275.568) = Difference (\$13.027)
- B) (Difference (\$13.027)/ 2020 Annual (\$275.568)) x 100% = 4.727%

End-of-Year Methodology

The End-of Year methodology considers a condition where items in the index purchased at the end of the year will reflect the actual cost of the item, not the average cost of the item over the year. The computation is as follows:

- A) 2021 December (\$297.426) – 2020 December (\$277.885) = Difference (\$19.541)
- B) (Difference (\$19.541)/ 2020 December (\$277.885)) x 100% = 7.040%

Rate studies provide a forward looking projection for determining the cost of providing services to the community. The District completed a water rate study in August 2020 and a sewer rate study in April 2021. Each has an escalator for the cost of employees, though they are different. The water rate study includes a 5% increase for each of the 5 years in the rate study while the sewer rate study includes a 3% increase in its 5-year period. However, past COLA increases have been below both of these projections, which would lead to a conclusion that there is room in the budget to accommodate the 4.73% COLA as presented to the F&A Com., and possibly a higher COLA if the Board determines that option preferable as it looks to keep employee compensation competitive.

Following direction from the F&A Com., staff has prepared a second computation for your Board to evaluate and discuss. Staff looks to the Board to determine if there is sufficient evidence to compel the Board to shift from current procedures as outlined in the COLA Resolution, to a computation that represents the current economic environment. It is necessary to establish the COLA in order to complete the fiscal year 2022-2023 budget preparation.

FISCAL IMPACT

The financial impact to the District is measured against the computation presented to the F&A Com. as this is currently NCSB's policy driven option. The following table provides your Board with an understanding of the financial impact to the budget with the corresponding COLA percentages: Water Rate Study (5.00%), End-of-Year (7.04%).

Current Payroll (2021-2022) \$1,724,504		COLA Impact	Diff.	Calculation
(A.)	Resolution 2017-1440	4.73%	\$ 81,569	
(B.)	Option 1 (Wtr Rate Study)	5.00%	\$ 86,225	\$ 4,656 (B)-(A)
(C.)	End-of-Year	7.04%	\$ 121,405	\$ 39,836 (C)-(A)

STRATEGIC PLAN

Goal 3. PERSONNEL AND ORGANIZATION. Maintain a qualified, long-term and productive workforce to assure an effective organization.

- B.1 Ensure the District is adequately staffed with high quality, long-term employees and supported by appropriate contractors and partnerships.

RECOMMENDATION

It is recommended that the Board review the COLA and direct Staff for budget preparation purposes.

ATTACHMENTS

- A. NCSD F&A Com. – March 15, 2022 Committee Meeting Agenda Item 4 – Review Employee Cost of Living Adjustment (COLA)
- B. End-of-Year Consumer Price Index Computation

MARCH 23, 2022

ITEM E-4

ATTACHMENT A

TO: FINANCE AND AUDIT COMMITTEE
 REVIEWED: MARIO IGLESIAS
 GENERAL MANAGER *[Signature]*
 FROM: LISA BOGNUDA
 FINANCE DIRECTOR *[Signature]*
 DATE: MARCH 11, 2022

AGENDA ITEM
4
MARCH 15, 2022

REVIEW EMPLOYEE COST OF LIVING ADJUSTMENT (COLA)

ITEM

Review employee Cost of Living Adjustment (COLA)

BACKGROUND

The NCSD Employee Handbook, Section 3000(E) states the following:

Cost of Living Adjustments – Annually, the Board may consider a Cost of Living Adjustment (COLA). If the COLA is approved, District Salary Schedule will be adjusted accordingly, thus keeping the schedule current. Therefore, an employee may receive both a Cost of Living Adjustment and an increase in compensation pursuant to subdivision C above in any given year until the employee reaches Step 5. Upon reaching Step 5, the only salary adjustments an employee will receive will be Board-approved COLA, unless the employee is eligible for longevity pay.

On April 12, 2017, the Board of Directors approved Resolution 2017-1440 which included:

Cost of Living Adjustments shall use the Consumer Price Index for the California Consumer Price Index All Items for Urban Wage Earners and Clerical Workers.

