

TO: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER

FROM: PETER V. SEVCIK, P.E. *P.V.S.*  
DIRECTOR OF ENGINEERING  
AND OPERATIONS

DATE: DECEMBER 5, 2014

**AGENDA ITEM  
E-1  
DECEMBER 10, 2014**

**SERVICE REQUEST – 699 WEST TEFFT STREET  
APN 092-577-008  
MIXED USE DEVELOPMENT**

**ITEM**

Consider request for water, sewer and solid waste service (Intent-to-Serve Letter) for mixed use building on APN 092-577-008, 699 West Tefft Street [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE WITH CONDITIONS].

**BACKGROUND**

The District received an application for water, sewer and solid waste service for an additional building on APN 092-577-008, a commercial parcel on the corner of West Tefft Street and Blume Street. The application was submitted by the property owner, Ahmad Mashayekan. The application is for a two story mixed use building (699 Tefft Street) with 2 residential units (1,770 square feet) upstairs and a medical office (2271 square feet) downstairs on the referenced 2.83 acre parcel. District water, sewer and solid waste service is currently provided to the existing 2900 square foot medical building (697 Tefft Street) located on the parcel.

Total water demand for the parcel including the existing building and the new building is estimated to be 1.44 acre-feet per year (AFY). Water demand for the project will be tracked against the 500 AFY supplemental water project allocation that is reserved for new development within the District's existing boundary.

All buildings on the parcel, existing and planned, will be required to obtain District water, sewer and solid waste service in compliance with current District standards.

**FISCAL IMPACT**

Water and sewer capacity fees will be based on the domestic meter size and irrigation meter size requested for the final County approved project as well as CAL FIRE's fire service requirements. Assuming the existing 1 inch domestic water service needs to be upgraded to a 1.5-inch water service, assuming no change is required for the existing 1-inch irrigation water service, and assuming no change is required for the existing 8-inch fire service as well as taking into account the capacity credit for the existing 1-inch domestic water service and associated sewer capacity credit, the estimated fee deposit for the project is \$38,589 based on the District capacity charge schedule that goes into effect on January 1, 2015.

### RECOMMENDATION

Staff recommends that the Board approve the Applicant's request for an Intent-to-Serve letter for the project with the following conditions:

- Project shall obtain solid waste, sewer and water service for all buildings on the parcel.
- The parcel shall be served by a single 1.5-inch meter and backflow assembly for indoor use. Meter capacity charges will be applicable to upgrade the existing 1-inch meter to a 1.5-inch meter.
- The parcel shall be served by a separate single appropriately sized meter and backflow assembly for irrigation use. Meter capacity charges will be applicable if upgrade of existing 1-inch meter is required.
- A single separate appropriately sized fire service and backflow assembly as required by CAL FIRE of SLO County shall be provided for the parcel. CAL FIRE of SLO County must approve the development plans prior to District approval. Fire service capacity charges will be applicable if upgrade of the existing 8-inch fire service is required.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.
- Pay all appropriate District fees associated with this development.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.
- Enter into a Plan Check and Inspection Agreement and provide a deposit.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. A water and sewer master plan review of project impacts may be required by the District.
- Project landscape plan shall incorporate best management water conservation measures and be approved by the District General Manager.
- Any easements required for water and sewer improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private water and sewer laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water and sewer improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:
  - Reproducible "As Built" - A mylar copy and digital format disk (AutoCAD) which includes engineer, developer, tract number and water and sewer improvements
  - Offer of Dedication
  - Engineer's Certification
  - Summary of all water and sewer improvement costs

- Solid waste collection services are mandatory. Applicant shall provide proof that the Project is provided with solid waste removal services in accordance with District regulations.
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than mixed use as defined by the District.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
  - Failure of the Applicant to provide District with written verification that County application for the Project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
  - Three (3) years, from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
    - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
    - Applicant provides proof of reasonable due diligence in processing the Project.
    - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- The District reserves the right to revoke this "Intent-to-Serve" letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

**ATTACHMENTS**

- A. Application

December 10, 2014

E-1

ATTACHMENT A



# NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET  
POST OFFICE BOX 328 NIPOMO, CA 93444 - 0326  
(805) 929-1133 FAX (805) 929-1932  
Website: ncsd.ca.gov

Office use only:  
Date and Time  
Complete  
Application and  
fees received:

## INTENT-TO-SERVE APPLICATION

- This is an application for:  Sewer and Water Service  Water Service Only
- SLO County Planning Department/Tract or Development No.: 2013-03080
- Attach a copy of SLO County application.

*Note: District Intent-to-Serve letters expire eight (8) months from date of issue, unless the project's County application is deemed complete.*

- Project location: 699 W. TREET ST., NIPOMO, CA, 9344
- Assessor's Parcel Number (APN) of lot(s) to be served: 092132011
- Owner Name: DAVID MASHAYOKAN
- Mailing Address: 9850 GARDNER AVE #160, LA JOLLA, CA, 920
- Email: d.mashay@comcast.com
- Phone: 760 835 0720 FAX: 858 622 1811
- Agent's Information (Architect or Engineer):  
Name: MATT CEBULLA  
Address: \_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: 805 473 1298 FAX: 958 - 622 1811

- Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input type="checkbox"/> Multi-family dwelling units
<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Mixed Use (Commercial and Residential)

- Total Number of Dwelling Units 2 Number of Low Income Units \_\_\_\_\_

- Does this project require a sub-division?  Yes  No  
If yes, number of new lots created \_\_\_\_\_

- Site Plan:

For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

All other projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. Water Demand Certification:

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential portion of mixed-use projects.

16. Commercial Projects Service Demand Estimates:

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect. **Please note:** All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. Agreement:

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule

The District will only accept cashier's check or bank wire for the payment of Water Capacity, Sewer Capacity and other related development fees.

Date 8/10/14 Signed *David Mashayek*  
(Must be signed by owner or owner's agent)  
Print Name DAVID MASHAYEK

## WATER DEMAND CERTIFICATION

Supplement to Intent-to-Serve/Will Serve Application

### Definitions

(Please note – these definitions do NOT reconcile with standard SLO County Planning department definitions)

**Multi-family dwelling unit** – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

**Two-family dwelling units (duplex)** – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

**Single-family dwelling unit** – means a building designed for or used to house not more than one family.

**Secondary dwelling units** – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

### Commercial Projects

Commercial projects are exempt from Water Demand Certification; however, low water-use irrigation systems and water conservation best management practices are required. The dwelling component of Mixed-Use projects (e.g. commercial and residential), are required to provide Water Demand Certification for the dwelling unit portion of the project.

### Non-Commercial Projects

Water Demand Certification is required for all non-commercial projects and for the dwelling units of Mixed-Use. Certification must be signed by a licensed Engineer/Architect.

- - - Go to next page for demand calculation and certification - - -

**Demand Calculation (for new dwelling units only)**

Total project water demand (dwelling units including irrigation), by District standard, is as follows:

Number of Multi-family Units	<u>2</u>	X	0.28	=	<u>0.56</u>	
Number of Duplexes/Secondary Units	_____	X	0.28	=	_____	
Number of Single Family Units with:						
Parcel less than 12,768 sq. ft.	_____	X	0.40	=	_____	
Parcel between 12,769 and 25,536 sq. ft.	_____	X	0.68	=	_____	
Parcel greater than 25,536 sq. ft.	_____	X	0.82	=	_____	
Total demand all dwelling units including irrigation					=	_____

→ #2 APARTMENTS and #1 COMMERCIAL OFFICE BUILDING

**Certification**

I the undersigned do hereby certify:

Project design incorporates low water use landscape and landscape irrigation systems.

The design maximum total water demand, including landscaping does not exceed the following:

- 0.28 AFY per Multi-Family Dwelling Unit;
- 0.28 AFY per Dwelling Unit for duplexes and Secondary Dwellings;
- 0.40 AFY per Single Family Dwelling Unit located on a parcel size of twelve thousand seven hundred sixty-eight (12,768) square feet or less;
- 0.68 AFY per Single Family Dwelling Unit located on a parcel size between twelve thousand seven hundred sixty-nine (12,769) and twenty-five thousand five hundred thirty-six (25,536) square feet.
- 0.82 AFY per Single Family Dwelling Unit located on a parcel size that exceeds twenty-five thousand five hundred thirty-six (25,536) square feet.
- Secondary Units – Total water demand for primary and secondary unit shall not exceed 110% of the limitations established for the primary unit.

Note: "AFY" = acre-foot per year  
 Parcel size is net area

Signed *Charles Cobello* Date 8-10-14  
Must be signed by project engineer/architect

Title ARCHITECT License Number C3445

Project 699 W. TEFPT, NIPOMO (e.g. Tract Number, Parcel Map #, APN)





**CEBULLA ASSOCIATES**  
 PROJECT ARCHITECT  
 10000 WILSON AVENUE  
 SUITE 100  
 BELLFLOWER, CA 91710  
 TEL: 714-851-9200  
 FAX: 714-851-9201  
 WWW.CEBULLA.COM

**PROJECT:** MIXED USE DEVELOPMENT  
 10000 WILSON AVENUE  
 BELLFLOWER, CA  
**OWNER:** DAVID MASHAYEKI

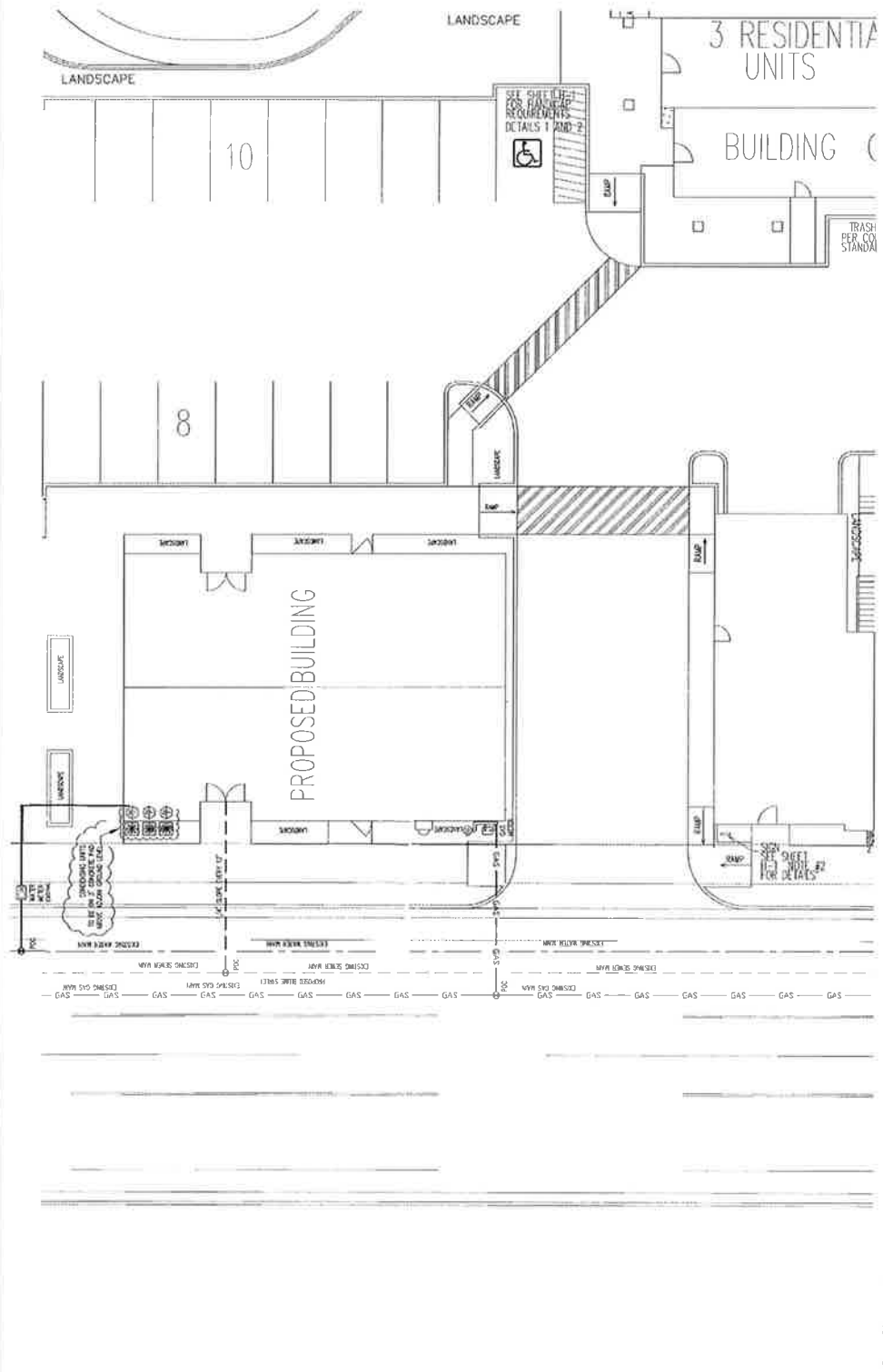
**Julian's Design**  
 formerly P.M.&A.  
 10000 WILSON AVENUE  
 SUITE 100  
 BELLFLOWER, CA 91710  
 TEL: 714-851-9200  
 FAX: 714-851-9201  
 WWW.JULIANSDESIGN.COM

REVISIONS

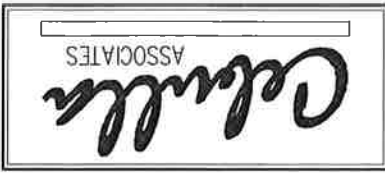
SEE 148040  
 DATE: 05-30-2014  
 SCALE: 1/8" = 1'-0"  
 P1



**Julian's Design**  
 formerly P.M.&A.  
 10000 WILSON AVENUE  
 SUITE 100  
 BELLFLOWER, CA 91710  
 TEL: 714-851-9200  
 FAX: 714-851-9201  
 WWW.JULIANSDESIGN.COM



PLUMBING SITE PLAN  
 SCALE: 1/8" = 1'-0"



**CEBELLA ASSOCIATES**  
 1700 BROADWAY  
 SUITE 200  
 SAN FRANCISCO, CA 94109  
 ARCHITECT: CHARLES CEBELLA  
 DESIGNER: PAUL CEBELLA

**PROJECT:**  
 MIXED USE DEVELOPMENT  
 474 W. TIEFF ST.  
 NIPOMO, CA 93444

**OWNER:**  
 DAVID MASHAYEKAN  
 9650 CENSUSSE AVE  
 SUITE 160  
 LA JOLLA, CA 92037  
 760-635-0720



**REVISIONS:**

REV	DATE	BY
01	04-20-14	CC
02	04-20-14	CC

JOB NO.	1401
DATE	04-20-14
SCALE	1/8" = 1'-0"
SHEET NO.	1

**NOTES:**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE ORDINANCES.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE AND ALL APPLICABLE ORDINANCES.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE AND ALL APPLICABLE ORDINANCES.
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE AND ALL APPLICABLE ORDINANCES.
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE CODE AND ALL APPLICABLE ORDINANCES.
6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA LAND DEVELOPMENT CODE AND ALL APPLICABLE ORDINANCES.
7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ALL APPLICABLE ORDINANCES.
8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA HISTORIC PRESERVATION ACT AND ALL APPLICABLE ORDINANCES.
9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CULTURAL RESOURCES ACT AND ALL APPLICABLE ORDINANCES.
10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-CORRUPTION ACT AND ALL APPLICABLE ORDINANCES.
11. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SLAVORY ACT AND ALL APPLICABLE ORDINANCES.
12. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-TRAFFICKING ACT AND ALL APPLICABLE ORDINANCES.
13. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL HARASSMENT ACT AND ALL APPLICABLE ORDINANCES.
14. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL ASSAULT ACT AND ALL APPLICABLE ORDINANCES.
15. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL OFFENSES ACT AND ALL APPLICABLE ORDINANCES.
16. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL STALKING ACT AND ALL APPLICABLE ORDINANCES.
17. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL STALKING AND HARASSMENT ACT AND ALL APPLICABLE ORDINANCES.
18. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL STALKING AND HARASSMENT ACT AND ALL APPLICABLE ORDINANCES.
19. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL STALKING AND HARASSMENT ACT AND ALL APPLICABLE ORDINANCES.
20. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL STALKING AND HARASSMENT ACT AND ALL APPLICABLE ORDINANCES.

