

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS  
GENERAL MANAGER



DATE: JUNE 21, 2019

**AGENDA ITEM**

**C**

**JUNE 26, 2019**

## **PRESENTATIONS AND REPORTS**

The following presentations and reports are scheduled:

- C-1) DIRECTORS' ANNOUNCEMENTS OF DISTRICT AND COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES AND SEMINARS.  
[RECEIVE ANNOUNCEMENTS AND REPORTS FROM DIRECTORS]
  
- C-2) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS  
GENERAL MANAGER



DATE: JUNE 21, 2019

**AGENDA ITEM**

**D**

**JUNE 26, 2019**

## **CONSENT AGENDA**

The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item removed. If discussion is desired, the item may be removed from the Consent Agenda by a Board member and will be considered separately at the conclusion of the Administrative Items. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda, unless an item is pulled for separate consideration. The recommendations for each item are noted in bracket. Members of the public may comment on the Consent Agenda items.

**Questions or clarification may be made by the Board members  
without removal from the Consent Agenda.**

- D-1) WARRANTS  
[RECOMMEND APPROVAL]
  
- D-2) APPROVE JUNE 12, 2019 REGULAR BOARD MEETING MINUTES  
[RECOMMEND APPROVE MINUTES]

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS   
GENERAL MANAGER

FROM: LISA BOGNUDA   
FINANCE DIRECTOR

DATE: JUNE 21, 2019



**WARRANTS**

TOTAL COMPUTER CHECKS  
\$78,931.36

HANDWRITTEN CHECKS  
None

VOIDS – NONE

**COMPUTER GENERATED CHECKS – SEE ATTACHED**



Nipomo Community Services District

Item D-1 Warrants JUNE 26, 2019

By Payment Number

Payment Dates 06/26/2019 - 06/26/2019

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount	
<b>Payment: 4954</b>						
Advantage Answering Plus, In	Answering service	13-999-751	06/26/2019		215.69	
					<b>Payment 4954 Total:</b>	<b>215.69</b>
<b>Payment: 4955</b>						
Aerzen USA Corporation	Preventive maintenance - SW	19-002062	06/26/2019		4,523.14	
					<b>Payment 4955 Total:</b>	<b>4,523.14</b>
<b>Payment: 4956</b>						
Allweather Landscape Mainte	LMD	34902	06/26/2019		325.00	
					<b>Payment 4956 Total:</b>	<b>325.00</b>
<b>Payment: 4957</b>						
AmeriPride	Uniforms	1502398649	06/26/2019		255.47	
AmeriPride	Uniforms	1502416603	06/26/2019		303.16	
					<b>Payment 4957 Total:</b>	<b>558.63</b>
<b>Payment: 4958</b>						
BC Pump Sales & Service, Inc.	Flange gaskets	33374	06/26/2019		46.87	
					<b>Payment 4958 Total:</b>	<b>46.87</b>
<b>Payment: 4959</b>						
Brenntag Pacific, Inc.	Sodium hypochlorite	952804	06/26/2019		706.07	
					<b>Payment 4959 Total:</b>	<b>706.07</b>
<b>Payment: 4960</b>						
Burdine Printing	Postage for bills	39356B	06/26/2019		212.50	
Burdine Printing	Postage for bills	39371B	06/26/2019		824.82	
Burdine Printing	Mail bills	39371A	06/26/2019		180.77	
Burdine Printing	Mail bills	39356A	06/26/2019		16.40	
					<b>Payment 4960 Total:</b>	<b>1,234.49</b>
<b>Payment: 4961</b>						
Calleja, Derek	Uniform - Boot reimbursemen	JUN2019	06/26/2019		150.00	
					<b>Payment 4961 Total:</b>	<b>150.00</b>
<b>Payment: 4962</b>						
Cannon Corporation	Eureka Well Drilling Project	69209	06/26/2019		8,252.25	
					<b>Payment 4962 Total:</b>	<b>8,252.25</b>
<b>Payment: 4963</b>						
Charter Communications	Internet - Shop and/or Office	JUN2019A	06/26/2019		214.97	
Charter Communications	Internet - Shop and/or Office	JUN2019B	06/26/2019		224.97	
					<b>Payment 4963 Total:</b>	<b>439.94</b>
<b>Payment: 4964</b>						
Clever Ducks	Computer expense	27061	06/26/2019		2,535.00	
Clever Ducks	Computer expense	27153	06/26/2019		135.00	
					<b>Payment 4964 Total:</b>	<b>2,670.00</b>
<b>Payment: 4965</b>						
Coastal Rolloff	Rolloff bin	6488310	06/26/2019		61.20	
					<b>Payment 4965 Total:</b>	<b>61.20</b>
<b>Payment: 4966</b>						
Corix Water Products (US) Inc.	Credit for Inv# 17913014569	17915001111	06/26/2019		-761.48	
Corix Water Products (US) Inc.	Swing check valve	17913014569	06/26/2019		761.48	
Corix Water Products (US) Inc.	Check valves w/ lever and wei	17913015626	06/26/2019		1,080.25	
					<b>Payment 4966 Total:</b>	<b>1,080.25</b>
<b>Payment: 4967</b>						
Crystal Springs	Distilled water	MAY2019	06/26/2019		31.60	
					<b>Payment 4967 Total:</b>	<b>31.60</b>