Staff computed the Consumer Price Index for California All Items for Urban Wage Earners and Clerical Workers to be 4.73%. (Attachment D)

The seven previous years COLA computation and Board approval has been as follows:

Fiscal year	Methodology Used	COLA Computation	Board Approved	Difference
7/1/21	California CPI	1.75%	1.75%	0.00%
7/1/20	California CPI	2.95%	2.95%	0.00%
7/1/19	California CPI	3.87%	3.87%	0.00%
7/1/18	California CPI	2.87%	2.87%	0.00%
7/1/17	California CPI	1.88%	1.88%	0.00%
7/1/16	Avg of LA/SF (1)	1.40%	1.40%	0.00%
7/1/15	Avg of LA/SF (1)	1.90%	1.90%	0.00%

(1) Average of Urban Wage Earners and Clerical Workers for the Los Angeles-Riverside-Orange County and San Francisco-Oakland-San Jose

RECOMMENDATION

It is recommended that the Committee review the COLA and direct Staff for budget preparation purposes.

ATTACHMENTS

- A. Section 3000(D) from NCSD Employee Handbook
- B. Resolution 2017-1440
- C. Excerpt from Bureau of Labor Statistics on how to compute the CPI
- D. Consumer Price Index information and computation

MARCH 15, 2022

ITEM 4

ATTACHMENT A

CHAPTER THREE – HOURS OF WORK AND COMPENSATION

3000 - COMPENSATION

- A. New Introductory Employees:** All newly appointed introductory employees shall be paid at the first step of the salary range for the position to which the introductory employee is appointed except as provided elsewhere herein.
- B. Advanced Step Hiring:** If the General Manager finds that qualified applicants have greater experience or competencies than required at the first step of the salary range, the General Manager can extend an offer higher than the first step.
- C. Increase in compensation other than Cost of Living Adjustments (Step-Merit Increase):** After one year in a salary step (on the employee's Anniversary Date), employees may qualify for a step merit increase to the next step, provided the employee has performed satisfactorily, and provided management has determined that a step merit increase is appropriate. All decisions about step merit increases are subject to management's sole discretion; employees are not automatically entitled to or eligible for a step merit increase. A performance evaluation verifying satisfactory performance and a Personnel Action Form for each employee recommended for advancement shall be submitted to and approved by the General Manager prior to final action on such recommendation.
- D. Temporary Assignment:** A temporary assignment occurs when the following conditions are met: (1) an employee is assigned by the affected department directors to perform duties outside of their current job classification; (2) the assignment is for a defined period of ten (10) consecutive working days or more, with a specified end date; and (3) the employee is expected to return to their most recently-assigned position at the end of the temporary assignment. A temporary assignment may be made to the same, lower, or higher level of classification of work. When an employee has served more than ten (10) consecutive working days filling the role of a higher job classification, on the eleventh day and any consecutive days thereafter, the employee will be compensated 5% above their current wage. An employee temporarily assigned to fill the role of an equal or lower job classification, that employee will be compensated at their current wage.
- E. Cost of Living Adjustments:** Annually, the Board may consider a Cost of Living Adjustment (COLA). If the COLA is approved, the District Salary Schedule will be adjusted accordingly, thus keeping the schedule current. Therefore, an employee may receive both a Cost of Living Adjustment and an increase in compensation pursuant to subdivision C above in any given year until the employee reaches Step 5. Upon reaching Step 5, the only salary adjustments an employee will receive will be Board-approved COLA, unless the employee is eligible for longevity pay.
- F. Promotion:** Employees promoted to a position with a higher salary range shall be placed on the step of the range allocated to the new classification which would grant such employee an increase in pay no greater than five percent (5%). The increase may exceed five percent (5%) at the discretion of the General Manager, but shall not exceed the top step of the range allocated to the new classification. Employees who are promoted retain the same Hire Date for purposes of years of

CHAPTER THREE – HOURS OF WORK AND COMPENSATION

MARCH 15, 2022

ITEM 4

ATTACHMENT B

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2017-1440**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO
COMMUNITY SERVICES DISTRICT ESTABLISHING THE
METHODOLOGY FOR COMPUTING EMPLOYEE COST OF LIVING
ADJUSTMENTS (COLA)**