**DEPT CONTROL:**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE ORDINANCES.

2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE AND ALL APPLICABLE ORDINANCES.

3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE AND ALL APPLICABLE ORDINANCES.

4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE AND ALL APPLICABLE ORDINANCES.

5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE CODE AND ALL APPLICABLE ORDINANCES.

6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA LAND DEVELOPMENT CODE AND ALL APPLICABLE ORDINANCES.

7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ALL APPLICABLE ORDINANCES.

8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA HISTORIC PRESERVATION ACT AND ALL APPLICABLE ORDINANCES.

9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CULTURAL RESOURCES ACT AND ALL APPLICABLE ORDINANCES.

10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-CORRUPTION ACT AND ALL APPLICABLE ORDINANCES.

11. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SLAVORY ACT AND ALL APPLICABLE ORDINANCES.

12. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-TRAFFICKING ACT AND ALL APPLICABLE ORDINANCES.

13. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL HARASSMENT ACT AND ALL APPLICABLE ORDINANCES.

14. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL ASSAULT ACT AND ALL APPLICABLE ORDINANCES.

15. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL OFFENSES ACT AND ALL APPLICABLE ORDINANCES.

16. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL STALKING ACT AND ALL APPLICABLE ORDINANCES.

17. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL STALKING AND HARASSMENT ACT AND ALL APPLICABLE ORDINANCES.

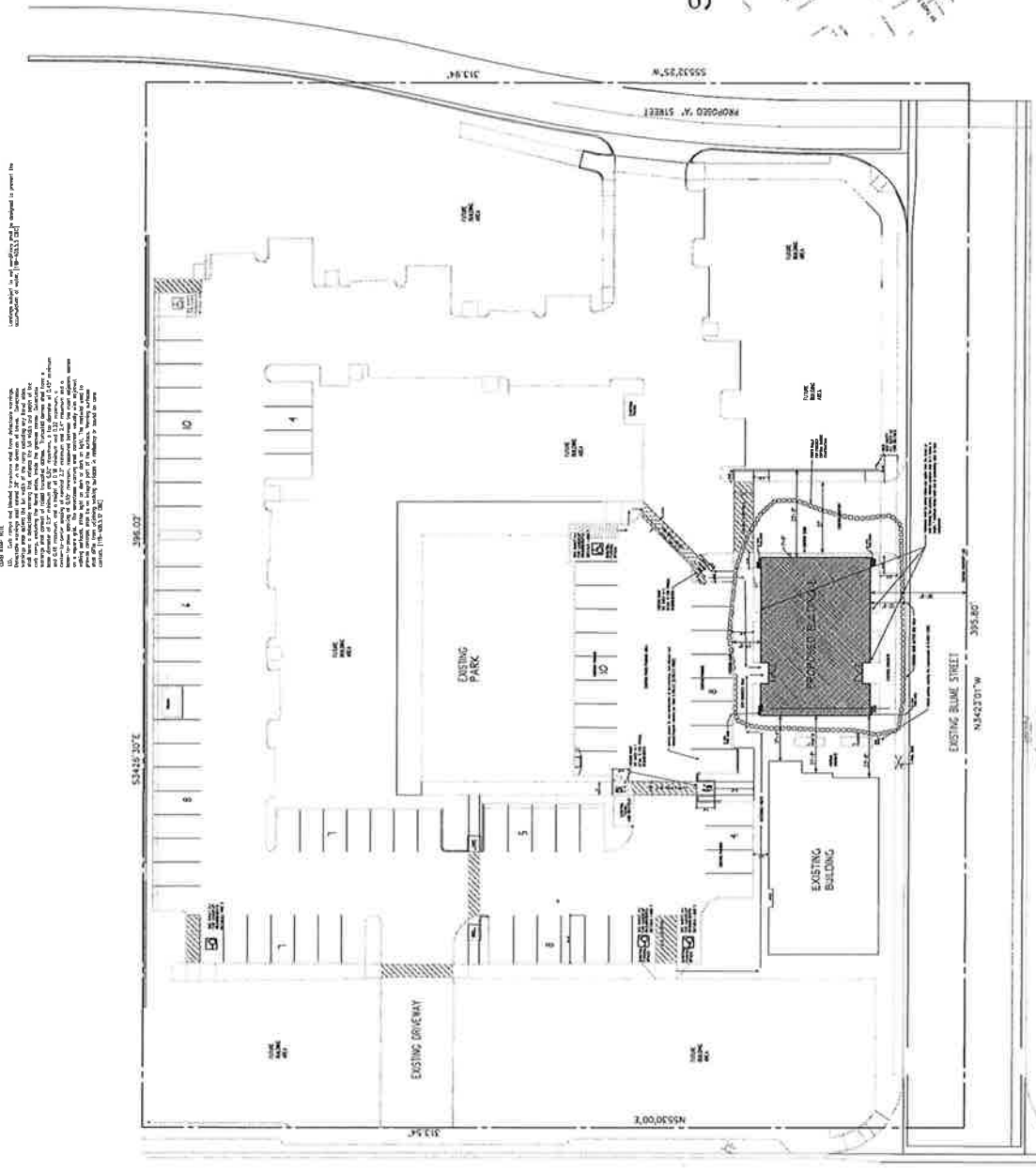
18. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL STALKING AND HARASSMENT ACT AND ALL APPLICABLE ORDINANCES.

19. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL STALKING AND HARASSMENT ACT AND ALL APPLICABLE ORDINANCES.

20. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ANTI-SEXUAL STALKING AND HARASSMENT ACT AND ALL APPLICABLE ORDINANCES.



VICINITY MAP



Finish grade around the structure/addition and slope away from the foundation a minimum of 5% for a minimum distance of 10 feet.

**SITE PLAN**  
**EROSION CONTROL**

SCALE: 1:20

**BUILDING E**

TO: MICHAEL S. LEBRUN  
GENERAL MANAGER

*MSL*

FROM: PETER V. SEVCIK, P.E.  
DIRECTOR OF ENGINEERING  
AND OPERATIONS

*P.V.S.*

DATE: DECEMBER 5, 2014

**AGENDA ITEM  
E-2  
DECEMBER 10, 2014**

**SERVICE REQUEST – 719 WEST TEFFT STREET  
APN 092-577-001  
COMMERCIAL DEVELOPMENT**

**ITEM**

Consider request for water, sewer and solid waste service (Intent-to-Serve Letter) for commercial development on APN 092-577-001, 719 West Tefft Street [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE WITH CONDITIONS].

**BACKGROUND**

The District received an application for water, sewer and solid waste service for a phased commercial development on APN 092-577-001, 719 West Tefft Street, a commercial parcel on the southwest corner of West Tefft Street and Blume Street. The application was submitted by the property owner, William Kengel. The application is for a phased commercial development with a total of three buildings with a total square footage of 1400 square feet on the referenced 1.61 acre parcel. District water is provided to the existing residential unit located on the parcel.

Total water demand for the project at completion of Phase 1 (which the developer has broken up further into Phases 1A, 1B, and 1C) is estimated to be .48 acre-feet per year (AFY). Water demand for the project will be tracked against the 500 AFY supplemental water project allocation that is reserved for new development within the District's existing boundary.

All buildings on the parcel, existing and planned, will be required to obtain District water, sewer and solid waste service in compliance with current District standards.

**FISCAL IMPACT**

Water and sewer capacity fees will be based on the domestic meter size and irrigation meter size requested for the final County approved project as well as CAL FIRE's fire service requirements. Assuming a 1-inch domestic water service, a 1-inch irrigation water service, and a 3-inch fire service as well as taking into account the capacity credit for the existing 1-inch domestic water service and sewer capacity credit, the estimated fee deposit for the project is \$31,126 based on the District capacity charge schedule that goes into effect on January 1, 2015.

## RECOMMENDATION

Staff recommends that the Board approve the Applicant's request for an Intent-to-Serve letter for the project with the following conditions:

- Project shall obtain solid waste, sewer and water service for all buildings on the parcel.
- The parcel shall be served by a single appropriately sized meter and backflow assembly for indoor use. Meter capacity charges will be applicable to upgrade the existing one (1) inch meter to the appropriate size meter if required.
- The parcel shall be served by a separate single appropriately sized meter and backflow assembly for irrigation use. Meter capacity charges will be applicable.
- A single separate appropriately sized fire service and backflow assembly as required by CAL FIRE of SLO County shall be provided for the parcel. CAL FIRE of SLO County must approve the development plans prior to District approval. Fire service capacity charges will be applicable.
- Project will be served by existing water and sewer lines in Blume Street. Sewer connection to Blume Street may require private on-site pump station for project.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.
- Pay all appropriate District fees associated with this development.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval including County approved phasing plan for Phase 1.
- Enter into a Plan Check and Inspection Agreement and provide a deposit.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. A water and sewer master plan review of project impacts may be required by the District.
- Project landscape plan shall incorporate best management water conservation measures and be approved by the District General Manager.
- Any easements required for water and sewer improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private water and sewer laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water and sewer improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:
  - Reproducible "As Builts" - A mylar copy and digital format disk (AutoCAD) which includes engineer, developer, tract number and water and sewer improvements
  - Offer of Dedication
  - Engineer's Certification
  - Summary of all water and sewer improvement costs

- Solid waste collection services are mandatory. Applicant shall provide proof that the Project is provided with solid waste removal services in accordance with District regulations.
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than commercial use as defined by the District.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
  - Failure of the Applicant to provide District with written verification that County application for the Project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
  - Three (3) years, from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
    - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
    - Applicant provides proof of reasonable due diligence in processing the Project.
    - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- The District reserves the right to revoke this "Intent-to-Serve" letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

**ATTACHMENTS**

- A. Application

December 10, 2014

E-2

ATTACHMENT A



# NIPOMO COMMUNITY SERVICES DISTRICT

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

Office use only:  
Date and Time  
Complete  
Application and  
fees received:

RECEIVED

NOV - 7 2014

## INTENT-TO-SERVE APPLICATION

NIPOMO COMMUNITY SERVICES DISTRICT

1. This is an application for:  Sewer and Water Service  Water Service Only *But see attached phasing schedule*
2. SLO County Planning Department/Tract or Development No.: \_\_\_\_\_
3. Attach a copy of SLO County application.

**Note:** District Intent-to-Serve letters expire eight (8) months from date of issue, unless the project's County application is deemed complete.

4. Project location: 719 W. Tefft Nipomo
5. Assessor's Parcel Number (APN) of lot(s) to be served: 092-577-001
6. Owner Name: Mesa Dunes Investments, Inc.
7. Mailing Address: P.O. Box 267 Avila Beach, Ca. 93424
8. Email: wgkfbh@yahoo.com
9. Phone: (805) 929-6288 FAX: (805) 929-1047
10. Agent's Information (Architect or Engineer):  
 Name: William G. Kengel  
 Address: P.O. Box 267 Avila Beach, Ca. 93424  
 Email: wgkfbh@yahoo.com  
 Phone: (805) 929-6288 FAX: (805) 929-1047

11. Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input type="checkbox"/> Multi-family dwelling units
<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

12. Total Number of Dwelling Units 0 Number of Low Income Units 0
13. Does this project require a sub-division?  Yes  No  
If yes, number of new lots created \_\_\_\_\_

14. Site Plan:

**For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:**

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

**All other projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").**

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. **Water Demand Certification:**

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential portion of mixed-use projects.

16. **Commercial Projects Service Demand Estimates:**

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect. **Please note:** All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. **Agreement:**

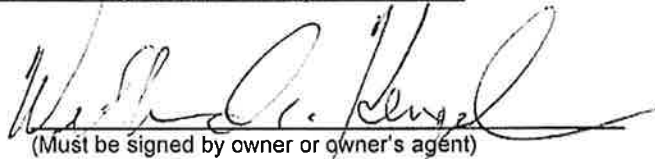
The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....**See Attached Fee Schedule**

The District will only accept cashier's check or bank wire for the payment of Water Capacity, Sewer Capacity and other related development fees.

Date 11/1/2014 Signed

  
(Must be signed by owner or owner's agent)

Print Name William G. Kenzel

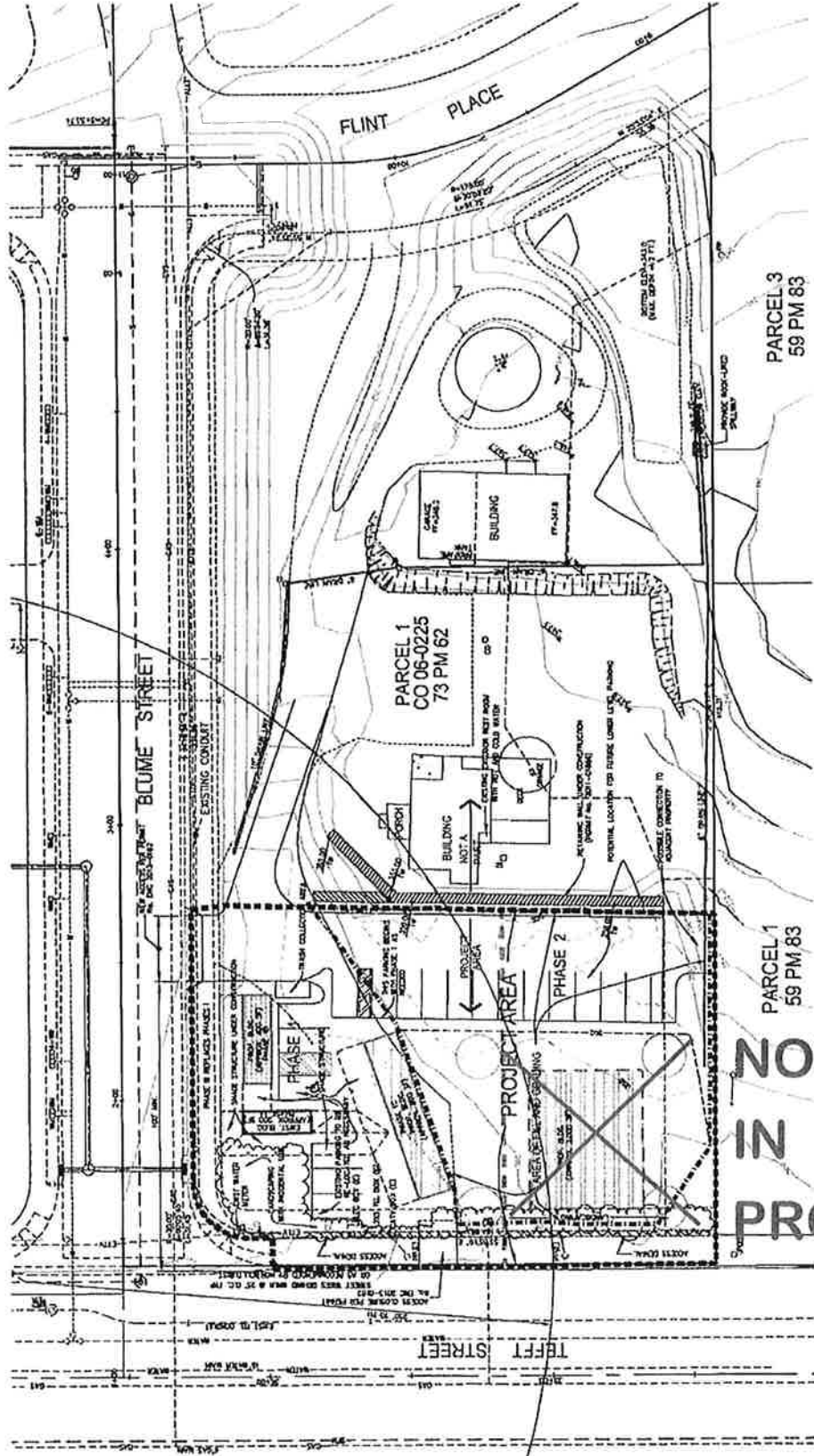


RECEIVED

DEC 03 2014

NIPOMOCOMMUNITY SERVICES DISTRICT

# SITE PLAN PARCEL 1 OF 73 PM 62 NIPOMO, CALIFORNIA



### GENERAL DESCRIPTION

THIS PROJECT IS A PLAZED INDUSTRIAL ZONING PROGRAM IN COMPLIANCE WITH COUNTY GENERAL PLAN REQUIREMENTS. THE PROJECT IS A PLAZED INDUSTRIAL ZONING PROGRAM IN COMPLIANCE WITH COUNTY GENERAL PLAN REQUIREMENTS. THE PROJECT IS A PLAZED INDUSTRIAL ZONING PROGRAM IN COMPLIANCE WITH COUNTY GENERAL PLAN REQUIREMENTS.