## Item D-1 Warrants JUNE 26, 2019

Payment Dates: 06/26/2019 - 06/26/2019

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
<b>Payment: 4968</b>					
Engel & Gray, Inc.	Biosolids collection	95X00010	06/26/2019		4,558.36
Engel & Gray, Inc.	Biosolids collection	95Q00023	06/26/2019		115.00
<b>Payment 4968 Total:</b>					<b>4,673.36</b>
<b>Payment: 4969</b>					
Excel Personnel Services, Inc.	Employment agency	2793745	06/26/2019		719.20
Excel Personnel Services, Inc.	Employment agency	51022	06/26/2019		28.00
Excel Personnel Services, Inc.	Employment agency	2798723	06/26/2019		742.45
<b>Payment 4969 Total:</b>					<b>1,489.65</b>
<b>Payment: 4970</b>					
Famcon Pipe and Supply, Inc.	Ball valve, adapters	4832.001	06/26/2019		822.15
<b>Payment 4970 Total:</b>					<b>822.15</b>
<b>Payment: 4971</b>					
FGL Environmental	Lab tests	980886	06/26/2019		523.00
<b>Payment 4971 Total:</b>					<b>523.00</b>
<b>Payment: 4972</b>					
Gaddis, Dan Allen	Travel reimbursement - RWM	JUN2019	06/26/2019		36.72
<b>Payment 4972 Total:</b>					<b>36.72</b>
<b>Payment: 4973</b>					
Golden State Copier & Mailin	Inkjet cartridges for postage	42877	06/26/2019		135.34
<b>Payment 4973 Total:</b>					<b>135.34</b>
<b>Payment: 4974</b>					
Hach Company	Universal controller, probe an	11491898	06/26/2019		4,676.85
Hach Company	Repair of portable analyzer	11479197	06/26/2019		1,230.57
<b>Payment 4974 Total:</b>					<b>5,907.42</b>
<b>Payment: 4975</b>					
Hopkins Technical Products, I	O-rings	3619000337	06/26/2019		36.90
<b>Payment 4975 Total:</b>					<b>36.90</b>
<b>Payment: 4976</b>					
Iglesias, Mario	Cell phone reimbursement	JUN2019	06/26/2019		65.00
<b>Payment 4976 Total:</b>					<b>65.00</b>
<b>Payment: 4977</b>					
Integrated Industrial Supply, I	Disposable gloves	61672	06/26/2019		225.65
Integrated Industrial Supply, I	3/16" chain, quick links	61710	06/26/2019		233.59
<b>Payment 4977 Total:</b>					<b>459.24</b>
<b>Payment: 4978</b>					
Iron Mountain	On-site shredding	BSPG226	06/26/2019		33.67
<b>Payment 4978 Total:</b>					<b>33.67</b>
<b>Payment: 4979</b>					
Jan-Pro Central Coast	Janitorial services	83063	06/26/2019		727.14
Jan-Pro Central Coast	Janitorial services	83519	06/26/2019		727.14
<b>Payment 4979 Total:</b>					<b>1,454.28</b>
<b>Payment: 4980</b>					
Lee Central Coast Newspapers	Public notices	MAY2019	06/26/2019		529.61
<b>Payment 4980 Total:</b>					<b>529.61</b>
<b>Payment: 4981</b>					
More Office Solutions	B&W/Color copies	2561423	06/26/2019		166.30
More Office Solutions	B&W/Color copies	2561422	06/26/2019		81.70
<b>Payment 4981 Total:</b>					<b>248.00</b>
<b>Payment: 4982</b>					
Municipal Maintenance Equip	Filter elements	0138404	06/26/2019		437.64
<b>Payment 4982 Total:</b>					<b>437.64</b>
<b>Payment: 4983</b>					
Nipomo Community Services	Water - 805 Alta Vista domes	JUN2019B	06/26/2019		46.52
Nipomo Community Services	Water - 805 Alta Vista landsca	JUN2019C	06/26/2019		46.52