WHEREAS, the Nipomo Community Services District (herein "District") Board of Directors (herein "Board") is a local government agency formed and authorized to provide services within its jurisdiction, pursuant to Section 61000 et seq. of the California Government Code; and

WHEREAS, the Board annually reviews the employee Cost of Living Adjustment (COLA) based on the policy and procedures adopted in Resolution 2006-1000 and amended by Resolution 2017-1437, which repealed Section 3 of Resolution 2006-1000 that had approved the use of the Consumer Price Index-Urban Wage Earners and Clerical Workers using the average of annual increases for the Los Angeles-Riverside-Orange County and San Francisco-Oakland-San Jose; and

WHEREAS, the Board believes the California Consumer Price Index is more reflective of the economy of the Central Coast; and

WHEREAS, the Board wishes to establish that the employee COLA computation shall use the Consumer Price Index for the California Consumer Price Index All Items for Urban Wage Earners and Clerical Workers, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Nipomo Community Services District:

Section 1. The above recitals are true and correct.

Section 2. All future Cost of Living Adjustments shall use the Consumer Price Index for the California Consumer Price Index All Items for Urban Wage Earners and Clerical Workers.

Section 3. This resolution shall take effect immediately.

Upon a motion by Director Armstrong, seconded by Director Eby, on the following roll call vote, to wit:

AYES: Directors Armstrong, Eby, Blair, Woodson, and Gaddis
NOES: None
ABSTAIN: None
ABSENT: None

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2017-1440**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY
SERVICES DISTRICT ESTABLISHING THE METHODOLOGY OF COMPUTING
EMPLOYEE COST OF LIVING ADJUSTMENTS (COLA)**

the foregoing resolution is hereby passed and adopted on this 12th day of April, 2017.



DAN A. GADDIS
President of the Board

ATTEST:

APPROVED AS TO FORM AND
LEGAL EFFECT:



MARIO IGLESIAS
General Manager and Secretary to the Board



WHITNEY G. McDONALD
District Legal Counsel

THIS PAGE INTENTIONALLY LEFT BLANK

MARCH 15, 2022

ITEM 4

ATTACHMENT C



Consumer Price Index

Search Consumer Price [CPI Home](#)[CPI Publications](#)[CPI Data](#)[CPI Methods](#)[Recent CPI](#)[Contact CPI](#)[Bureau of Labor Statistics](#) > [Consumer Price Index](#) > [Publications](#) > Factsheets

How to Use the Consumer Price Index for Escalation

The Consumer Price Index (CPI) measures the average change in the prices paid for a market basket of goods and services. These items are purchased for consumption by the two groups covered by the Index: All Urban Consumers (CPI-U) and Urban Wage Earners and Clerical Workers, (CPI-W).

Escalation agreements often use the CPI—the most widely used measure of price change—to adjust payments for changes in prices. The most frequently used escalation applications are in private sector collective bargaining agreements, rental contracts, insurance policies with automatic inflation protection, and alimony and child support payments.

The following are general guidelines to consider when developing an escalation agreement using the CPI:

Define the base payment

Define clearly the base payment (rent, wage rate, alimony, child support, or other value) that is subject to escalation.

Identify which CPI series will be used

Identify precisely which CPI index series will be used to escalate the base payment. This should include the population coverage (CPI-U or CPI-W), area coverage (U.S. City Average, West Region, Chicago, etc.), series title (all items, rent of primary residence, etc.), and index base period (1982-84=100).

Specify reference period

Specify a reference period from which changes in the CPI will be measured. This is usually a single month (the CPI does not correspond to a specific day or week of the month), or an annual average. There is about a two-week lag from the reference month to the date on which the index is released (that is, the CPI for May is released in mid-June). The CPIs for most metropolitan areas are not published as frequently as are the data for the U.S. City Average and the four regions. Indexes for the U.S. City Average, the four regions, nine divisions, two city-size classes, eight region-by-size classes, and three major metropolitan areas (Chicago, Los Angeles, and New York) are published monthly. Indexes for the remaining 20 published metropolitan areas are available only on a bimonthly basis. Contact BLS for information on the frequency of publication for the 23 metropolitan areas.