Of	P						
DATE	SCALE	BY	CHECK	DATE	BY	CHECK	DATE

## NOT IN PROJECT

100' MIN.

NEW ACCESS  
No. ENC 201

R=20.00'  
Δ=90°05'45"  
L=31.45'

PHASE III REPLACES PHASES I

SHADE STRUCTURE UNDER CONSTRUCTION

PROP. BLDG.  
(APPROX. 400 SF)  
PHASE 1B

EXIST. BLDG.  
(APPROX. 200 SF)  
PHASE 1A

PHASE 1

TRASH COLLECTION AREA

LANDSCAPING  
WITH INCIDENTAL USE

EXISTING PARKING TO BE  
RE-LOCATED AS NECESSARY

SHADE STRUCTURE

LEC BOX (E)

3X5 TEL BOX (E)

CATV BOX (E)

THIS PARKING BEGINS  
WITH PHASE 1 AS  
NEEDED

PHASE 1C  
PROP. BLDG.  
(APPROX. 800 SF)

359.00  
TW

355  
TW

PROJECT AREA

PROJECT AREA

AREA OF ELLIOT FRINGE  
~~NOT IN PROJECT~~

PROP. BLDG.  
(APPROX. 2,000 SF)

PHASE 2

359.00  
TW

ACCESS CLOSURE PER PERMIT  
No. ENC 2013-0162  
STREET TREES BEHIND WALK ● 25' O.C. TYP  
OR AS RECOMMENDED BY HORTICULTURIST

ACCESS DENIAL

PP(E)

55'35" 19" E  
164.99

PP(E)

ACCESS DENIAL

JP(E)

PP(E)

250' TO FH

380

360

358

358

356

354

354

352

## **Project Description** **Including Phasing Schedule & Requests**

DEC 03 2014  
NIPOMO COMMUNITY  
SERVICES DISTRICT

The project location is the southwest corner of Tefft & Blume, It is focused on 24,000 ft<sup>2</sup> of Parcel I of Co 06-0225 leaving about 50,000 ft<sup>2</sup> for future development. Parcel I is within the West Tefft Corridor Plan but is westerly and outside of the Central Business District, the primary focus of the Plan. Zoning is Commercial Retail “mixed use”, described as “Neighborhood Commercial, small supportive uses” with a strong recommendation to include up to 49% of floor area as residential.

There are 3 residential uses on the property at this time totaling about 2,300 ft<sup>2</sup>. They are served by a septic system and a single 1 inch water meter. A fire hydrant on Tefft is close enough to serve Phase I but Phase II may require an additional hydrant about 60 ft from the westerly property line. Three undeveloped water taps 2”, 3” & 6” appx. 210’ south of Tefft on Blume can potentially serve all or some portion of Parcel I.

The project area is at street level but the remaining 50,000 ft<sup>2</sup> is about 15 ft below Blume Street, requiring a future sewage pump unless it is used for sub-level parking as recommended by the WTCP.

The “corridor” of the West Tefft Corridor Plan extends from the CBD (at Rabobank) to Dana Elementary. A listing of “implementation programs” is found on Table 9-1 of the Plan, which was approved on 5/15/2007. Primary improvements within the corridor are to be curb, gutter & sidewalk, undergrounding of power lines and landscaping to beautify Tefft Street. A maximum of 3 years is given in Table 9-1 (2010) to complete this and other work. To date no work of the specific nature has been accomplished and several properties & projects have suffered foreclosure, bankruptcy and other legal & code problems. The WTCP leaves out any practical means of accomplishing desired goals and the expense and location causes lease rates to be far higher than “small supportive business” can afford and survive.

This Project “Phasing Over Time” is a “minor implementation program” on an individually –owned property that amounts to a means to get affordable uses up and operational, returning small but positive lease fees that allow public and other improvements to be made, building up value. It consists of three phases, Phase I, consisting of 3 manufactured commercial coaches as business centers tied together by a continuous shade structure such that the whole

appears as a single building. These coaches are permanent as installed but can be easily removed and used elsewhere.

Phase II is a single small and permanent building, and Phase III requires removal of the Phase I structures and replacement with a permanent building at the Tefft/Blume corner. This process is driven by economics, offering continuous affordability, projects paying for all future public and private improvements.

Key is getting started with Phase I. It demands low front-end capital outlay. This is accomplished by using inexpensive construction techniques and requesting certain expensive improvements be moved to the time of construction of a future building or phase. All agencies approached have found room in codes and requirements to help with this process.

As to NCSD, I am making specific requests as listed below:

- 1.) None of the structures of Phase I (IA, IB, IC) will need water or sewer facilities within the structure. A pre-existing restroom is available exterior to the residence at 719 W. Tefft for "employees only" (probably 2 or 3 persons) and can be used up to a time prior to installation of building IC. A common restroom draining to a manhole at the Tefft/Blume intersection will need to be installed at that time. It must be located so as to serve both Phase I and future Phase III. One full sewer deposit amount has been paid to NCSD.
- 2.) A single 1" water meter serves 3 residential uses and all landscaping on Parcel I. District records indicate water usage over the past two years has been 0.56 ac. ft. per year. New landscaping proposed is native and drought-tolerant species. It is not expected to increase water usage by a significant amount. Request is made to continue using this meter for its historical use; serving existing residential and landscaping needs on the property.
- 3.) As to fire sprinklers, building IC will not need them initially since the area of the building, plus shade structure is 640 ft<sup>2</sup> less than 1,000 ft<sup>2</sup> (see Table 903.1). When buildings IB & IC are installed the areas are additive so sprinklers will need to be installed in all three. A 2 ½" to 3" meter size is necessary, probably taking water from

one of the 3 centrally located water taps on Blume. Request no service for IA initially and minimal buy-in & supplemental fees for fire sprinklers.

- 4.) Finally, request is made to approve an Intent-to-Serve letter for the buildings and phases of this project and the remainder of Parcel I to reflect the fact that amounts of water and sewer service cannot be calculated until uses are determined, buildings are designed and application is made for individual construction permits at SLO County.

TO: MICHAEL S. LEBRUN  
GENERAL MANAGER

*MSL*

FROM: PETER V. SEVCIK, P.E.  
DIRECTOR OF ENGINEERING  
AND OPERATIONS

*PVS*

DATE: DECEMBER 5, 2014

**AGENDA ITEM  
E-3  
DECEMBER 10, 2014**

**SERVICE REQUEST – TRACT 2441  
38 LOT RESIDENTIAL DEVELOPMENT**

**ITEM**

Consider request for water, sewer and solid waste service (Intent-to-Serve Letter) for 38 unit residential development on APN 092-130-049, 676 Grande Avenue [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE WITH CONDITIONS].

**BACKGROUND**

The District received an application for water, sewer and solid waste service for Tract 2441, 676 Grande Avenue, APN 092-130-049. The Applicant, Gray Trust, is requesting water and sewer service for a 38 unit single-family subdivision (based on the District's definition). The proposed 3.8 acre parcel is zoned Residential Multi-Family and is not physically connected to District water or sewer service. All units, existing and planned, will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing agricultural well(s) on the property will not be utilized to provide domestic water service to any part of the Project. A Water Demand Certification is included with the application. The District has previously issued four (4) Intent-to-Serve letters for the Project since 2001 (the latest in December 2010), all of which have expired.

Total water demand for the project is estimated to be 15.2 acre-feet per year (AFY). Water demand for the project will be tracked against the 500 AFY supplemental water project allocation that is reserved for new development within the District's existing boundary.

All parcels will be required to obtain District water, sewer and solid waste service in compliance with current District standards.

**FISCAL IMPACT**

Water and sewer capacity fees will be based on the domestic meter size and irrigation meter size requested for the final County approved project as well as CAL FIRE's fire service requirements. Assuming a 1-inch domestic water service for each parcel and a single 1-inch irrigation water service for the common space lot, the estimated fee deposit for the project is \$722,252 based on the District capacity charge schedule that goes into effect on January 1, 2015.

**RECOMMENDATION**

Staff recommends that the Board approve the Applicant's request for an Intent-to-Serve letter for the project with the following conditions:

- Project shall obtain solid waste, sewer and water service for all residential units in the project.
- Each new parcel shall be served by a single one (1) inch meter and backflow assembly for indoor use and fire sprinkler service, if approved by CAL FIRE of SLO County. Meter capacity charges will be applicable.
- A separate one (1) irrigation meter shall be provided for the new common lot parcel. Irrigation meter capacity charges are applicable.
- CAL FIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges are applicable if dedicated fire service laterals are required.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.
- Pay all appropriate District fees associated with this development.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.
- Enter into a Plan Check and Inspection Agreement and provide a deposit.
- Submit improvement plans in accordance with the current District Standards and Specifications for review and approval. A water and sewer master plan review of project impacts may be required by the District.
- Project landscape plan shall incorporate best management water conservation measures and be approved by the District General Manager.
- Any easements required for water and sewer improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private water and sewer laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water and sewer improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:
  - Reproducible "As Builts" - A mylar copy and digital format disk (AutoCAD) which includes engineer, developer, tract number and water and sewer improvements
  - Offer of Dedication
  - Engineer's Certification
  - Summary of all water and sewer improvement costs
- Solid waste collection services are mandatory. Applicant shall provide proof that the Project is provided with solid waste removal services in accordance with District regulations.
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than residential use as defined by the District.
- Intent-to-Serve letters shall automatically terminate on the first to occur:

- Failure of the Applicant to provide District with written verification that County application for the Project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
- Three (3) years, from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
  - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
  - Applicant provides proof of reasonable due diligence in processing the Project.
  - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- The District reserves the right to revoke this "Intent-to-Serve" letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

**ATTACHMENTS**

- A. Application



December 10, 2014

E-3

ATTACHMENT A



# NIPOMO COMMUNITY SERVICES DISTRICT

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

Office use only:  
Date and Time  
Complete  
Application and  
Fees received:  
**RECEIVED**  
NOV 19 2014

## INTENT-TO-SERVE APPLICATION

NIPOMO COMMUNITY  
SERVICES DISTRICT

- This is an application for:  Sewer and Water Service  Water Service Only
- SLO County Planning Department/Tract or Development No.: Tract 2441 / County # S010354U
- Attach a copy of SLO County application.

**Note:** District Intent-to-Serve letters expire eight (8) months from date of issue, unless the project's County application is deemed complete.

- Project location: 676 Grande Ave (Blume & Grande)
- Assessor's Parcel Number (APN) of lot(s) to be served: 092-130-049
- Owner Name: Gray Trust
- Mailing Address: 1320 Archer Street, San Luis Obispo, CA 93401
- Email: pgray@midstate-cal.com
- Phone: 805-543-1500 FAX: \_\_\_\_\_

- Agent's Information (Architect or Engineer):  
Name: Orton Engineering, Inc.  
Address: 1686 Ramona Ave., Suite F. Grover Beach, CA 93433  
Email: torton@ortonengr.com  
Phone: 805-474-1700 FAX: 805-474-1703

11. Type of Project: (check box) (see Page 3 for definitions)

<input checked="" type="checkbox"/> Single-family dwelling units	<input type="checkbox"/> Multi-family dwelling units
<input type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

- Total Number of Dwelling Units 38 Number of Low Income Units \_\_\_\_\_
- Does this project require a sub-division?  Yes  No  
If yes, number of new lots created 40 (Lot 39 Drainage Basin / Lot 40 Streets)

- Site Plan:  
**For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:**
  - more than four dwelling units
  - property requiring sub-divisions
  - higher than currently permitted housing density
  - commercial developments

**All other projects,** submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. **Water Demand Certification:**

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential portion of mixed-use projects.

16. **Commercial Projects Service Demand Estimates:**

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect. **Please note:** All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. **Agreement:**

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

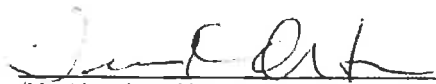
Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule

The District will only accept cashier's check or bank wire for the payment of Water Capacity, Sewer Capacity and other related development fees.

Date 11-19-14

Signed

  
\_\_\_\_\_  
(Must be signed by owner or owner's agent)

Print Name Terence K. Orton

## WATER DEMAND CERTIFICATION

Supplement to Intent-to-Serve/Will Serve Application

### Definitions

(Please note – these definitions do NOT reconcile with standard SLO County Planning department definitions)

**Multi-family dwelling unit** – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

**Two-family dwelling units (duplex)** – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

**Single-family dwelling unit** – means a building designed for or used to house not more than one family.

**Secondary dwelling units** – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

### Commercial Projects

Commercial projects are exempt from Water Demand Certification; however, low water-use irrigation systems and water conservation best management practices are required. The dwelling component of Mixed-Use projects (e.g. commercial and residential), are required to provide Water Demand Certification for the dwelling unit portion of the project.

### Non-Commercial Projects

Water Demand Certification is required for all non-commercial projects and for the dwelling units of Mixed-Use. Certification must be signed by a licensed Engineer/Architect.

- - - Go to next page for demand calculation and certification - - -

**Demand Calculation (for new dwelling units only)**

Total project water demand (dwelling units including irrigation), by District standard, is as follows:

Number of Multi-family Units	_____	X	0.28	=	_____
Number of Duplexes/Secondary Units	_____	X	0.28	=	_____
Number of Single Family Units with:					
Parcel less than 12,768 sq. ft.	38	X	0.40	=	15.2
Parcel between 12,769 and 25,536 sq. ft.	_____	X	0.68	=	_____
Parcel greater than 25,536 sq. ft.	_____	X	0.82	=	_____
Total demand all dwelling units including irrigation				=	15.2

**Certification**

I the undersigned do here by certify:

Project design incorporates low water use landscape and landscape irrigation systems.