Item D-1 Warrants JUNE 26, 2019

Payment Dates: 06/26/2019 - 06/26/2019

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
Nipomo Community Services	Water - BLWWTF	JUN2019A	06/26/2019		191.98
<b>Payment 4983 Total:</b>					<b>285.02</b>
<b>Payment: 4984</b>					
Nunley & Associates, Inc.	Blacklake Sewer System Cons	5584	06/26/2019		1,524.67
Nunley & Associates, Inc.	Joshua Road ESDC	5547	06/26/2019		518.75
Nunley & Associates, Inc.	PCIA - Frank Ct.	5565	06/26/2019		1,537.91
Nunley & Associates, Inc.	GIS Implementation Services	5553	06/26/2019		541.78
Nunley & Associates, Inc.	PCIA - Tract 2441 Blume St.	5564	06/26/2019		5,523.56
Nunley & Associates, Inc.	Southland WWTP Screw Press	5574	06/26/2019		16,210.51
<b>Payment 4984 Total:</b>					<b>25,857.18</b>
<b>Payment: 4985</b>					
Nu-Tech Pest Management	Pest control	0143757	06/26/2019		75.00
Nu-Tech Pest Management	Pest control	0143756	06/26/2019		265.00
<b>Payment 4985 Total:</b>					<b>340.00</b>
<b>Payment: 4986</b>					
Office Depot	Office supplies	326233337001	06/26/2019		250.22
Office Depot	Office supplies	328830955001	06/26/2019		49.67
Office Depot	Office supplies	326233587001	06/26/2019		120.48
<b>Payment 4986 Total:</b>					<b>420.37</b>
<b>Payment: 4987</b>					
Santa Maria Sun, LLC	Conservation ads	299156	06/26/2019		396.00
Santa Maria Sun, LLC	Conservation ads	299419	06/26/2019		396.00
Santa Maria Sun, LLC	Conservation ads	298868	06/26/2019		396.00
<b>Payment 4987 Total:</b>					<b>1,188.00</b>
<b>Payment: 4988</b>					
SGS Guadalupe	CAN-17	780127441	06/26/2019		632.24
<b>Payment 4988 Total:</b>					<b>632.24</b>
<b>Payment: 4989</b>					
SLO County IWMA	Recyclable collection fee	6088	06/26/2019		50.00
<b>Payment 4989 Total:</b>					<b>50.00</b>
<b>Payment: 4990</b>					
SLO County Public Works	Encroachment permits- Interc	6554	06/26/2019		342.00
<b>Payment 4990 Total:</b>					<b>342.00</b>
<b>Payment: 4991</b>					
SLO County Public Works	Encroachment permits renew	JUN2019	06/26/2019		1,715.00
<b>Payment 4991 Total:</b>					<b>1,715.00</b>
<b>Payment: 4992</b>					
SoCalGas	Heat - shop/office	JUN2019	06/26/2019		16.77
<b>Payment 4992 Total:</b>					<b>16.77</b>
<b>Payment: 4993</b>					
State Water Resources Contro	T1 certification	VIKER2019B	06/26/2019		55.00
<b>Payment 4993 Total:</b>					<b>55.00</b>
<b>Payment: 4994</b>					
Tyler Technologies, Inc.	Training seminar - Bognuda	025-261039	06/26/2019		137.50
Tyler Technologies, Inc.	Training seminar - Bognuda	025-261037	06/26/2019		137.50
<b>Payment 4994 Total:</b>					<b>275.00</b>
<b>Payment: 4995</b>					
United Rentals	Water truck rental	165510172-005	06/26/2019		2,608.69
<b>Payment 4995 Total:</b>					<b>2,608.69</b>
<b>Payment: 4996</b>					
USA Bluebook	CHEMKEYS	917035	06/26/2019		1,180.62
USA Bluebook	Stenner pump tubes	909226	06/26/2019		400.86
USA Bluebook	Nitrate tests	914333	06/26/2019		609.12
USA Bluebook	CHEMKEYS	919330	06/26/2019		1,762.65
USA Bluebook	Dechlorinator, extention tube	919129	06/26/2019		2,581.50

Item D-1 Warrants JUNE 26, 2019

Payment Dates: 06/26/2019 - 06/26/2019

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
USA Bluebook	CHEMKEYS	917358	06/26/2019		176.27
				<b>Payment 4996 Total:</b>	<b>6,711.02</b>
<b>Payment: 4997</b>					
Wallace Group	FOG Control Program	48474	06/26/2019		1,287.96
				<b>Payment 4997 Total:</b>	<b>1,287.96</b>

TO: BOARD OF DIRECTORS  
FROM: MARIO IGLESIAS  
GENERAL MANAGER  
DATE: JUNE 21, 2019



**APPROVE JUNE 12, 2019  
REGULAR BOARD MEETING MINUTES**

**ITEM**

Approve action minutes from previous Board meetings. [RECOMMEND APPROVE MINUTES]

**BACKGROUND**

The draft minutes are a written record of the previous Board Meeting action.