State frequency of adjustment

Adjustments are usually made at fixed intervals, such as quarterly, semiannually, or, most often, annually.

Determine adjustment formula

Determine the formula for the adjustment calculation. Usually the change in payments is directly proportional to the percent change in the CPI index between two specified periods. Consider whether to make an allowance for a "cap" that places an upper limit on the increase in wages, rents, etc., or a "floor" that promises a minimum increase regardless of the percent change (up or down) in the CPI.

Provide for revisions

Provide a built-in method for handling situations that may arise because of major CPI revisions or changes in the CPI index base period. The Bureau always provides timely notification of upcoming revisions or changes in the index base.

The CPI and escalation: Some points to consider

The CPI is calculated for two population groups: All Urban Consumers (CPI-U) and Urban Wage Earners and Clerical Workers (CPI-W). The CPI-U represents about 93 percent of the total U.S. population and is based on the expenditures of all families living in urban areas. The CPI-W is a subset of the CPI-U and is based on the expenditures of families living in urban areas who meet additional requirements related to employment; more than one-half of the family's income is earned from clerical or hourly-wage occupations. The CPI-W represents about 29 percent of the total U.S. population.

There can be small differences in movement of the two indexes over short periods of time because differences in the spending habits of the two population groups result in slightly different weighting. The long-term movements in the indexes are similar. CPI-U and CPI-W indexes are calculated using measurement of price changes of goods and services with the same specifications and from the same retail outlets. The CPI-W is used for escalation primarily in blue-collar cost-of-living adjustments (COLAs). Because the CPI-U population coverage is more comprehensive, it is used in most other escalation agreements.

The 23 metropolitan areas for which BLS publishes separate index series are by-products of the U.S. City Average index. Metropolitan area indexes have a relatively small sample size and, therefore, are subject to substantially larger sampling errors. Metropolitan area and other subcomponents of the national indexes (regions, size-classes) often exhibit greater volatility than the national index. BLS recommends that users adopt the U.S. City Average CPI for use in escalator clauses.

The U.S. City Average CPIs are published on a seasonally adjusted basis as well as on an unadjusted basis. The purpose of seasonal adjustment is to remove the estimated effect of price changes that normally occur at the same time and in about the same magnitude every year (e.g., price movements due to the change in weather patterns, holidays, model change-overs, end-of-season sales, etc.). The primary use of seasonally adjusted data is for current economic analysis. In addition, the factors that are used to seasonally adjust the data are updated annually and seasonally adjusted data are subject to revision for up to 5 years after their original release. For these reasons, the use of seasonally adjusted data in escalation agreements is inappropriate.

Escalation agreements using the CPI usually involve changing the base payment by the percent change in the level of the CPI between the reference period and a subsequent period. This is calculated by first determining the index point change between the two periods and then determining the percent change. The following example illustrates the computation of a percent change:

CPI for current period 232.945

Less CPI for previous period	229.815
Equals Index point change	3.130
Divided by previous period CPI	229.815
Equals	0.0136
Result multiplied by 100	0.0136 x 100
Equals percent change	1.4%

The Bureau of Labor Statistics neither encourages nor discourages the use of price adjustment measures in contractual agreements. Also, while BLS can provide technical and statistical assistance to parties developing escalation agreements, we can neither develop specific wording for contracts nor mediate legal or interpretive disputes which might arise between the parties to the agreement.

Additional information may be obtained from the Consumer Price Index Information Office at cpi_info@bls.gov or 202-691-7000. Information on the CPI's overall methodology can be found in [the BLS Handbook of Methods](#).

Last Modified Date: November 25, 2020

U.S. BUREAU OF LABOR STATISTICS Division of Consumer Prices and Price Indexes Suite 3130 2 Massachusetts Avenue NE Washington, DC 20212-0001

Telephone: 1-202-691-7000 www.bls.gov/CPI [Contact CPI](#)

THIS PAGE INTENTIONALLY LEFT BLANK

MARCH 15, 2022

ITEM 4

ATTACHMENT D

CALIFORNIA CONSUMER PRICE INDEX (1955-2021)

ALL ITEMS (1982 - 1984 = 100)