The design maximum total water demand, including landscaping does not exceed the following:

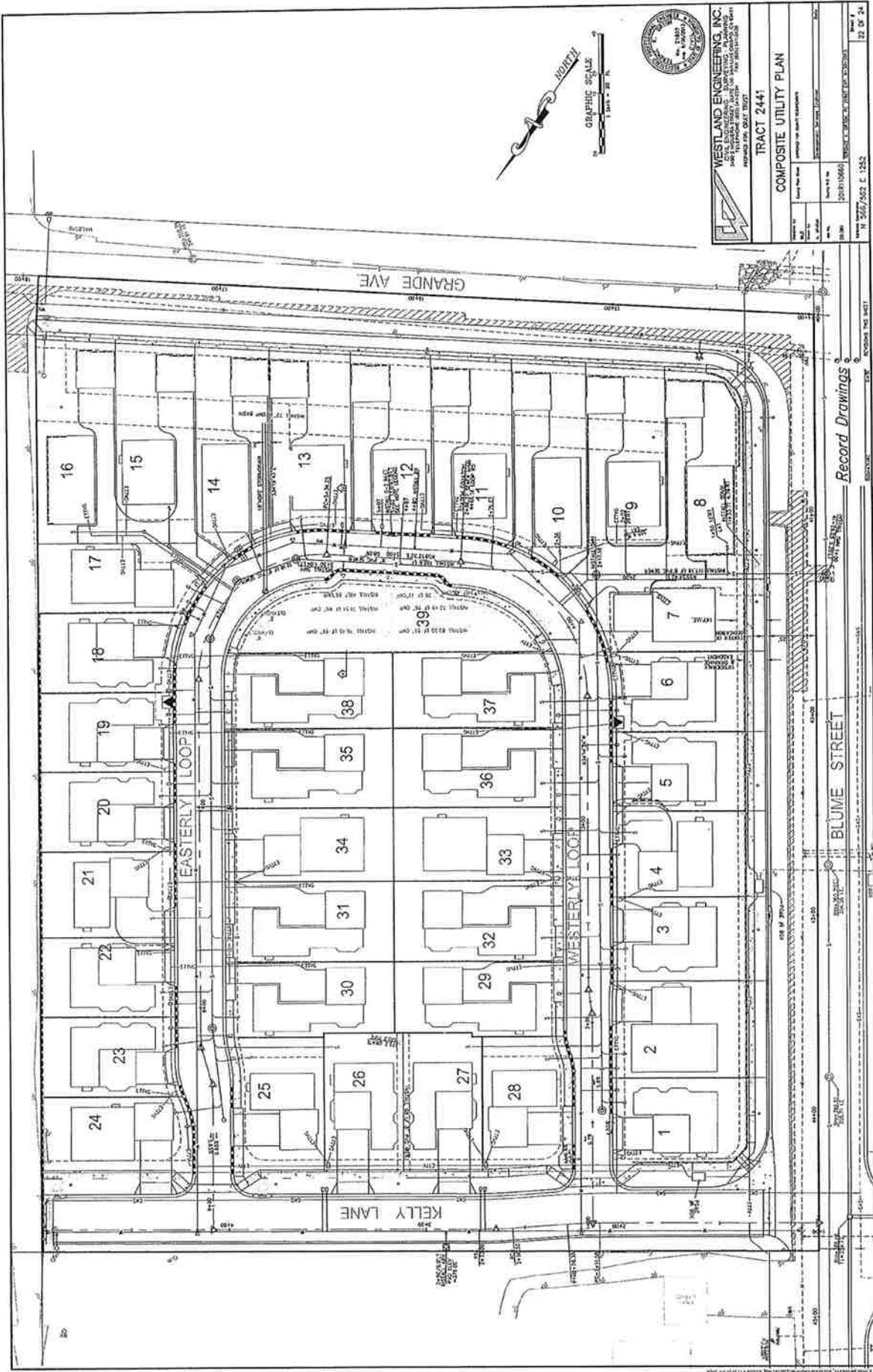
- 0.28 AFY per Multi-Family Dwelling Unit;
- 0.28 AFY per Dwelling Unit for duplexes and Secondary Dwellings;
- 0.40 AFY per Single Family Dwelling Unit located on a parcel size of twelve thousand seven hundred sixty-eight (12,768) square feet or less;
- 0.68 AFY per Single Family Dwelling Unit located on a parcel size between twelve thousand seven hundred sixty-nine (12,769) and twenty-five thousand five hundred thirty-six (25,536) square feet.
- 0.82 AFY per Single Family Dwelling Unit located on a parcel size that exceeds twenty-five thousand five hundred thirty-six (25,536) square feet.
- Secondary Units – Total water demand for primary and secondary unit shall not exceed 110% of the limitations established for the primary unit.

Note: "AFY" = acre-foot per year  
Parcel size is net area

Signed  Date 11-19-14  
Must be signed by project engineer/architect

Title Project Engineer License Number PE 21,807

Project Tract 2441 / APN #092-130-049 (e.g. Tract Number, Parcel Map #, APN)



**WESTLAND ENGINEERING, INC.**  
 1400 WESTLAND DRIVE, SUITE 100, WESTLAND, ILLINOIS 60591  
 PHONE: (708) 439-1100  
 FAX: (708) 439-1101  
 WWW.WESTLAND-ENGINEERING.COM

**TRACT 2441**

**COMPOSITE UTILITY PLAN**

DATE: 08/11/2010  
 DRAWN BY: J. J. [unreadable]  
 CHECKED BY: J. J. [unreadable]  
 PROJECT NO.: 10000000000000000000

SCALE: AS SHOWN  
 SHEET NO.: 12 OF 24

Record Drawings

BLUME STREET

GRANDE AVE

KELLY LANE

TO: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER

FROM: LISA BOGNUDA *LB*  
FINANCE DIRECTOR

DATE: DECEMBER 5, 2014

## AGENDA ITEM

E-4

DECEMBER 10, 2014

### ACCEPT QUARTERLY FINANCIAL REPORT

#### ITEM

ACCEPT QUARTERLY FINANCIAL REPORT [RECOMMEND ACCEPT AND APPROVE]

#### BACKGROUND

As of September 30, 2014, the 2014-2015 Fiscal year is 25% complete. The consolidated operating revenues are 25.73% of budget, operating expenditures are at 21.21% of budget and general and administrative expenditures are at 19.79% of budget.

Attached are the following which provide an overview of the first nine months of the fiscal year:

Page 1	Summary of Approved Budget Amendments
Page 2	Summary of Revenues, Expenses and Cash Balances by Fund
Page 3	Consolidated Balance Sheet
Page 4-5	Consolidated Income Statement
Page 6-7	Graphs for Consolidated Revenues and Expenses
Page 8-10	Graphs for major funds (Water, Town Sewer, and Blacklake Sewer)

Detailed information by fund is available in the office.

#### STRATEGIC PLAN

Goal 4. FINANCE. Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs.

#### RECOMMENDATION

It is recommended that your Honorable Board accept report and direct Staff to file the quarterly financial report for the first quarter of fiscal year 2014-2015.

December 10, 2014

E-4

ATTACHMENT PAGES 1-10



NIPOMO COMMUNITY SERVICES DISTRICT  
SUMMARY OF APPROVED BUDGET AMENDMENTS  
FISCAL YEAR ENDING JUNE 30, 2015

FIRST QUARTER ENDING SEPTEMBER 30, 2014

DATE	DESCRIPTION	FUNDS	APPROVED BUDGET	APPROVED AMENDMENT	AMENDED BUDGET
	<b>None</b>				

NIPOMO COMMUNITY SERVICES DISTRICT  
SUMMARY OF REVENUES AND EXPENSES BY FUND  
THREE MONTHS ENDING SEPTEMBER 30, 2014

FUND	FUND #	YTD REVENUES	YTD EXPENSES	FUNDED REPLACEMENT	YTD SUPRLUS/ (DEFICIT)
Administration	110	104,052	(104,052)	0	0
Water	125	1,172,941	(572,268)	(141,500)	459,173
Water Rate Stabilization	128	240	0	0	240
Town Sewer	130	489,638	(205,896)	(98,750)	184,992
Town Sewer Rate Stabilization	135	180	0	0	180
Blacklake Sewer	150	83,698	(69,184)	(42,000)	(27,486)
BL Sewer Rate Stabilization	155	30	0	0	30
Blacklake Street Lighting	200	844	(5,644)	0	(4,800)
Street Landscape Maintenance	250	12	(1,892)	0	(1,880)
Solid Waste	300	19,544	(15,494)	0	4,050
Drainage Maintenance	400	427	0	0	427
Supplemental Water Capacity Fees	500	4,817	(64,155)	0	(59,338)
Property Taxes	600	15,160	(21,824)	0	(6,664)
Water Capacity Fees	700	988	0	0	988
Town Sewer Capacity Fees	710	171	0	0	171
Funded Replacement-Water	805	3,017	0	141,500	144,517
Funded Replacement-Town Sewer	810	1,116	0	98,750	99,866
Funded Replacement-BL Sewer	830	281	0	42,000	42,281
Town Sewer Sinking Fund	880	955	0	0	955
TOTAL		1,898,111	(1,060,409)	0	837,702

CASH BALANCE OF EACH FUND  
AS OF SEPTEMBER 30, 2014

FUND	FUND #	CASH BALANCE 9/30/2013
Administration	110	63,594
Water	125	1,921,225
Water Rate Stabilization	128	401,622
Town Sewer	130	609,426
Town Sewer Rate Stabilization	135	301,471
Blacklake Sewer	150	257,842
BL Sewer Rate Stabilization	155	50,203
Blacklake Street Lighting	200	25,136
Street Landscape Maintenance	250	18,445
Solid Waste	300	417,951
Drainage Maintenance	400	32,953
Supplemental Water	500	5,563,215
Property Taxes	600	277,228
Water Capacity Fees	700	1,591,991
Town Sewer Capacity Fees	710	286,334
Funded Replacement-Water	805	5,044,562
Funded Replacement-Town Sewer	810	1,825,341
Funded Replacement-BL Sewer	830	485,479
Sinking Fund-Town Sewer	880	1,596,398
Funds held by Trustee		1,832,193
TOTAL		22,602,609

NIPOMO COMMUNITY SERVICES DISTRICT  
BALANCE SHEET - CONSOLIDATED  
AS OF SEPTEMBER 30, 2014

ASSETS  
-----

Cash and Cash Equivalents	22,602,609.59
Accounts Receivable - Utility Billing	315,251.21
Unbilled Accounts Receivable	869,000.00
Property, Plant & Equipment	79,127,910.16
Accumulated Depreciation	(17,950,305.72)
Prepaid Expenses	63,198.59
Accrued Interest Receivable	12,467.91
Receivable - Other	2,200,000.00
Notes Receivable - BL Sewer - Current	20,984.53
Notes Receivable - BL Water Merger - Current	22,476.22
Reservation Fee	37,500.00
Notes Receivable - BL Sewer - Long Term	87,580.00
Notes Receivable - BL Water Merger - Long Term	96,943.15

Total Assets 87,505,615.64

LIABILITIES  
-----

Accounts Payable	884,857.54
Other Payables	7,600.00
Refunds Payable	738.13
Construction Meter Deposits	500.00
Compensated Absences Payable	77,322.00
Accrued Interest Payable	30,941.98
Deposits	229,154.57
P/R Tax and Workers Comp Payable	(3,065.06)
Retention Payable	14,071.88
Deposit - NMWCA	354,300.00
Deposits	296,057.55
Bond Premium - 2012 Revenue COP's	69,974.29
Bond Premium - 2013 Refunding	213,672.98
Notes Payable - Property Tax Fund - Current	20,984.53
Notes Payable - BL Water Merger - Current	22,476.22
SRF Loan #110 - Current Portion	34,868.35
SRF Loan #120 - Current Portion	42,180.25
2012 Revenue COP's - Current Portion	145,000.00
2013 Refunding Bonds - Current Portion	100,000.00
2013 Revenue COP's - Current Portion	135,000.00
Notes Payable - Property Tax Fund - Long Term	87,580.00
Notes Payable - BL Water Merger - Long Term	96,943.15
SRF Loan #110 Payable - Long Term Portion	139,473.40
SRF Loan #120 Payable - Long Term Portion	210,901.25
2012 Revenue COP's - Long Term Portion	9,345,000.00
2013 Refunding - Long Term Portion	2,645,000.00
2013 COP's - Long Term Portion	9,390,000.00

Total Liabilities 24,591,533.01

FUND EQUITY  
-----

Contributed Capital - Assets	14,759,310.78
Contributed Capital - Capacity Fees (CY)	3,507.00
Contributed Capital - Capacity Fees (PY)	17,852,213.37
Contributed Capital - Supplemental Water Fees (PY)	3,901,240.13
Contributed Capital - Right of Way	70,100.00
Contributed Capital - Assessment Districts	1,086,429.00
Contributed Capital - Grants	4,411,363.66
Retained Earnings - Reserved (Funded Replacement)	12,804,952.00
Retained Earnings - Unreserved	7,187,263.97
CURRENT EARNINGS	837,702.72