**RECOMMENDATION**

Approve Minutes

**ATTACHMENT**

- A. June 12, 2019 draft Regular Board Meeting Minutes



JUNE 26, 2019

ITEM D-2

ATTACHMENT A

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## DRAFT REGULAR MINUTES

**JUNE 12, 2019 AT 9:00 A.M.**

JON S. SEITZ BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

### BOARD of DIRECTORS

ED EBY, PRESIDENT  
DAN ALLEN GADDIS, VICE PRESIDENT  
BOB BLAIR, DIRECTOR  
CRAIG ARMSTRONG, DIRECTOR  
DAN WOODSON, DIRECTOR

### PRINCIPAL STAFF

MARIO IGLESIAS, GENERAL MANAGER  
LISA BOGNUDA, FINANCE DIRECTOR  
WHITNEY MCDONALD, GENERAL COUNSEL  
PETER SEVCIK, DIRECTOR OF ENG. & OPS.

Mission Statement: The Nipomo Community Services District's mission is to provide its customers with reliable, quality, and cost-effective services now and in the future.

#### A. CALL TO ORDER AND FLAG SALUTE

*President Eby called the Regular Meeting of June 12, 2019, to order at 9:00 a.m. and led the flag salute.*

#### B. ROLL CALL, AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

*At Roll Call, Director Woodson, Blair, Gaddis and Eby were present.*

#### C. PRESENTATIONS AND REPORTS

##### C-1) DIRECTORS' ANNOUNCEMENTS OF DISTRICT AND COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES AND SEMINARS [RECEIVE ANNOUNCEMENTS AND REPORTS FROM DIRECTORS]

##### Director Woodson

- *May 4, attended Traffic and Circulation meeting,*
- *May 13, attended meeting with John Laird, State Senator Candidate.*
- *May 21, attended Oso Flaco tour.*
- *June 3, attended SCAC meeting.*

##### Director Blair

- *June 4, attended Board of Supervisor meeting.*

##### Director Gaddis

- *May 14, attended Board Officers' meeting.*
- *June 3, attended Board Officer's meeting.*
- *June 5, attended IRWM meeting.*
- *June 6, D-Day anniversary.*

##### Director Eby

- *May 14, attended Board Officer's meeting.*
- *May 23, attended NMMA meeting.*
- *June 3, attended Board Officer's meeting.*
- *June 5, attended IRWM meeting.*
- *June 5, attended WRAC meeting.*

##### C-2) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

*There were no public comments.*

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District  
DRAFT REGULAR MEETING  
MINUTES**

*Upon the motion of Director Blair and seconded, the Board unanimously approved receiving and filing presentations and reports.  
Vote 4-0.*

YES VOTES	NO VOTES	ABSENT
Directors Blair, Gaddis Woodson and Eby	None	Armstrong

D. CONSENT AGENDA

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE May 8, 2019 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

*There were no public comments.*

*Upon the motion of Director Gaddis and seconded, the Board unanimously approved Consent Agenda.  
Vote 4-0.*

YES VOTES	NO VOTES	ABSENT
Directors Gaddis, Woodson, Blair and Eby	None	Armstrong

E. ADMINISTRATIVE ITEMS

E- 1) PUBLIC HEARING – AUTHORIZE COLLECTION OF FY 2019-20 BLACKLAKE STREET LIGHTING DISTRICT ASSESSMENTS [RECOMMEND CONDUCT HEARING, AMEND ASSESSMENT REPORT IF NECESSARY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING ASSESSMENT REPORT AND AUTHORIZING COLLECTION OF ASSESSMENTS]

*Mario Iglesias, General Manager, presented the item.*

*President Eby opened the Public Hearing.*

*There were no public comments.*

*Upon the motion of Director Gaddis and seconded, the Board unanimously approved the Resolution,  
Vote 4-0.*

YES VOTES	NO VOTES	ABSENT
Directors Gaddis, Blair, Woodson and Eby	None	Armstrong

**RESOLUTION 2019-1508  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
PROVIDING FOR THE COLLECTION OF STREET LIGHT CHARGES ON  
THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE AND  
OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE  
BLACKLAKE VILLAGE**

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District  
**DRAFT REGULAR MEETING  
 MINUTES**

Director Armstrong arrived at 9:15 a.m.