Year	Month	All Urban Consumers	Urban Wage Earners and Clerical Workers
2021	Annual	297.371	288.595 ←
2021	December	306.109	297.426
2021	October	302.793	294.211
2021	August	299.815	291.317
2021	June	297.447	288.784
2021	April	294.274	285.139
2021	February	289.632	280.644
2020	Annual	285.315	275.568 ←
2020	December	287.367	277.885
2020	October	286.843	277.443
2020	August	286.388	276.751
2020	June	284.835	274.921
2020	April	283.006	273.050
2020	February	284.886	274.917
2019	Annual	280.638	270.813
2019	December	282.594	
2019	October	283.901	
2019	August	281.247	
2019	June	280.956	
2019	April	280.275	288.595 +
2019	February	276.655	275.568 -
2018	Annual	272.510	13.027 *
2018	December	274.922	
2018	October	275.686	13.027 ÷
2018	August	273.844	275.568 =
2018	June	272.462	0.0472732683 *
2018	April	271.210	
2018	February	269.247	0.0472732683 ×
2017	Annual	262.802	100. =
2017	December	265.652	4.72732683 *
2017	October	265.472	
2017	August	263.473	0. *
2017	June	262.286	
2017	April	261.850	0. *
2017	February	260.111	
2016	Annual	255.303	240.104
2016	December	256.953	247.411
2016	October	257.836	248.408
2016	August	R/256.097	R/246.735

MARCH 23, 2022

ITEM E-4

ATTACHMENT B

CALIFORNIA CONSUMER PRICE INDEX (1955-2021)

ALL ITEMS (1982 - 1984 = 100)

Year	Month	All Urban Consumers	Urban Wage Earners and Clerical Workers
2021	Annual	297.371	288.595
2021	December	306.109	297.426
2021	October	302.793	294.211
2021	August	299.815	291.317
2021	June	297.447	288.784
2021	April	294.274	285.139
2021	February	289.632	280.644
2020	Annual	285.315	275.568
2020	December	287.367	277.885
2020	October	286.843	277.443
2020	August	286.388	276.751
2020	June	284.835	274.921
2020	April	283.006	273.050
2020	February	284.886	274.917
2019	Annual	280.638	270.813
2019	December	282.594	272.901
2019	October	283.901	274.640
2019	August	281.247	271.221
2019	June	280.956	270.988
2019	April	280.275	270.470
2019	February	276.655	266.682
2018	Annual	272.510	263.048
2018	December	274.922	265.308
2018	October	275.686	266.217
2018	August	273.844	264.506
2018	June	272.462	263.199
2018	April	271.210	261.696
2018	February	269.247	259.566
2017	Annual	262.802	253.244
2017	December	265.652	256.297.4260 +
2017	October	265.472	255.277.8850 -
2017	August	263.473	253.19.5410 *
2017	June	262.286	252
2017	April	261.850	252 19.5410 ÷
2017	February	260.111	250 277.8850 =
2016	Annual	255.303	246 0.0704 *
2016	December	256.953	247
2016	October	257.836	248 0.0704 x
2016	August	R/256.097	R/24 100.0000 =
			7.0400 *

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER
DATE: MARCH 18, 2022



**AGENDA ITEM
F
MARCH 23, 2022**

GENERAL MANAGER'S REPORT

ITEM

Standing report to your Honorable Board -- *Period covered by this report is March 6, 2022 through March 19, 2022.*

DISTRICT BUSINESS

Administrative

The District encourages residents to provide reports of any observed water waste. The District also keeps an accounting of leak adjustments as a measure of non-revenue water lost to leaks as well as tracking late fee waivers. The table below provides February and Calendar Year-to-date data for these items.

OFFICE ACTIVITIES

	<u>Feb 22</u>	<u>Jan 22 - Feb 22</u>
Reports of Water Waste	0	0
Leak Adjustments	2	4
Leak Adjustment Amount	\$1,142	\$2,125
Late Fee Waivers	0	22
Late Fee Waiver Adjustment Amount	\$0	\$758

On January 1, 2022, the District shifted to a monthly billing cycle from a bi-monthly billing cycle. During the first several months of 2022, the District will not be assessing late fees. Once customers are accustomed to the monthly billing cycle, the District will once again assess late fees.