Total Fund Equity 62,914,082.63

Total Liabilities and Fund Equity 87,505,615.64

UNAUDITED

NIPOMO COMMUNITY SERVICES DISTRICT  
 INCOME STATEMENT - CONSOLIDATED  
 FOR THE PERIOD ENDING SEPTEMBER 30, 2014

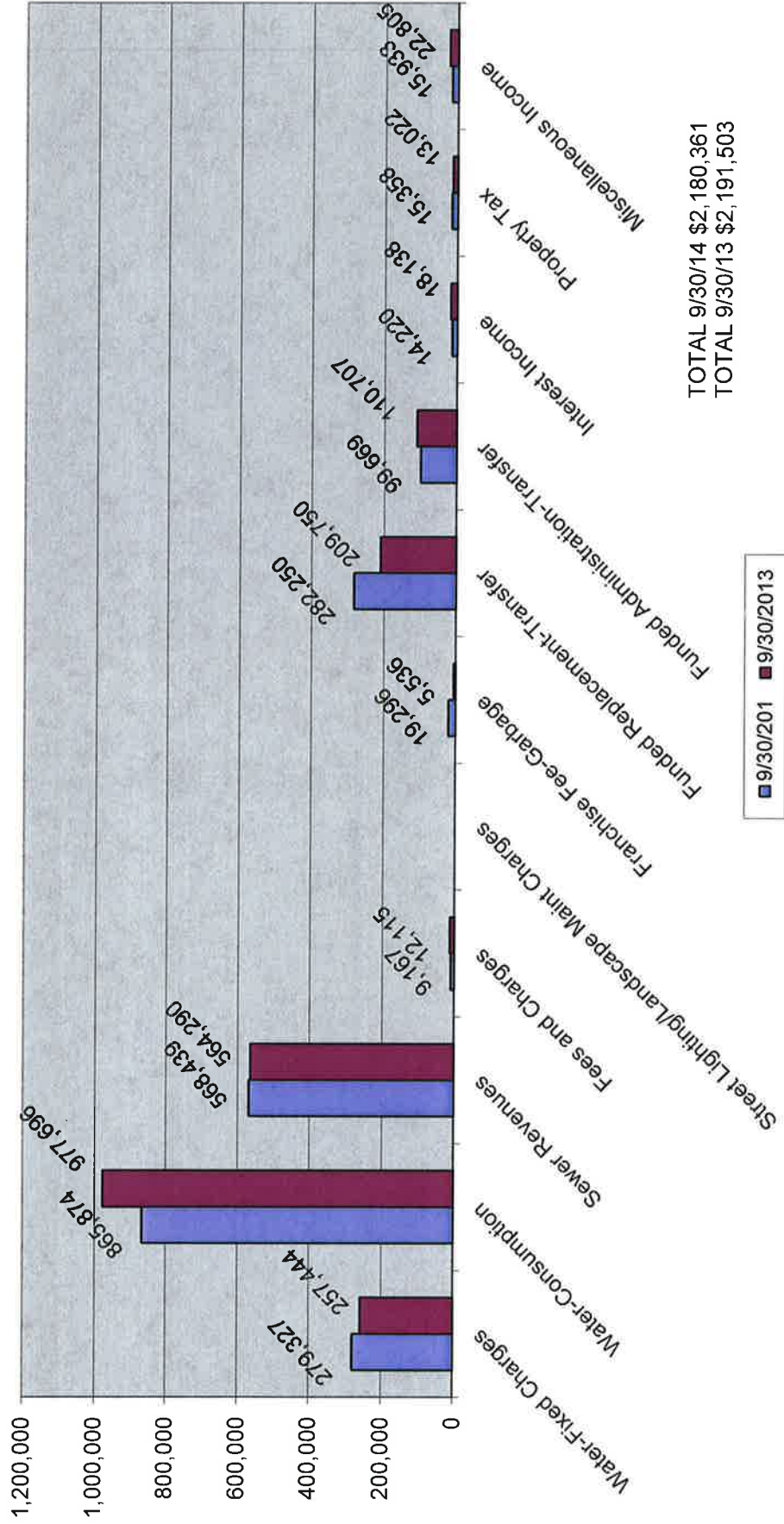
	YTD ACTUAL	ANNUAL BUDGET	% OF BUDGET
<u>OPERATING REVENUES</u>			
Water - Fixed Charge	279,327.25	1,009,000.00	27.68 %
Water - Usage	865,873.61	3,130,700.00	27.66 %
Sewer Charges	568,439.49	2,312,500.00	24.58 %
Fees and Penalties	9,167.21	43,000.00	21.32 %
Meters	0	13,750.00	.00 %
Plan Check & Inspection Fees	0	500.00	.00 %
Franchise Fees	19,296.07	143,000.00	13.49 %
Miscellaneous Income	17,591.92	46,000.00	38.24 %
Street Lighting Charges	828.00	24,508.00	3.38 %
Landscape Maintenance Dist Charges	0	9,240.00	.00 %
Operating Transfers In - Funded Administration	99,668.92	463,960.00	21.48 %
Operating Transfers In - Funded Replacement	282,249.96	1,129,000.00	25.00 %
<b>Total Operating Revenues</b>	<b>2,142,442.43</b>	<b>8,325,158.00</b>	<b>25.73 %</b>
<u>OPERATING EXPENSES - OPERATIONS &amp; MAINTENANCE</u>			
Wages and Benefits	194,297.20	1,223,100.00	15.89 %
Electricity	184,599.65	639,650.00	28.86 %
Chemicals	15,570.45	86,000.00	18.11 %
Lab Tests	25,074.84	97,000.00	25.85 %
Operating Supplies	14,262.86	62,000.00	23.00 %
Outside Services	33,087.27	153,000.00	21.63 %
Permits and Operating Fees	3,286.50	33,500.00	9.81 %
Repairs and Maintenance	39,765.49	250,500.00	15.87 %
Engineering	660.00	20,000.00	3.30 %
Fuel	5,609.42	33,000.00	17.00 %
Paging Service	1,141.26	9,000.00	12.68 %
Meter Replacement Program	0	50,000.00	.00 %
Safety Program	1,000.00	11,000.00	9.09 %
Uniforms	2,250.11	10,600.00	21.23 %
Landscape Maintenance & Water	1,861.99	7,200.00	25.86 %
Conservation Program	16,272.68	50,000.00	32.55 %
Solid Waste Program	9,385.15	50,000.00	18.77 %
Operating Transfers Out - Funded Replacement	282,249.96	1,129,000.00	25.00 %
<b>Subtotal - Operating Expenses Operations &amp; Maint</b>	<b>830,374.83</b>	<b>3,914,550.00</b>	<b>21.21 %</b>
<u>OPERATING EXPENSES - GENERAL AND ADMINISTRATIVE</u>			
Wages and Benefits	145,105.98	629,850.00	23.04 %
Audit	0	7,800.00	.00 %
Bank Charges and Fees	1,784.31	8,900.00	20.05 %
Computer Expense	15,072.30	90,000.00	16.75 %
Dues and Subscriptions	1,382.94	14,000.00	9.88 %
Education and Training	2,339.00	14,000.00	16.71 %
Elections	0	10,000.00	.00 %
Insurance - Liability	17,502.09	64,500.00	27.14 %
IAFCO Funding	22,624.73	22,000.00	102.84 %
Landscape and Janitorial	2,970.00	14,500.00	20.48 %
Legal - General Counsel	17,425.45	125,000.00	13.94 %
Legal - Water Counsel	2,172.50	169,000.00	1.29 %
Professional Services	35,028.60	215,000.00	16.29 %
Miscellaneous	2,037.54	8,500.00	23.97 %

NIPOMO COMMUNITY SERVICES DISTRICT  
 INCOME STATEMENT - CONSOLIDATED  
 FOR THE PERIOD ENDING SEPTEMBER 30, 2014

	YTD ACTUAL	ANNUAL BUDGET	% OF BUDGET
Newsletters & Mailers	1,360.03	14,000.00	9.71 %
Office Supplies	4,323.48	15,000.00	28.82 %
Outside Service	10,630.10	28,250.00	37.63 %
Postage	5,492.63	25,000.00	21.97 %
Public Notices	1,296.33	14,150.00	9.16 %
Repairs and Maintenance	3,358.86	20,000.00	16.79 %
Property Taxes	0	1,600.00	.00 %
Telephone	1,968.82	10,100.00	19.49 %
Travel and Mileage	713.46	12,500.00	5.71 %
Utilities	4,947.33	20,000.00	24.74 %
Operating Transfer Out - Funded Administration	99,668.92	463,960.00	21.48 %
Subtotal - Operating Expenses General & Admin	399,205.40	2,017,610.00	19.79 %
Total Operating Expenses	1,229,580.23	5,932,160.00	20.73 %
Total Operating Surplus/(Deficit)	912,862.20	2,392,998.00	38.15 %
<b>NON OPERATING INCOME</b>			
Interest Income	14,220.39	76,235.00	18.65 %
Property Tax Revenues	15,357.62	518,940.00	2.96 %
BL Sewer Surcharge	4,112.12	24,480.00	16.80 %
BL Water Surcharge	4,229.85	25,779.00	16.41 %
Total Non Operating Income	37,919.98	645,434.00	5.88 %
<b>NON OPERATING EXPENSES</b>			
Interest Expense	84,479.42	893,484.00	9.46 %
Other Post Employment Benefits (OPEB)	28,600.00	110,000.00	26.00 %
Total Non Operating Expenses	113,079.42	1,003,484.00	11.27 %
Total Non Operating Surplus/(Deficit)	(75,159.44)	(358,050.00)	20.99 %
Total Operating & Non Operating Surplus/(Deficit)	837,702.76	2,034,948.00	41.17 %

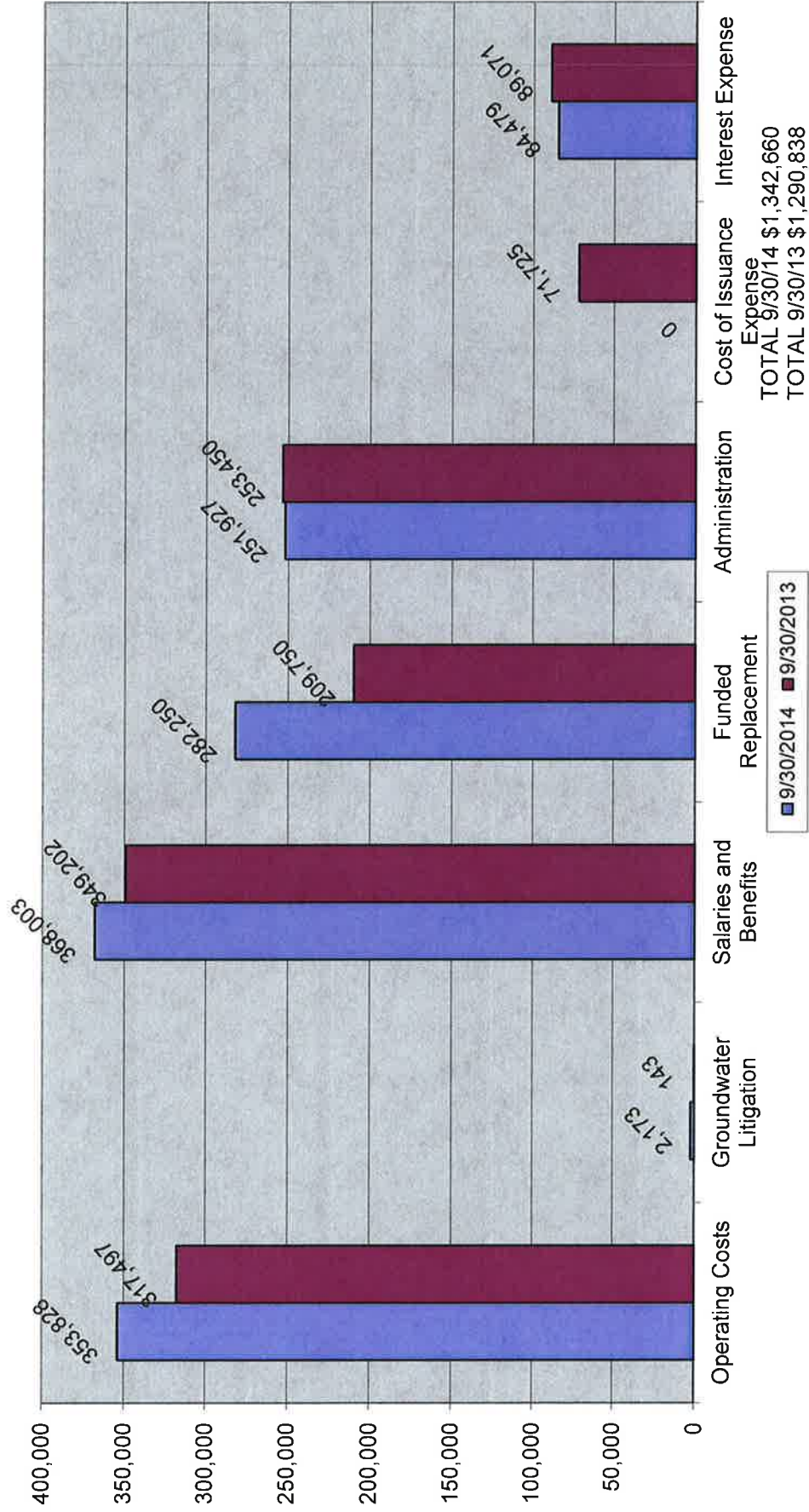
UNAUDITED

**NIPOMO COMMUNITY SERVICES DISTRICT  
 COMBINED REVENUES FOR ALL FUNDS  
 THREE MONTHS ENDED  
 SEPTEMBER 30, 2014 AND SEPTEMBER 30, 2013**

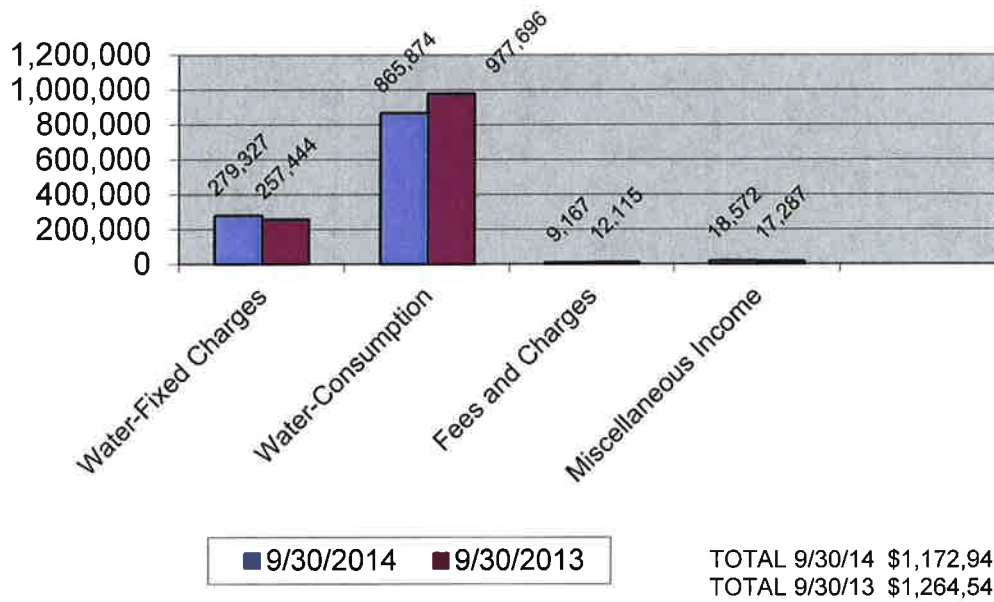


TOTAL 9/30/14 \$2,180,361  
 TOTAL 9/30/13 \$2,191,503

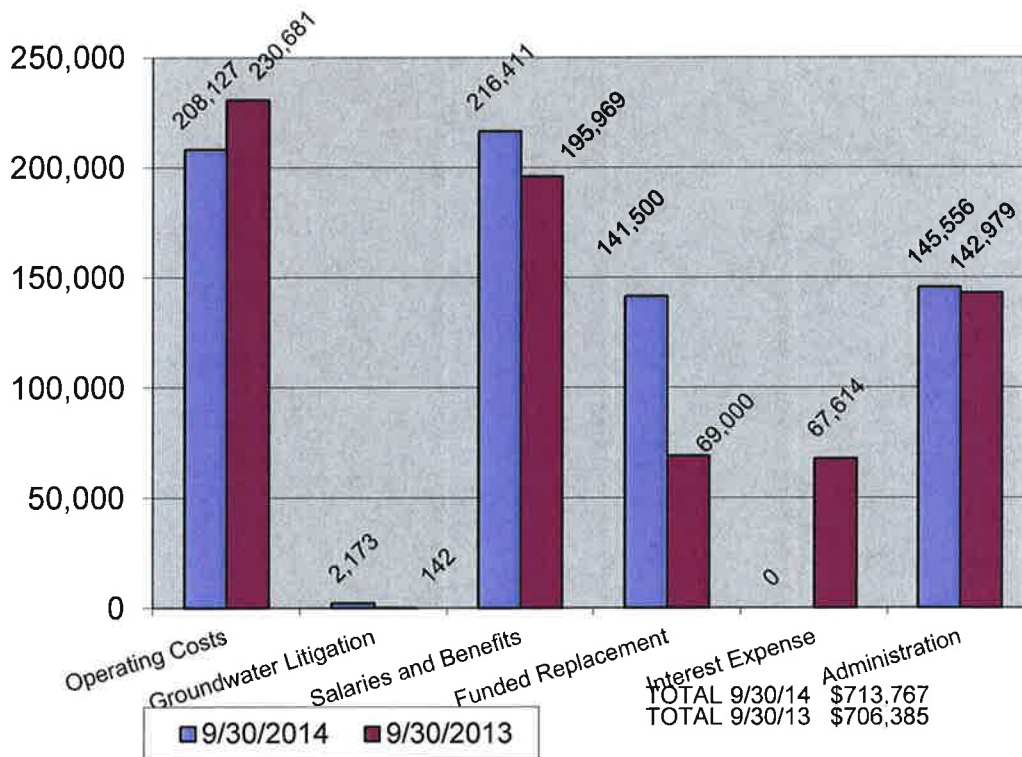
**NIPOMO COMMUNITY SERVICES DISTRICT  
 COMBINED EXPENDITURES FOR ALL FUNDS  
 THREE MONTHS ENDED  
 SEPTEMBER 30, 2014 AND SEPTEMBER 30, 2013**