- E-2) PUBLIC HEARING - AUTHORIZE COLLECTION OF FY 2019-20 STREET LANDSCAPE MAINTENANCE DISTRICT ASSESSMENTS [RECOMMEND CONDUCT HEARING, AMEND ENGINEER’S REPORT IF NECESSARY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING ENGINEER’S REPORT AND AUTHORIZING COLLECTION OF ASSESSMENTS

*Peter Sevcik, Director of Engineering and Operations, presented the item*

*President Eby opened the Public Hearing.*

*There were no public comments.*

*Upon the motion of Director Blair, and seconded, the Board unanimously approved the Resolution,  
 Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Blair, Armstrong, Woodson, Gaddis and Eby</i>	<i>None</i>	<i>None</i>

**RESOLUTION 2019-1509  
 A RESOLUTION OF THE BOARD OF DIRECTORS  
 OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
 ORDERING THE LEVY AND COLLECTION OF  
 ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE  
 DISTRICT NO. 1 FOR FISCAL YEAR 2019-2020**

- E-3) CONSIDER SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY REQUEST FOR NOMINATIONS [RECOMMEND REVIEW CANDIDATES STATEMENTS, SELECT CANDIDATES, AND DIRECT STAFF COMPLETE BALLOT ACCORDINGLY]

*Mario Iglesias, General Manager, presented the item.*

*President Eby recommended the Board of Directors support the following candidates:  
 Bob Swan, Patrick O'Rourke and Sandy Seifert.*

*There were no public comment.*

*Upon the motion of Director Armstrong, and seconded, the Board unanimously approved President Eby's recommendation.  
 Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Armstrong, Gaddis, Woodson, Blair and Eby</i>	<i>None</i>	<i>None</i>

- E-4) PUBLIC HEARING – AUTHORIZE RECORDATION OF TAX LIENS FOR PROPERTIES IN ARREARS IN PAYMENT OF SOLID WASTE FEES [RECOMMEND CONDUCT HEARING, AMEND GENERAL MANAGER’S REPORT IF NECESSARY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING GENERAL MANAGER’S REPORT AND AUTHORIZING RECORDATION OF LIENS

*Lisa Bognuda, Finance Director, presented the item.*

**Nipomo Community Services District  
DRAFT REGULAR MEETING  
MINUTES**

*President Eby opened the Public Hearing.*

*There were no public comments.*

*Upon the motion of Director Armstrong, and seconded, the Board unanimously approved the Resolution,  
Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Armstrong, Gaddis, Woodson, Blair and Eby</i>	<i>None</i>	<i>None</i>

**RESOLUTION 2019-1510  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
CONFIRMING REPORT OF DISTRICT GENERAL MANAGER  
AND ORDERING THE COLLECTION OF UNPAID  
SOLID WASTE COLLECTION CHARGES ON THE TAX ROLL**

- E-5) INTRODUCE ORDINANCE AMENDING NIPOMO COMMUNITY SERVICES DISTRICT CODE SECTION 7.08.030 RATES AND CHARGES [RECOMMEND INTRODUCE, READ FULL TITLE, WAIVE FURTHER READING OF THE ORDINANCE, AND DIRECT DISTRICT COUNSEL AND STAFF TO PREPARE AND PUBLISH SUMMARY OF ORDINANCE PER GOVERNMENT CODE SECTION 25124]

*Whitney McDonald, District Legal Counsel, presented the item.*

*There were no public comments.*

*Upon the motion of Director Armstrong, and seconded, the Board introduced an Ordinance of the Board of Directors of the Nipomo Community Services District amending Nipomo Community Services District Code Section 7.08.030, waive further reading of the Ordinance and direct District Counsel and Staff to prepare and publish a summary of the Ordinance in accordance with Government Code Section 25124.  
Vote.5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Armstrong, Gaddis, Woodson, Blair and Eby</i>	<i>None</i>	<i>None</i>

**ORDINANCE 2019-129**

**AN ORDINANCE OF BOARD OF THE DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
AMENDING NIPOMO COMMUNITY SERVICES DISTRICT  
CODE SECTION 7.08.030**

- E-6) APPROVE FINAL DRAFT OF THE SOUTH COUNTY SANITARY STUDY REPORT AND DIRECT STAFF TO INITIATE A PROP 218 PROCESS TO INCLUDE SETTING THE PUBLIC HEARING FOR AUGUST 14, 2019 [RECOMMEND APPROVE REPORT, DIRECT STAFF TO INITIATE PROP 218 PROCESS AND SET AUGUST 14, 2019 FOR PUBLIC HEARING]

*Mario Iglesias, General Manager, presented the item.*

*Pam Wilson, NCSD customer, asked about the recycling program.*

**Nipomo Community Services District  
DRAFT REGULAR MEETING  
MINUTES**

*Upon the motion of Director Blair, and seconded, the Board unanimously approved the rate study report utilizing the 10% Franchise Fee, directed staff to initiate the Prop 218 notice and set the public hearing for August 14, 2019.*

*Vote.5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Blair, Armstrong, Woodson, Gaddis and Eby</i>	<i>None</i>	<i>None</i>