Water Resources

	<u>Feb - 22</u>	<u>Jul 21 - Feb 22</u>
Groundwater Production	61.8	572.2
Supplemental Water Imported	<u>76.6</u>	<u>719.0</u>
Total Production	138.4	1,291.2

The District's total combined production, including groundwater production wells and supplemental water imported through the Joshua Road Pump Station, registered 138.4 AF for the month of February 2022. This amount of demand is higher than the most recent 7-year average (107.5 AF/Month), but not the highest in that same period. In 2018 and 2020, the demand exceeded 140 AF/Month for the month of February.

NCSD GW Reduction

The District's purveyor customers, Golden State Water Company and Woodlands Mutual Water Company, each claim 16.66% (cumulatively 33.33%) of the imported water NCSD brings onto the basin through the NSWP. Of the 1,000 AF minimum imported water from the City of Santa Maria, 333 AF or 33.33% of the total imported water – whichever is greater – will be credited to these two purveyor customers. The credited amount must be added to the District's groundwater pumping total every month to reflect the groundwater pumped by these customers in-lieu of taking imported water from the District. Table 2 below demonstrates the calculus for determining the District's adjusted groundwater pumping reduction.

	Feb-22	Jul 21 – Feb 22
NCSD GW Well Production	61.8	572.2
Purveyor Customer Credit (33.3% of Import Water)	25.5	239.6
NCSD Total Calculated GW Production	87.3	811.8
Average GW Production for 2009-2013	122.0	1,648.7
NCSD Percentage of GW Reduction	28.4%	50.8%

2022 Fiscal Year Groundwater Pumping Forecast

Table 3 projects the District's groundwater pumping reduction for the 2022 Fiscal Year. Under the current Stage 4 of the NMMA Water Shortage Response Stages, the targeted groundwater pumping reduction goal is to pump a total of 1,266 AFY (50% of 2009-2013 average District GW Pumping). July 2021 through February 2022 actual production and March 2021 through June 2021 historic production are combined in this table to provide a projected estimate year end status.

	Feb-22	Year-to-Date Jul-Jun 2022	Target	Over/(Under)	
NCSD GW Well Production	61.8	918.7			
Purveyor Customer Credit (33.3% of Import Water)	25.5	360.8			
NCSD Total Calculated GW Production	87.3	1,279.5	1,266.0	(13)	AcFt
Average GW Production for 2009-2013	122.0	2,533.4	2,533.4		
NCSD Percentage of GW Reduction	28%	49.5%	50.0%		

Table 4. FY 20201 vs. FY 2020 Groundwater Pumping

	Feb-22	Jul 21 -Feb 22	Feb-21	Jul 20-Feb 21
NCSD GW Well Production	61.8	572.2	51.3	670.1
Purveyor Customer Credit (33.3% of Import Water)	25.5	239.6	23.3	237.5
NCSD Total Calculated GW Production	87.3	811.7	74.6	907.6
Average GW Production for 2009-2013	122.0	1,648.7	122.0	1,648.7
NCSD Percentage of GW Reduction	28.4%	50.8%	38.9%	45.0%

Table 4 is showing that even with the current month's significant shortfall, an improving trend towards reducing groundwater pumping is still achievable.

Rainfall Gauge

(Reported in inches)	Nipomo East (Dana Hills Reservoirs)	Nipomo South (Southland Plant)
Feb 2022 Total	0.08	0.07
July-2021 through June-2022 (Season Total)	8.69	6.82
Mar 1, 2022 – Mar 18, 2022	0.00	0.00
Total Rainfall to date	8.77	6.89
County Reported Avg. Ann. Year Rainfall	18.0	14.0
2006 - 2020 Avg. Ann. Year Rainfall*	15.39	13.30
2006 - 2020 Median Ann. Rainfall*	12.64	11.30

*Data from County website

Connection Report

Nipomo Community Services District
Water and Sewer Connections

END OF MONTH REPORT

	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22
Water Connections (Total)	4500	4500										
Sewer Town connections	2726	2726										
Sewer Blacklake connections	559	559										
Subtotal	3285	3285										
Galaxy and PSSH at Orchard and Division Sewer connections billed to the County	480	481										
Sewer Connections (Total)	3765	3766										
New Water Connections	4	0										
New Sewer Connection	4	0										