**NIPOMO COMMUNITY SERVICES DISTRICT  
WATER FUND #125  
REVENUES-SEPTEMBER 30, 2014 AND SEPTEMBER 30, 2013**

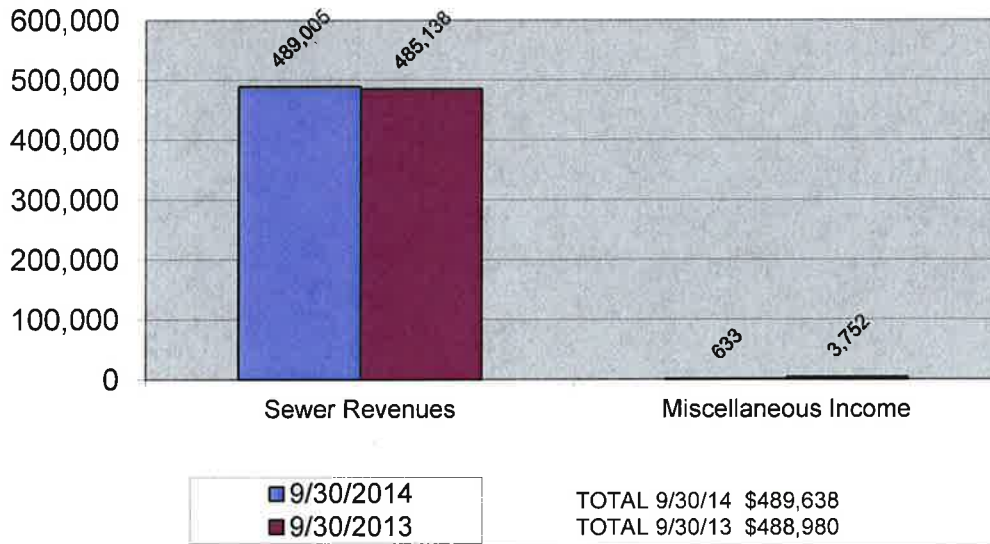


**NIPOMO COMMUNITY SERVICES DISTRICT  
WATER FUND #125  
EXPENDITURES-SEPTEMBER 30, 2014 AND SEPTEMBER 30, 2013**

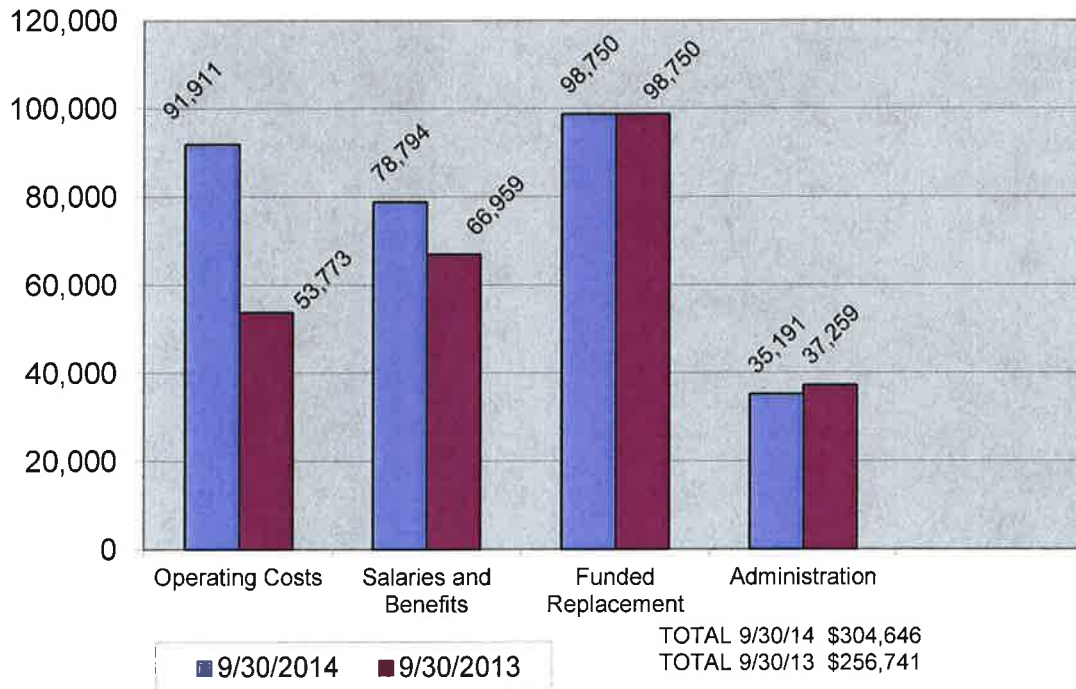




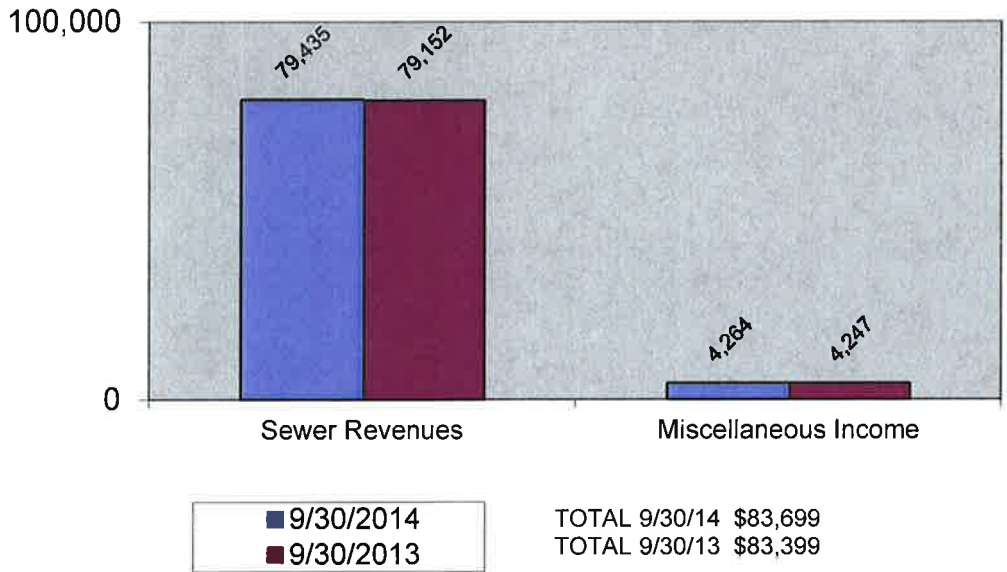
**NIPOMO COMMUNITY SERVICES DISTRICT  
TOWN SEWER FUND #130  
REVENUES-SEPTEMBER 30, 2014 AND SEPTEMBER 30, 2013**



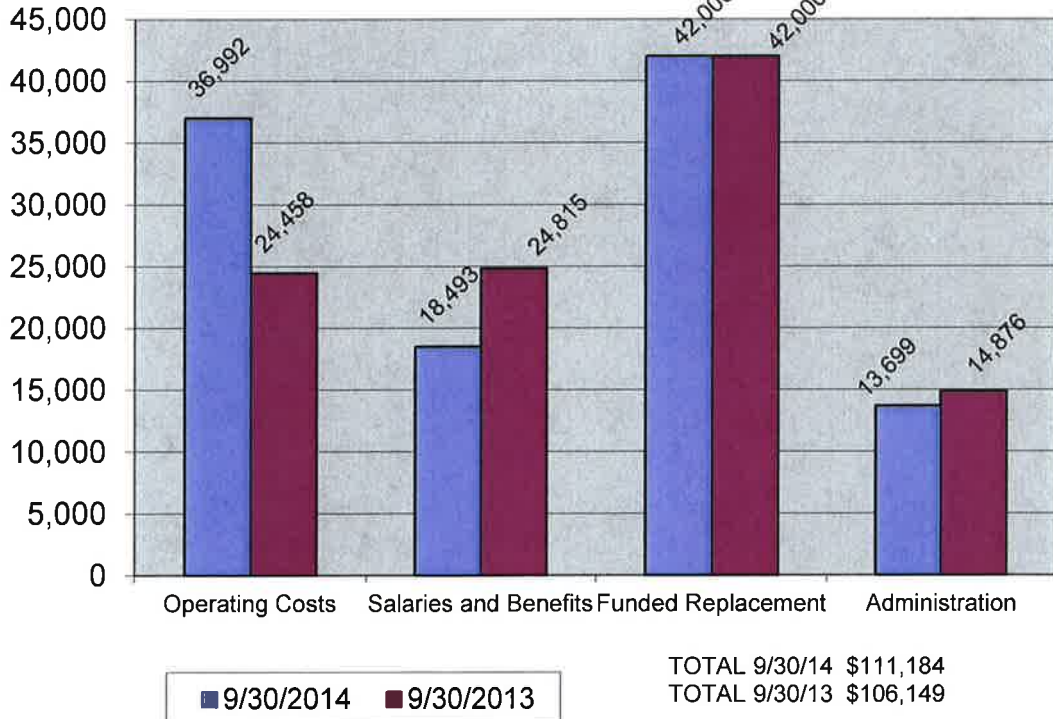
**NIPOMO COMMUNITY SERVICES DISTRICT  
TOWN SEWER FUND #130  
EXPENDITURES-SEPTEMBER 30, 2014 AND SEPTEMBER 30, 2013**



**NIPOMO COMMUNITY SERVICES DISTRICT  
BLACKLAKE SEWER FUND #150  
REVENUES-SEPTEMBER 30, 2014 AND SEPTEMBER 30, 2013**



**NIPOMO COMMUNITY SERVICES DISTRICT  
BLACKLAKE SEWER FUND #150  
EXPENDITURES-SEPTEMBER 30, 2014 AND SEPTEMBER 30, 2013**



TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN. *MSL*  
GENERAL MANAGER  
DATE: DECEMBER 5, 2014

**AGENDA ITEM  
E-5  
DECEMBER 10, 2014**

**RECEIVE FALL GROUNDWATER INDEX PRESENTATION  
BY BRAD NEWTON, Ph.D, PG OF NEWTON GEO-HYDROLOGY  
CONSULTING SERVICES, LLC**

**ITEM**

Presentation of the fall groundwater index for the Nipomo Mesa area. [RECOMMEND RECEIVE REPORT]

**BACKGROUND**

Doctor Brad Newton will review recent work to update the Ground Water Index and will provide a presentation of the fall 2014 Ground Water Index reading.

Doctor Newton's report and the Ground Water Index is an independent work product of the District and is not reviewed by the Nipomo Mesa Management Area Technical group.

**FISCAL IMPACT**

Funds for preparation of this report are included in the FY 2014-15 Budget.

**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.

- 1.6 Continue to monitor and participate in water supply issues and programs with other local and regional organizations

**RECOMMENDATION**

Staff recommends that the Board receive the Report and give direction to staff.

**ATTACHMENTS**

- A. Technical Memo #XX Fall 2014 Groundwater Index

December 10, 2014

E-5

ATTACHMENT A



1 **TECHNICAL MEMORANDUM**

2  
 3 **TO:** Michael LeBrun, General Manager NCSD  
 4 **FROM:** Brad Newton, Ph.D., P.G.  
 5 **RE:** Technical Memorandum #30 - Fall 2014 Ground Water Index and Hydrologic  
 6 Inventory Analysis  
 7 **DATE:** December 5, 2014

8 **INTRODUCTION**

9 Groundwater surface elevations (GSE) underlying the Nipomo Mesa are regularly  
 10 measured at many places (wells) across the mesa. The Fall 2014 Ground Water Index (GWI) has  
 11 been computed from GSE and presented herein along with historical GWI from 1975 to present  
 12 based on these groundwater surface elevation measurements collected during spring and fall  
 13 across the Nipomo Mesa. Limited measurements of GSE were available for the years 1982,  
 14 1983, 1984, 1994 and 1997, thus precluding a reliable calculation of GWI for those years.

15 An alternate approach to estimate how much water is available in storage has been  
 16 evaluated, and related to the GWI. This water balance approach inventories hydrologic  
 17 processes and ranks each by determining its correlation to the GWI. The following water  
 18 balance equations were presented in a simplified form at the August 13, 2014 NCSD Board of  
 19 Directors meeting:

20 **Land Surface Water Balance**

21 
$$R = R_u + I_r + E,$$

22 
$$P = I_p,$$

23 
$$I_{tot} = I_r + I_p = R + P, \text{ when } R_u \text{ and } E \text{ assumed to equal zero,}$$

24 **Soil Profile Water Balance**

25 
$$\Delta S_s = I_{tot} - CU - Re,$$

26 Substituting for "I<sub>tot</sub>" and rearranging yields,

27 
$$Re = R + P - CU - \Delta S_s;$$

28 **Aquifer Water Balance**

29 
$$\Delta S_{gw} = Re + F_{in} - F_{out} - P,$$

30 Substituting for "Re",

31 
$$\Delta S_{gw} = R - CU - \Delta S_s + F_{in} - F_{out}$$

32 **Summary Water Balance**

33 
$$GWI \cong \Delta S_{gw} = R - CU - \Delta S_s + F_{in} - F_{out},$$

TO: Michael LeBrun, GM NCSD  
RE: Fall 2014 GWI  
DATE: December 5, 2014  
Page 2 of 9

1 where:  
2 R = Rainfall (measured),  
3  $R_u$  = Runoff (assumed zero),  
4 E = Evaporation from surface (assumed zero)  
5  $I_r$  = Infiltration of Rainfall (calculated from water balance),  
6  $I_p$  = Infiltration of Pumped Water (calculated from water balance),  
7 CU = Consumptive Use (calculated from land use and climate),  
8  $\Delta S_s$  = Change in Soil Storage (calculated from I, CU, and soil properties),  
9  $R_e$  = Recharge (calculated from  $I_{tot}$  and  $\Delta S_s$ ),  
10  $\Delta S_{gw}$  = Change in Ground Water (calculated from water balance),  
11  $F_{in}$  = Ground Water Flow In (calculated from groundwater gradients and  
12 stratigraphy),  
13  $F_{out}$  = Ground Water Flow Out (calculated from groundwater gradients and  
14 stratigraphy),  
15 P = Pumped Water (measured).  
16

17 **The Nipomo Mesa Management Area (NMMA) Technical Group (TG) has not**  
18 **reviewed this technical memorandum, its findings, or any presentation of this evaluation.**  
19

## 20 RESULTS

21 The Fall 2014 GWI is 47,140 AF, and is the second year of low Fall values (Table 1, Figure  
22 1), and follows the lowest Spring 2014 GWI on record. The 2013 Water Year (WY), where  
23 October 1<sup>st</sup> to September 30<sup>th</sup> defines the Water Year, rainfall (8.07 inches) was approximately 50  
24 percent of the long-term average (16.55 inches), and the 2014 WY rainfall (5.75 inches) to-date is  
25 approximately 35 percent of the long-term average.