- E-7) (A) PUBLIC HEARING TO ADOPT 2019-20 FISCAL YEAR BUDGET [RECOMMEND CONDUCT PUBLIC HEARING, CONSIDER TESTIMONY, ORDER EDITS IF ANY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING 2019-2020 FISCAL YEAR BUDGET AND APPROPRIATION LIMITATION]

*Lisa Bognuda, Finance Director, presented the item.*

*President Eby opened the Public Hearing.*

*Upon the motion of Director Armstrong, and seconded, the Board unanimously approved the Resolutions adopting the 2019-2020 Budget and Appropriations Limitation.*

*Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Armstrong, Woodson, Blair, Gaddis and Eby</i>	<i>None</i>	<i>None</i>

**RESOLUTION 2019-1511**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE NIPOMO COMMUNITY SERVICES DISTRICT**  
**ADOPTING THE 2019-2020 FISCAL YEAR BUDGET**

**RESOLUTION 2019-1512**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE NIPOMO COMMUNITY SERVICES DISTRICT**  
**ADOPTING THE 2019-2020 FISCAL YEAR BUDGET**  
**DETERMINING THE APPROPRIATION LIMITATION**  
**FOR THE 2019-2020 FISCAL YEAR**

- (B) PUBLIC HEARING TO ADOPT 2019-20 FISCAL YEAR BUDGET FOR NIPOMO SUPPLEMENTAL WATER PROJECT (NSWP) [RECOMMEND CONDUCT PUBLIC HEARING, CONSIDER TESTIMONY, ORDER EDITS IF ANY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING NSWP 2019-2020 FISCAL YEAR BUDGET]

*Lisa Bognuda, Finance Director, presented the item.*

*President Eby opened the Public Hearing.*

*Upon the motion of Director Armstrong, and seconded, the Board unanimously approved the Resolution.*

*Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Armstrong, Gaddis, Woodson, Blair and Eby</i>	<i>None</i>	<i>None</i>

**RESOLUTION 2019-1513**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE NIPOMO COMMUNITY SERVICES DISTRICT**  
**ADOPTING THE NSWP (NIPOMO SUPPLEMENTAL**

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District  
DRAFT REGULAR MEETING  
MINUTES**

WATER PROJECT) 2019-2020 FISCAL YEAR BUDGET

**F. GENERAL MANAGERS REPORT**

*Mario Iglesias, General Manager, presented the item and answered questions from the Board.*

*There were no public comments.*

*President Eby requested the General Manager report include a summary of new service applications.*

**G. COMMITTEE REPORTS**

*None*

**H. DIRECTORS' REQUEST TO STAFF AND SUPPLEMENTAL REPORTS**

*None*

**I. CLOSED SESSION ANNOUNCEMENTS**

**1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9**

a) SMWWCD V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND A LITIGATION PURSUANT TO GC §54956.9 ALL CONSOLIDATED CASES)

b) CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: Significant exposure to litigation pursuant to Government Code § 54956.9(b), (d)(2) - Number of Potential Cases: 1

**J. PUBLIC COMMENT ON CLOSED SESSION ITEMS**

There were no public comments.

The Board took a 10 minute break.

*Whitney McDonald, District Legal Counsel, announced that the Board discussed Item 1(a) and 1(b). The Board took no reportable action.*

**ADJOURN**

*President Eby adjourned the meeting at 11:45 a.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	2 hours 05 minutes
Closed Session	0 hour 41 minutes
<b>TOTAL HOURS</b>	<b>2 hours 46 minutes</b>

Respectfully submitted,

\_\_\_\_\_  
Mario Iglesias, General Manager and Secretary to the Board Date

SUBJECT TO BOARD APPROVAL

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS  
GENERAL MANAGER 

FROM: WHITNEY MCDONALD  
DISTRICT COUNSEL

DATE: JUNE 20, 2019



**ADOPT ORDINANCE AMENDING  
NIPOMO COMMUNITY SERVICES DISTRICT  
CODE SECTION 7.08.030**

**ITEM**

Adopt an ordinance amending Nipomo Community Services District Code Section 7.08.030 [RECOMMEND ADOPT ORDINANCE BY READING THE FULL TITLE, WAIVE FURTHER READING OF THE ORDINANCE, AND DIRECT DISTRICT COUNSEL AND STAFF TO PREPARE AND PUBLISH SUMMARY OF ORDINANCE PER GOVERNMENT CODE SECTION 25124]

**BACKGROUND**

In 2005, the Nipomo Community Services District ("District") Board of Directors adopted Ordinance 2005-104, which implemented mandatory solid waste collection, adopted District-wide fees for solid waste service, and amended Chapter 7.01 of the District Code to require waste wheeler service for garbage, recycling and greenwaste collection. Section 7.08.030 - Rates and Charges, included in Ordinance 2005-104, current reads as follows:

**7.08.030 - Rates and charges.**

- A. The owner of the property which is furnished service shall be responsible for payment of all rates, charges and fees, including penalties thereon regarding such furnished services. Unpaid obligations shall run with the land and shall create a lien on the property involved. At the owner's request, and subject to a fee established by the franchisee, duplicate bills and delinquency notices will be mailed to the service address by the franchisee.
- B. Rates and charges for residential and commercial solid waste collection shall be established pursuant to their procedures established by Article XIII D Section 6 of the California Constitution. The rate schedule for residential and commercial solid waste service is set out in Exhibit A at the end of this chapter.
- C. After the 2004-2005 fiscal year, the charges for both commercial and residential customers may be adjusted on July 1st of each fiscal year up to the average percentage change in San Francisco-Oakland-San Jose Consumer Price Index for the prior twelve-month period, as reported by the Bureau of Labor Statistics of the United States Department of Labor.
- D. The franchisee shall provide each property owner with notice of property owner's responsibility for payment of solid waste rates and charges and a summary of Sections 7.08.030 et seq. and 7.09.000 et seq. of the district's code as part of all notices of rate increases as required by the franchise agreement.



(Ord. 2005-104 § 12, 2005)

District Counsel is recommending amendments to this section in order to clarify that applicable solid waste collection rates and charges are adopted by Resolution of the Board of Directors, as permitted by Government Code section 61115. It is also recommended that the Consumer Price Index referenced in Section 7.08.030.C. be modified to reference the index for All U.S. Cities rather than the index for the San Francisco-Oakland-San Jose area in order to be consistent with the index used by other jurisdictions in the region. The recommended changes to Section 7.08.030 are shown in the following underline and strikeout language:

**7.08.030 - Rates and charges.**

- A. The owner of the property which is furnished service shall be responsible for payment of all rates, charges and fees, including penalties thereon regarding such furnished services. Unpaid obligations shall run with the land and shall create a lien on the property involved. At the owner's request, and subject to a fee established by the franchisee, duplicate bills and delinquency notices will be mailed to the service address by the franchisee.
- B. Rates and charges for residential and commercial solid waste collection shall be established pursuant to their procedures established by Article XIII D Section 6 of the California Constitution and established by Resolution adopted by the District Board of Directors. ~~The rate schedule for residential and commercial solid waste service is set out in Exhibit A at the end of this chapter.~~
- C. ~~After the 2004-2005 fiscal year,~~ The charges for both commercial and residential customers may be adjusted on July 1st of each fiscal year up to the average percentage change in the Consumer Price Index for Urban Consumers based on the All U.S. City Average~~San Francisco-Oakland-San Jose~~ for the prior twelve-month period, as reported by the Bureau of Labor Statistics of the United States Department of Labor.
- D. The franchisee shall provide each property owner with notice of property owner's responsibility for payment of solid waste rates and charges and a summary of Sections 7.08.030 et seq. and 7.09.000 et seq. of the district's code as part of all notices of rate increases as required by the franchise agreement.

A redline version of the Ordinance showing these changes to the existing code is included as Attachment A. Attachment B is the clean version of the Ordinance proposed for adoption.

Your Board introduced the Ordinance at your regular meeting held on June 12, 2019. Staff prepared and published a summary of the Ordinance pursuant to Government Code section 25124. It is recommended that your Board now adopt the Ordinance by reading its title in its entirety and waive further reading. Following adoption, the summary of the Ordinance will be published again, along with the names and votes of each Board member. The Ordinance will then become effective 30 days after adoption.

**FISCAL IMPACT**

There is no fiscal impact to the District other than time spent developing the ordinance which is included in the District's annual budget.

**STRATEGIC PLAN**

Goal 8. ADDITIONAL COMMUNITY SERVICES. Staff should focus on meeting the goals and objectives of existing services. Adding new services will be considered on a case-by-case basis and entered into only if funding can be found and existing services are not harmed.

**8.A. ACTIVITIES FOR COMPLETION**

A.1 SOLID WASTE. Seek to maximize solid waste services for community and build understanding of services like hazardous waste, recycling, etc. and District's role.

**RECOMMENDATION**

It is recommended that your Board adopt the ordinance by reading the full title, waive further reading of the ordinance, and direct District Counsel and staff to prepare and publish a summary of the ordinance, utilizing the following language: "I move that we adopt AN ORDINANCE OF BOARD OF THE DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING NIPOMO COMMUNITY SERVICES DISTRICT CODE SECTION 7.08.030, waive further reading of the ordinance, and direct District Counsel and staff to prepare and publish a summary of the ordinance in accordance with Government Code section 25124."