The Connection Report as of March 4, 2022

Safety Program

No Safety Incidents to Report

Supplemental Water Capacity Accounting

Summary Since January 25, 2008

	Number of Equivalent Meters	AFY
Supplemental Water Available for Allocation	947	500.0
Supplemental Water Reserved (Will Serve Letter Issued)	132	-69.7
Subtotal Net Supplemental Water Available for Allocation	815	430.3
Supplemental Water Assigned (Intent-to-Serve Issued)	177	-93.4
Total Remaining Supplemental Water Available for Allocation	638	336.9

As of March 2, 2022

Other Items

- COVID19 NCSD Response Plan Update [Attachment A]
- Dana Reserve Update – Schedule [Attachment B]

Meetings (March 6 through March 19)

Meetings Attended (telephonically or in person):

- Mar 6, Rotary – Tefft Median Maintenance
- Mar 7, Staff Mtg. - Admin Supervisor Mtg.
- Mar 8, Internal Budget Meeting – Finance Dept.
- Mar 8, Eng/Admin Coordination Meeting
- Mar 9, Rotary
- Mar 9, NCSD Regular Board Meeting
- Mar 9, After-Board Exec. Team Meeting
- Mar 10, LAFCO – Coordination Meeting Dana Res.
- Mar 11, Staff Mtg. - Cust. Service Specialist
- Mar 11, Board Officer Meeting
- Mar 14, American Water Works Assoc. – Exam Prep
- Mar 14, NCSD Management Team Meeting
- Mar 15, NCSD Finance and Audit Comm. Meeting
- Mar 16, Rotary – Presentation
- Mar 16, R. Rossi Blacklake Wastewater Impro.
- Mar 16, Omnistruct – Cybersecurity Provider
- Mar 17, NMMA-TG Meeting

Meetings Scheduled (March 20 through March 26):

Upcoming Meetings (telephonically or in person):

- Mar 21, Staff Mtg. - Admin Supervisor Mtg.
- Mar 22, Eng/Admin Coordination Meeting
- Mar 23, Rotary
- Mar 23, NCSD Regular Board Meeting
- Mar 23, After-Board Exec. Team Meeting
- Mar 24, Clever Ducks – IT Planning Mtg.
- Mar 25, Staff Mtg. - Cust. Service Specialist

Upcoming Water Resource and Other Meetings

Upcoming Standing Meetings:

- NMMA-TG: April 25 (Thursday) @ 10:00 AM, Zoom Meeting
- RWMG: April 6th (Wednesday) @ 10:00 AM, Zoom Meeting
- WRAC: April 6th (Wednesday) @ 1:30 PM, Zoom Meeting
- NMMA Manager's Meeting: April 21st (Thursday) @ 10:00 AM, Zoom Meeting
- NCSD Board Officer Meeting: April 1(Friday) @ 10:00 am, NCSD Conf. Rm.

RECOMMENDATION

Staff seeks direction and input from your Board

ATTACHMENTS

- A. COVID19 - NCSD Response Plan
- B. Dana Reserve Schedule

MARCH 23, 2022

ITEM F

ATTACHMENT A

Date: March 23, 2022 Board Meeting
Response Activities to COVID19 Health Emergency
Prepared by: Mario Iglesias, General Manager

DISTRICT RESPONSE TO COVID-19, Updated March 18, 2022

New Actions

No New Actions

Personnel on Quarantine

Office Personnel: 0

Operational Personnel: 0

Vaccine Update: (No Change)

Ongoing Actions

1. Unvaccinated Employees testing at least once per week
2. Following SLO Co. Masking guidelines (Voluntary for Unvaccinated & Vaccinated)
3. Following Cal/OSHA guidelines
4. Review SLO County EOC Status Reports
5. Face coverings are voluntary when employees are in District Buildings when they are away from their work stations
6. Office Rules for Safe Customer Management – CDC Guidance Enforced