26 The relationship between each hydrologic process, represented in the summary water  
27 balance equation, and the GWI was ranked by computing the correlation coefficient. Large  
28 correlation coefficient and causality indicates a high efficacy of developing a successful model.  
29 Lagged time series showed no improvement in and often greatly degraded the correlation  
30 coefficients. The relationship between the cumulative sum of departure from the mean rainfall  
31 ( $CSDM_r$ ) and GWI has the highest correlation coefficient, 0.713. The variation in the  $CSDM_r$   
32 explains 71% of the variation in the GWI over time. This is anticipated in this basin where  
33 groundwater is primarily replenished by rainfall. The second highest correlation exists between  
34 Consumptive Use (CU) and GWI explaining an additional 10% of the GWI variation when  
35 added to the  $CSDM_r$ , a total correlation coefficient of 0.816. Thus, 81% of the variation in GWI is

*k:\cw\client files\ncsd (6001)\tasks\general consultation - 2013-1\activities\tm30b gwi fall 2014 hi analysis\deliverable\20141205 tm30 fall 2014 gwi.doc*

TO: Michael LeBrun, GM NCSD  
RE: Fall 2014 GWI  
DATE: December 5, 2014  
Page 3 of 9

1 explained by the combined  $CSDM_r$  and CU. Combining  $CSDM_r$  and total production resulted  
2 in a lesser correlation coefficient of 0.746. Groundwater Flow in to ( $F_{in}$ ) and out from ( $F_{out}$ ) the  
3 mesa area, together as net flow (Net F), were added to  $CSDM_r$  which slightly degraded the  
4 overall correlation with GWI; a correlation coefficient of 0.811. However, when  $CSDM_r$ , CU,  
5 and Net F are combined, the overall correlation with GWI improves very slightly. This final  
6 correlation coefficient is 0.817 (Tables 2 and 3). Therefore, rainfall amounts are the largest  
7 influence on the amount of ground water. The next most important process related to the  
8 amount of ground water is consumptive use. A scatter plot was prepared to determine if this  
9 correlation is bias over the range of water levels (Figure 2). The slope of the linear trend line is  
10 0.986 suggesting that no bias as a function of groundwater elevation exists.

11 The 2014 KWI value (18.5 ft msl) has slightly increased from the previous year (17.9 ft  
12 msl), and is in the Potentially Severe Water Shortage Condition and remains very close to the  
13 Severe Water Shortage Condition (16.5 ft msl). The Key Well Index (KWI) generally follows the  
14 same historical trends as the GWI (Figure 1).

15

## 16 **METHODOLOGY**

17 The calculation of spring and fall GWI are based on GSE measurements regularly made by  
18 San Luis Obispo County Department of Public Works (SLO DPW), NCSD, USGS, and  
19 Woodlands. The integration of GSE data is accomplished by using computer software to  
20 interpolate between measurements and calculate GWI within the principal production aquifer  
21 assuming an unconfined aquifer and a specific yield of 11.7 percent. Limited measurements of  
22 GSE were available for the years 1982, 1983, 1984, 1994 and 1997, precluding a reliable  
23 calculation of GWI for those years.

### 24 **Groundwater Surface Elevation Measurements**

25 Groundwater surface elevation data were obtained from SLO DPW, NCSD, USGS, and  
26 Woodlands. SLO DPW measures GSE in monitoring wells during the spring (April) and the fall  
27 (October) of each year. Woodlands and NCSD measures GSE in their monitoring wells  
28 monthly. For the years 1975 to 1999, available representative GSE data were used to compute  
29 GWI. For the years 2000 to 2011, only GSE data from the same 45 wells were used to compute  
30 GWI.

31 The GSE data was reviewed in combination with well completion reports and historical  
32 hydrographic records in order to exclude measurements that likely do not accurately represent  
33 static water levels within the principal production aquifer. Wells that do not access the  
34 principal production aquifer or were otherwise determined to not accurately represent static  
35 water levels within the aquifer were not included in analysis.

TO: Michael LeBrun, GM NCSD

RE: Fall 2014 GWI

DATE: December 5, 2014

Page 4 of 9

## 1 **Groundwater Surface Interpolation**

2 The individual GSE measurements from each year were used to produce a GSE field by  
3 interpolation using the inverse distance weighting (IDW) method.

## 4 **Ground Water Index**

5 The GWI is defined as the annually normalized value of the saturated volume above sea  
6 level and bedrock multiplied by the specific yield of 11.7 percent. The GWI is comprised from  
7 approximately 45 ground water elevation measurements made by the County of San Luis  
8 Obispo each April and October. The value of the Ground Water Index was computed for an  
9 area approximately similar to the NMMA Boundary. The base of the saturated volume is mean  
10 sea level surface (elevation equals zero) or the bedrock, whichever is higher. The bedrock  
11 surface elevation is based on Figure 11: Base of Potential Water-Bearing Sediments, presented in  
12 the report, Water Resources of the Arroyo Grande - Nipomo Mesa Area (DWR 2002). The  
13 bedrock surface elevation was preliminarily verified by reviewing driller reports obtained from  
14 DWR. The specific yield is based on the average weighted specific yield measurement made at  
15 wells within the Nipomo Mesa Hydrologic Sub-Area (DWR 2002, pg. 86). The GWI is similar to  
16 the Key Well Index presented in the Nipomo Mesa Management Area Technical Group annual  
17 report to the Court, but is not directly comparable.

## 18 **Key Well Index**

19 The Key Well Index (KWI) was developed by the NMMA Technical Group from eight  
20 inland wells representing the whole of the groundwater basin within the NMMA. The Key  
21 Well Index was defined for each year from 1975 to present as the average of the normalized  
22 spring groundwater data from each well. The lowest value of the Key Well Index could be  
23 considered the "historical low" within the NMMA.

## 24 **Hydrologic Inventory**

25 The time series values of the components of the hydrologic inventory used in this analysis  
26 were taken from trial exhibits presented during litigation. The correlation coefficient was  
27 calculated for each element of the inventory and GWI, and then ranked. Time series were  
28 lagged where conditions of system memory are physically feasible.

29

## 30 **REFERENCES**

31 Department of Water Resources (DWR). 2002. Water Resources of the Arroyo Grande - Nipomo  
32 Mesa Area, Southern District Report. 2002.

33



TO: Michael LeBrun, GM NCSD  
 RE: Fall 2014 GWI  
 DATE: December 5, 2014  
 Page 5 of 9

**Spring and Fall  
 Groundwater Index  
 (GW, Acre-Feet)**

Year	Rainfall (inches)	Spring GWI (Acre-Feet)	Number of Wells	Fall GWI (Acre-Feet)	Number of Wells	Spring to Fall Difference (Acre-Feet)
1975	17.29	99,000	54	91,000	54	8,000
1976	13.45	82,000	45	76,000	65	6,000
1977	10.23	64,000	59	54,000	63	10,000
1978	30.66	84,000	62	---	35	---
1979	15.80	72,000	57	77,000	63	(5,000)
1980	16.57	88,000	55	89,000	46	(1,000)
1981	13.39	97,000	46	75,000	47	22,000
1982	18.58	123,000	42	---	31	---
1983	33.21	---	35	95,000	42	---
1984	11.22	---	14	76,000	37	---
1985	12.20	106,000	37	82,000	41	24,000
1986	16.85	98,000	51	67,000	51	31,000
1987	11.29	83,000	48	71,000	52	12,000
1988	12.66	80,000	51	66,000	49	14,000
1989	12.22	59,000	47	47,000	57	12,000
1990	7.12	62,000	55	49,000	53	13,000
1991	13.18	62,000	52	55,000	54	7,000
1992	15.66	61,000	52	35,000	48	26,000
1993	20.17	72,000	54	52,000	61	20,000
1994	12.15	60,000	54	---	36	---
1995	25.87	87,000	35	74,000	52	13,000
1996	16.54	76,000	45	62,000	57	14,000
1997	20.50	---	20	91,000	48	---
1998	33.67	105,000	41	93,000	44	12,000
1999	12.98	106,000	56	88,000	49	18,000
2000	17.07*	108,000	44	84,000	41	24,000
2001	18.52*	118,000	43	85,000	35	33,000
2002	8.87*	96,000	29	79,000	41	17,000
2003	11.39	94,000	37	66,000	42	28,000
2004	12.57	89,000	42	81,000	35	8,000
2005	22.23	98,000	38	79,000	39	19,000
2006	20.83	107,000	44	78,000	41	29,000
2007	7.11	93,000	44	66,000	42	27,000
2008	15.18	83,000	43	65,000	42	18,000
2009	10.31	76,000	44	65,000	43	11,000
2010	20.07	80,000	45	67,000	42	13,000
2011	34.05	87,000	43	81,000	43	6,000
2012	15.35	89,000	45	65,000	44	24,000
2013	8.07*	67,000	45	42,000	43	25,000
2014	5.75*	57,000	45	47,000	42	10,000

---: Insufficient for evaluation

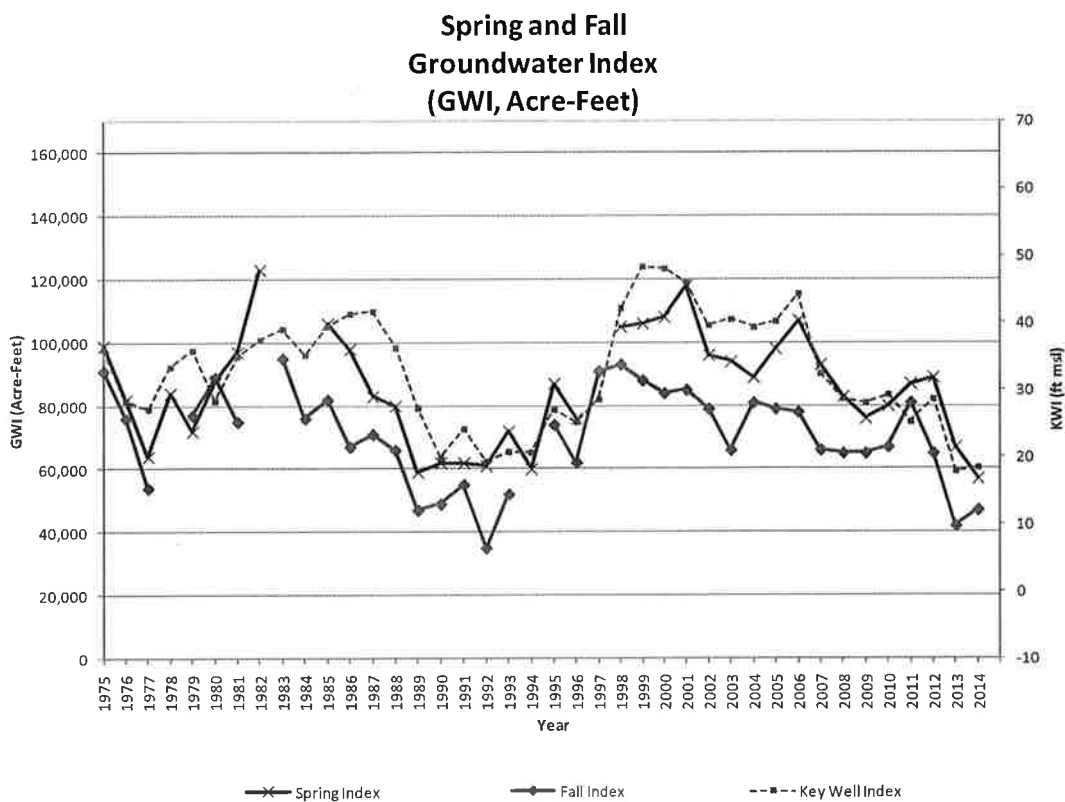
\*: Preliminary value

1

k:\civ\client files\ncsd (6001)\tasks\general consultation - 2013-1\activities\tm30b gwi fall 2014 hi analysis\delivemle\20141205 tm30 fall 2014 gwi.doc

TO: Michael LeBrun, GM NCSD  
 RE: Fall 2014 GWI  
 DATE: December 5, 2014  
 Page 6 of 9

1 Table 1: Unitless GWI computed from Spring 1975 to Fall 2013.



2  
 3 Figure 1: GWI and KWI from 1975 to present.

4  
 5

TO: Michael LeBrun, GM NCS D

RE: Fall 2014 GWI

DATE: December 5, 2014

Page 7 of 9

Year	Spring GWI (AF)	Fall GWI (AF)	Rainfall (in)	CSDMAve 16.32 (in)	CSDMAve 16.32 (AF)	CUPProd (AF)	Deep Perc from Rain (AF)	Total CU (AF)	Fin (AF)	Fout (AF)	Fin - Fout (AF)	Total Production (AF)
1975	99000	91000	17.29	17.29	27966.575	3340	2153	29153.575	110	1710	-1600	4470
1976	82000	76000	13.45	14.42	23324.35	3480	890	25914.35	220	1560	-1340	4610
1977	94000	59000	10.23	8.33	13473.775	3760	60	17173.775	400	1670	-1270	5040
1978	84000	77000	30.66	22.67	36568.725	3470	38814	21324.725	340	1610	-1270	4640
1979	72000	89000	15.80	22.15	35427.625	3800	2673	36954.625	410	1630	-1220	5110
1980	88000	79000	16.57	22.40	36232	3920	3241	36911	460	1700	-1240	5280
1981	97000	95000	13.39	19.47	31492.725	4050	1170	34372.725	610	1610	-1000	5500
1982	124000	76000	18.58	21.73	35148.275	4170	3380	35938.275	680	1630	-950	5680
1983	82000	82000	33.21	38.62	62467.85	4110	21564	45013.85	800	1570	-770	5630
1984	67000	11.22	33.52	54218.6	4570	680	58108.6	790	1770	-980	6330	
1985	106000	71000	12.20	29.40	47594.5	4690	850	51344.5	810	1720	-910	6070
1986	98000	66000	16.85	29.93	48411.775	5240	3210	56441.775	1030	1720	-690	7200
1987	83000	47000	13.29	24.50	40275.75	5520	790	45005.75	1210	1770	-510	7690
1988	80000	40000	12.66	21.24	31335.7	5640	1190	34805.7	1260	1690	-430	7940
1989	59000	55000	12.22	17.14	27723.95	5840	960	32603.95	1400	1710	-310	8180
1990	62000	35000	7.12	7.94	12842.95	6500	10	19332.95	1490	1710	-220	9230
1991	62000	52000	13.18	4.80	7764	6070	3097	10737	1600	1710	-110	8560
1992	61000	74000	15.66	4.14	6696.45	6070	4315	8451.45	1690	1690	-130	8530
1993	72000	62000	20.17	7.99	12923.825	5980	8895	10008.825	1700	1650	50	8430
1994	60000	91000	12.15	3.82	6178.85	6110	930	11358.85	1740	1670	70	8540
1995	87000	93000	25.87	13.37	21625.975	5860	15193	12292.975	1690	1590	100	8210
1996	76000	88000	16.54	13.59	21981.825	6260	5947	22294.825	1720	1590	130	8770
1997	84000	84000	20.50	17.77	28742.975	6160	11504	23598.975	1770	1530	240	8990
1998	105000	85000	33.67	35.12	56806.6	6660	25257	38189.6	1830	1470	360	9380
1999	106000	79000	12.98	31.78	51404.15	7250	1520	57134.15	1610	1530	80	10230
2000	108000	66000	21.62	37.08	59976.9	7420	2772	64624.9	1600	1610	-10	10530
2001	118000	81000	10.25	31.01	50158.675	7400	8387	49171.675	0	0	0	10570
2002	96000	79000	14.47	29.16	47166.3	7860	0	55026.3	0	0	0	11270
2003	94000	78000	11.39	24.23	39192.025	7630	890	45932.025	0	0	0	10980
2004	89000	64000	12.57	20.48	33326.4	7660	1570	39216.4	0	0	0	11020
2005	98000	65000	22.23	26.39	47885.825	7550	12401	37844.825	0	0	0	10850
2006	107000	65000	20.83	30.90	49980.75	7940	10568	46952.75	0	0	0	11480
2007	93000	67000	7.11	21.69	35083.575	8670	0	43753.575	1400	30	1370	12550
2008	83000	81000	15.18	20.55	33239.625	8190	5974	35555.625	0	0	0	12600
2009	76000	65000	10.31	14.54	23518.45	8580	130	31968.45	0	0	0	12210
2010	80000	67000	20.07	18.29	29584.075							10950
2011	87000	81000	34.05	36.02	58262.35							10578
2012	89000	65000	15.35	35.05	56983.375							11249
2013	67000	42000	8.07	26.80	43349							16348
2014	57000		5.75	16.23	26252.025							

1  
2  
3

Table 2: Hydrologic Inventory.