Previous Actions

1. For the Month of September, District Staff Tested 44 times (all negative results)
2. Mask Mandate Requirement Update – As of September 1, 2021, masks must be worn indoors at public facilities.
3. COVID19 Rapid Test Kits secured from SLO County at no cost to provide weekly work-place testing.
4. NCSB Board Passes Resolution Declaring Emergency in District [Res. 2020-1550, Mar. 24, 2020]
5. Admin Office Closed to the Public
 - a. Meetings are virtual – Conference Calls
6. Discontinued: Split staff into two teams
 - a. See schedule on Response Plan
7. Received directions for FEMA Public Assistance – Cost Tracking Guidance
8. Governor's Executive Order – No Water Turn-offs
 - a. District instituted this policy as well as a No Late Fee – No Penalty Fees
9. Wipe-down between shifts
10. Each operator in separate designated vehicle.
11. Received additional PPE. Administration Staff will be on normal schedule 8-4:30 starting Monday May 18th
12. Operations Staff are on normal 7:00 am to 3:30 pm work schedule as of Monday, May 4th. County opened up construction sites.
13. Expanded Customer Service Work to include site visits for investigations (high bills, meter issues) week of May 11
14. Trailers for quarantine have been returned – May 1
15. District to begin wastewater sampling in conjunction with County effort to determine presence of COVID19 in communities – May 11

Date: March 23, 2022 Board Meeting
Response Activities to COVID19 Health Emergency
Prepared by: Mario Iglesias, General Manager

16. Temporary Admin Support Workers brought back to Office (Provider incentivized due to PPP Funds) – June 1
17. Lobby Modifications: Glass is equipped with speaker plates to allow the communication between customer and clerk without opening the sliding window.
18. Board Meetings open to the public.
19. County Offices Continued Closed with Appointments provided to some departments as needed.
20. June 18, 2020, Governor Order issued requiring face masks be worn in public places. District management purchased disposable face masks for staff, Board Members, and any public that attends District Board Meetings and lack a face mask.
21. The customer counter window modifications at the office are completed.
22. Capital Improvement Projects continue to be impacted and schedules for completion continue to be pushed back due to material delivery delays.
23. Administrative Office open to public – April 19, 2021
24. Mask Mandate in SLO County (reinstated on September 1st) will be lifted when:
 - a. The county reaches the yellow, “moderate” level of COVID-19 community transmission, as defined by the Centers for Disease Control and Prevention (CDC), and stay there for at least 10 days, and
 - b. Public Health Officer Dr. Penny Borenstein determines that COVID-19 hospitalizations are low and stable and area hospitals are able to meet the needs of patients.
25. County Health provided COVID19 Rapid Test that will get us through January 2022. NCSO requesting additional tests for February and March. The District has sufficient tests to sustain routine testing practices through January 2022.
26. February 16, 2022, Indoor Mask Mandate Lifted in San Luis Obispo County for vaccinated individuals.

Mask Mandate Status:

- Effective March 1, 2022, the requirement that unvaccinated individuals mask in indoor public settings will move to a strong recommendation that all persons, regardless of vaccine status, continue indoor masking.
- Universal masking shall remain required in specified high-risk settings.
- After March 11, 2022, the universal masking requirement for K-12 and Childcare settings will terminate. CDPH strongly recommends that individuals in these settings continue to mask in indoor settings when the universal masking requirement lifts.

Mask Required at:

- On public transit
- Emergency[8] shelters and cooling and heating centers
- Healthcare settings (applies to all healthcare settings, including those that are not covered by the State Health Officer Order issued on July 26, 2021)
- State and local correctional facilities and detention centers
- Homeless shelters
- Long Term Care Settings & Adult and Senior Care Facilities

MARCH 23, 2022

ITEM F

ATTACHMENT B

DANA RESERVE REVIEW SCHEDULE (AS OF 3/18/2022)

Date	Description	Comment
May 9	Release of EIR	
May 19*	LAFCO Study Session	Suggested: County Lead
June 9	SLO County Planning Comm. Study Session	
June 20	Close Public Comment - EIR	
Q-1 2023	County Board of Supervisors	Accept EIR
Q-2 2023	NCSB Board	Annexation Application
Q-2 2023	LAFCO Review	

*Tentative Schedule – not confirmed.

The above schedule is suggested and drawn from conversations from the County, LAFCO, and the Developer. This schedule is a rough outline and will most likely change over time.