TO: Michael LeBrun, GM NCSD  
 RE: Fall 2014 GWI  
 DATE: December 5, 2014  
 Page 8 of 9

Correlation Coefficients		
	<i>Spring GWI (AF)</i>	<i>Rainfall (inches)</i>
Spring GWI (AF)	1	
Rainfall (inches)	0.321931649	1
	<i>Spring GWI (AF)</i>	<i>CSDM<sub>r</sub> Ave 16.32 (in)</i>
Spring GWI (AF)	1	
CSDM <sub>r</sub> Ave 16.32 (in)	0.713615266	1
	<i>Spring GWI (AF)</i>	<i>CSDM<sub>r</sub> - Total Production (AF)</i>
Spring GWI (AF)	1	
CSDM <sub>r</sub> - Total Production (AF)	0.746482469	1
	<i>Spring GWI (AF)</i>	<i>CSDM<sub>r</sub> - CU Prod (AF)</i>
Spring GWI (AF)	1	
CSDM <sub>r</sub> - CU Prod (AF)	0.816018004	1
	<i>Spring GWI (AF)</i>	<i>CSDM<sub>r</sub> + Net F (AF)</i>
Spring GWI (AF)	1	
CSDM <sub>r</sub> + Net F (AF)	0.811533071	1
	<i>Spring GWI (AF)</i>	<i>CSDM<sub>r</sub> - CU Prod + Net F (AF)</i>
Spring GWI (AF)	1	
CSDM <sub>r</sub> - CU Prod + Net F (AF)	0.816884199	1

Table 3: Correlation Coefficients.

1  
 2  
 3

TO: Michael LeBrun, GM NCSD  
RE: Fall 2014 GWI  
DATE: December 5, 2014  
Page 9 of 9

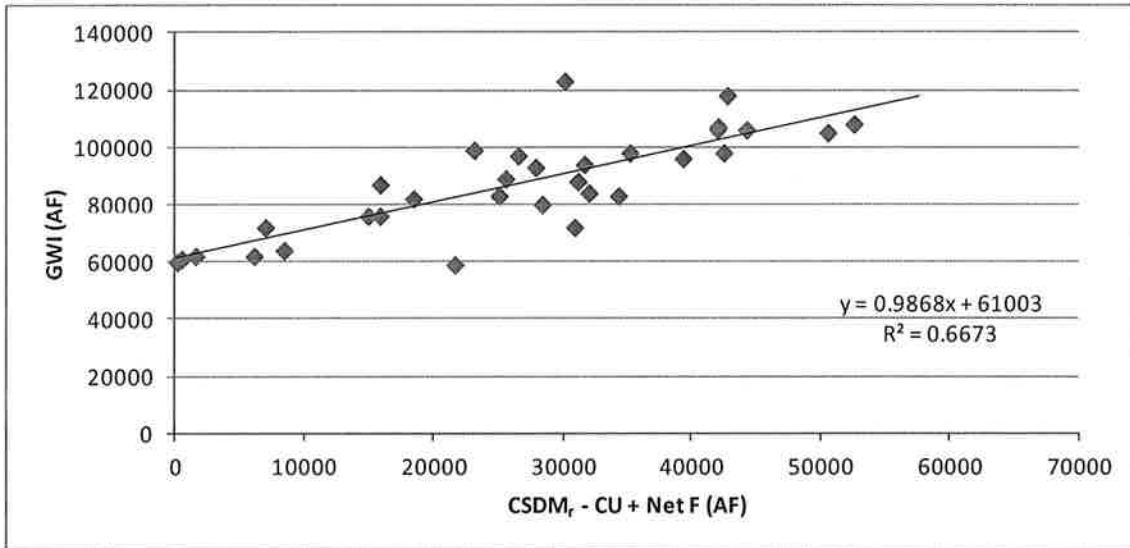


Figure 2: Scatter plot of GWI and CSDM, - CU + Net F data from 1975 to 2009.

1  
2  
3

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN  
GENERAL MANAGER

*mon*

DATE: DECEMBER 5, 2014

## AGENDA ITEM

### E-6

DECEMBER 10, 2014

## APPROVE NEWTON GEO-HYDROLOGY 2015 CONSULTING SERVICES CONTRACT SCOPE AND BUDGET

### ITEM

Consider scope and budget for calendar year 2015 Newton Geo-Hydrology Consulting Services [RECOMMEND APPROVE SCOPE AND \$90,000 BUDGET FOR NEWTON GEO-HYDROLOGY CONSULTING SERVICES]

### BACKGROUND

Dr. Brad Newton has provided litigation support services and general hydrologic consulting services to the District throughout the groundwater adjudication process. Dr. Newton represents the District on the Nipomo Mesa Management Area Technical Group.

The contract for Dr. Newton's services are reviewed by your Board each year on a calendar year basis. The attached scopes of work (Exhibits A to Task Orders 2015-1 and 2015-2) from Newton Geo-Hydrology present the proposed scope of services and budget for 2015.

The proposal covers two tasks, General Consultation (not to exceed limit of \$10,000) and Santa Maria Groundwater Adjudication support (not to exceed limit of \$80,000).

### FISCAL IMPACT

The approved FY 14-15 Budget includes funding for six months of Dr. Newton's services. The remaining six months of services will be included in the FY 16 -17 Budget.

### 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.

1.6 Continue to monitor and participate in water supply issues and programs with other local and regional organizations

### RECOMMENDATION

Staff recommends the Board of Directors by motion and roll-call vote, approve the 2015 Support Services Contract with Newton Geo-Hydrology Consulting Services, LLC for a not to exceed amount of \$90,000.00 and direct staff to issue Task Order 2015-1 in the amount of \$10,000 and Task Order 2015-2 in the amount of \$80,000.

### ATTACHMENTS

A. Newton Geo-Hydrology Consulting Services, LLC 2015 Task Orders and Exhibits

December 10, 2014

E-6

ATTACHMENT A



## Newton Geo-Hydrology Consulting Services, LLC

### **Exhibit A for Task Order # 2015-1**

Task Order #2015-1, General Consultation, is to allow for Newton Geo-Hydrology Consulting Services (Consultant) to provide the following services, on an as-requested basis, that are not included within the scope of other Task Orders. Such services include Part A and Part B as follows:

- A. Preparation of Spring and Fall Ground Water Index (GWI) technical memoranda and presentation thereof to the District Board of Directors. It is understood that reports will, in whole or in part, be based on confidential information obtained in confidence from landowners related to private wells, (see specifically Section 26 of the Agreement related to confidential information). The estimated cost for the GWI technical memorandum and presentation at NCSB Board of Directors meeting under Task Order #2015-1 Part A is eight thousand (\$8,000) dollars, which accounts for forty (40) hours of Dr. Newton's efforts plus budget for travel, plus materials and other direct costs.
- B. Preparation of other technical memorandums at the request of either the General Manager or the District Board of Directors. The estimated budget for other technical memorandums under Task Order #2015-1 Part B is two thousand dollars (\$2,000).

### **Budget**

The total budget for Task Order #2015-1 Parts A and B, through December 31, 2015, is ten thousand (\$10,000) dollars to be billed on a time and material basis in accordance with the Agreement.



ATTACHMENT #1 To EXHIBIT "A"

to  
AGREEMENT FOR PROFESSIONAL SERVICES

Between  
NIPOMO COMMUNITY SERVICES DISTRICT  
and  
NEWTON GEO-HYDROGEOLOGY CONSULTING SERVICES, LLC

January 01, 2015

"REQUEST FOR SERVICES – TASK ORDER # 2015-1

**AUTHORIZATION FOR SERVICES:**

At the request of the Nipomo Community Services District, Engineer Consultant is to provide services as described herein. The terms and conditions of the Agreement for Professional Engineering Services, dated January 01, 2015 are incorporated herein by this reference. The scope of services requested along with the schedule and fees for said services are set forth below as follows:

**SCOPE OF SERVICES REQUESTED** (Additional information may be attached as an Exhibit.):

General consultation as further described in the January 2015 Proposal for Services attached as Exhibit A.

**TIME FOR PERFORMANCE** (Additional information may be attached as an Exhibit.):

Continuing

**ENGINEERING FEES:**

The Engineering fees for these services is not to exceed \$10,000.

NIPOMO COMMUNITY SERVICES

ENGINEER-CONSULTANT

\_\_\_\_\_  
Approved By: Michael S. LeBrun  
Title: General Manager  
Date: December, \_\_ 2014

\_\_\_\_\_  
Approved By: Brad Newton  
Title: Manager  
Date: December, \_\_ 2014



## Newton Geo-Hydrology Consulting Services, LLC

### **Exhibit A for Task Order # 2015-2**

Task Order # 2015-2 is to allow for Newton Geo-Hydrology Consulting Services (Consultant) to provide the following litigation support services related to the Groundwater Adjudication presented in Part A through Part D as follows:

- A. Preparation for, travel, and attendance/participation at Nipomo Mesa Management Area (NMMA) Technical Group (TG) regular monthly meetings. The estimated cost for each of NMMA TG fourteen (14) regular meetings under Task Order # 2015-2 is three thousand (\$3,000) dollars, which accounts for fourteen (14) hours of Dr. Newton's efforts plus budget for travel, plus materials and other direct costs. The estimated budget for Task Order # 2015-2 Part A is forty-two thousand dollars (\$42,000).
- B. Preparation for, travel, and attendance/participation at Management Areas (MAs) Subcommittee ad hoc meetings, including meetings with the NCMA and SMVMA representatives. The estimated cost for each of MAs Subcommittee four (4) regular meetings under Task Order # 2015-2 is one thousand five hundred (\$1,500) dollars, which accounts for six (6) hours of Dr. Newton's efforts plus budget for travel. The estimated budget for Task Order # 2015-2 Part B is six thousand dollars (\$6,000).
- C. Preparation of the Annual Report to the Court pursuant to the Final Judgment of the Santa Maria Groundwater Litigation. The estimated budget for Task Order # 2015-2 Part C, which accounts for one hundred seventy (170) hours of Dr. Newton's efforts plus budget for travel, plus materials and other direct costs, is thirty-two thousand dollars (\$32,000).
- D. Preparation of reports and technical memorandums related to NMMA TG functions with the prior approval of either the District General Manager or District Legal Counsel, and other opinions requested by District Legal Counsel. It is understood that reports will, in whole or in part, be based on confidential information obtained in confidence from landowners related to private wells. (see specifically Section 26 of the Agreement related to confidential information). The estimated budget for Task Order # 2015-2 Part D is unknowable in advance of a specific scope and schedule for said reports, technical memorandums, or other opinions.

#### **Budget**

The total budget for Task Order # 2014-2 Part A, Part B, and Part C through December 31, 2015, is eighty thousand (\$80,000) dollars to be billed on a time and material basis in accordance with the Agreement.

**ATTACHMENT #1 To EXHIBIT "A"**

**to  
AGREEMENT FOR PROFESSIONAL SERVICES**

**Between  
NIPOMO COMMUNITY SERVICES DISTRICT  
and  
NEWTON GEO-HYDROGEOLOGY CONSULTING SERVICES, LLC**

**January 01, 2015**

**"REQUEST FOR SERVICES – TASK ORDER # 2015-2**

**AUTHORIZATION FOR SERVICES:**

**At the request of the Nipomo Community Services District, Engineer Consultant is to provide services as described herein. The terms and conditions of the Agreement for Professional Engineering Services, dated January 01, 2015 are incorporated herein by this reference. The scope of services requested along with the schedule and fees for said services are set forth below as follows:**

**SCOPE OF SERVICES REQUESTED (Additional information may be attached as an Exhibit.):**

General consultation related to Santa Maria Groundwater Adjudication as further described in the January 2015 Proposal for Services attached as Exhibit A.

**TIME FOR PERFORMANCE (Additional information may be attached as an Exhibit.):**

Continuing

**ENGINEERING FEES:**

**The Engineering fees for these services is not to exceed \$80,000.**

**NIPOMO COMMUNITY SERVICES**

**ENGINEER-CONSULTANT**

\_\_\_\_\_  
**Approved By: Michael S. LeBrun**  
**Title: General Manager**  
**Date: December, \_\_ 2014**

\_\_\_\_\_  
**Approved By: Brad Newton**  
**Title: Manager**  
**Date: December, \_\_ 2014**

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN  
GENERAL MANAGER

*MSL*

DATE: DECEMBER 5, 2014

## AGENDA ITEM

### E-7

DECEMBER 10, 2014

## ELECTION OF 2015 BOARD PRESIDENT AND VICE PRESIDENT

### ITEM

Election of Board President and Vice President for 2015 [RECOMMEND DIRECTORS ELECT BOARD OFFICERS FOR 2015 CALENDAR YEAR]

### BACKGROUND

Section 1.4 of the Board By-Laws requires the Board of Directors elect a President and a Vice President for the upcoming year at the last regular meeting of the calendar year. The term of office for the President and Vice President shall commence on January 1 and end on December 31, annually.

### RECOMMENDATION

Staff recommends that the General Manager administer the election of officers of the Board of Directors.

The following is the recommended procedure:

- Nominations taken for the President of the Board
- Public Comment is taken
- Voice vote taken for the President, if by acclamation
- If there are two or more candidates, Staff will distribute ballots
- Staff will announce the results of the ballots (ballots become part of the public record)
- Nominations taken for the Vice President of the Board
- Public Comment is taken
- Voice vote taken for the Vice President, if by acclamation
- If there are two or more candidates, Staff will distribute ballots
- Staff will announce the results of the ballots (Ballots become part of the public record)

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN  
GENERAL MANAGER

DATE: DECEMBER 5, 2014

**AGENDA ITEM  
E-8  
DECEMBER 10, 2014**

**APPROVE 2015 BOARD MEETING SCHEDULE**

**ITEM**

Review and approve 2015 schedule of Regular Board Meetings. [RECOMMEND APPROVE SCHEDULE]

**BACKGROUND**

Section 2.1 of the Board By-Laws states:

*Subject to holiday and scheduling conflicts, regular meetings of the Board of Directors shall commence at 9:00 a.m. on the second and fourth Wednesday of each calendar month in the Board Room at the District Office located at 148 South Wilson, Nipomo, CA. The Board of Directors reserves the right to cancel and/or designate other dates, places, and times for Director Meetings due to scheduling conflicts and holidays.*

Proposed Regular Board Meeting Schedule for 2015

<b>1<sup>st</sup> Meeting of Month</b>	<b>2<sup>nd</sup> Meeting of Month</b>
January 14	January 28
February 11	February 25
March 11	March 25
April 8	April 22
May 13	May 27
June 10	June 24
July 8	July 22
August 12	Cancelled – Summer Recess
September 9	September 23
October 14	October 28
November 12*	Cancelled – Holiday Season
December 9	Cancelled – Holiday Season

\*The 1<sup>st</sup> meeting in November will be held on **THURSDAY** November 12<sup>th</sup> in honor of Veteran's Day.

Special Meetings will be called subject to Section 2.2 of the Board By-Laws as follows:

*Special meetings may be called by the President or three (3) Directors with a minimum of twenty-four (24) hours public notice.*

All meetings will be noticed pursuant to the Brown Act.

**RECOMMENDATION**

Staff recommends that your Board by motion and roll call vote approve the 2015 Board Meeting Schedule as presented above.