**ATTACHMENTS**

- A. Ordinance 2019-XXXX, Redline depicting changes to existing District Code Section 7.08.030
- B. Ordinance 2019-XXXX, AN ORDINANCE OF BOARD OF THE DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING NIPOMO COMMUNITY SERVICES DISTRICT CODE SECTION 7.08.030

JUNE 26, 2019

ITEM E-1

ATTACHMENT A

ORDINANCE NO. 2019-XXXX

AN ORDINANCE OF BOARD OF THE DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
AMENDING NIPOMO COMMUNITY SERVICES DISTRICT  
CODE SECTION 7.08.030

The Board of Directors of the Nipomo Community Services District ordains as follows:

SECTION 1. Section 7.08.030 of the Nipomo Community Services District Code, referenced herein as "District Code," shall be amended and replaced in its entirety to read as follows:

**7.08.030 - Rates and charges.**

- A. The owner of the property which is furnished service shall be responsible for payment of all rates, charges and fees, including penalties thereon regarding such furnished services. Unpaid obligations shall run with the land and shall create a lien on the property involved. At the owner's request, and subject to a fee established by the franchisee, duplicate bills and delinquency notices will be mailed to the service address by the franchisee.
- B. Rates and charges for residential and commercial solid waste collection shall be established pursuant to their procedures established by Article XIII D Section 6 of the California Constitution and established by Resolution adopted by the District Board of Directors. ~~The rate schedule for residential and commercial solid waste service is set out in Exhibit A at the end of this chapter.~~
- C. ~~After the 2004-2005 fiscal year,~~ The charges for both commercial and residential customers may be adjusted on July 1st of each fiscal year up to the average percentage change in the Consumer Price Index for Urban Consumers based on the All U.S. City Average San Francisco-Oakland-San Jose for the prior twelve-month period, as reported by the Bureau of Labor Statistics of the United States Department of Labor.
- D. The franchisee shall provide each property owner with notice of property owner's responsibility for payment of solid waste rates and charges and a summary of Sections 7.08.030 et seq. and 7.09.000 et seq. of the district's code as part of all notices of rate increases as required by the franchise agreement.

SECTION 2. Any sections, portions of sections, or subsections of the District Code not specifically amended and replaced herein shall remain in full force and effect.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, ineffective or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this Ordinance. The Governing Board of the District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsection, sentence,

ORDINANCE NO. 2019-XXXX

AN ORDINANCE OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AMENDING NIPOMO COMMUNITY SERVICES DISTRICT  
CODE SECTION 7.08.030

clause or phrase be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

SECTION 4. The Board of Directors of the District finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15378(b)(2) and 15378(b)(4) because it constitutes general policy and procedure making and government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. The Board of Directors further finds that the adoption of this Ordinance is not a project as defined in CEQA Guidelines Section 15378 because it can be seen with certainty that it will not result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. The District General Manager is directed to prepare and file an appropriate notice of exemption.

SECTION 5. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage. Before the expiration of the fifteenth (15<sup>th</sup>) day after passage this Ordinance shall be published once with the names of the members of the Board of Directors voting for or against the Ordinance in a newspaper of general circulation within the District.

INTRODUCED at its regular meeting of the Board of Directors held on June 12, 2019, and PASSED and ADOPTED by the Board of Directors of the Nipomo Community Services District at its regular meeting on the \_\_\_\_ day of \_\_\_\_\_, 2019, by the following roll call vote, to wit:

- AYES:
- NOES:
- ABSENT:
- CONFLICTS:

\_\_\_\_\_  
ED EBY  
President, Board of Directors

ATTEST:

APPROVED AS TO FORM AND LEGAL  
EFFECT:

\_\_\_\_\_  
MARIO IGLESIAS  
General Manager and  
Secretary to the Board

\_\_\_\_\_  
WHITNEY G. McDONALD  
District Legal Counsel

JUNE 26, 2019

ITEM E-1

ATTACHMENT B

**ORDINANCE NO. 2019-XXXX**

**AN ORDINANCE OF BOARD OF THE DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
AMENDING NIPOMO COMMUNITY SERVICES DISTRICT  
CODE SECTION 7.08.030**

The Board of Directors of the Nipomo Community Services District ordains as follows:

SECTION 1. Section 7.08.030 of the Nipomo Community Services District Code, referenced herein as "District Code," shall be amended and replaced in its entirety to read as follows:

**7.08.030 - Rates and charges.**

- A. The owner of the property which is furnished service shall be responsible for payment of all rates, charges and fees, including penalties thereon regarding such furnished services. Unpaid obligations shall run with the land and shall create a lien on the property involved. At the owner's request, and subject to a fee established by the franchisee, duplicate bills and delinquency notices will be mailed to the service address by the franchisee.
- B. Rates and charges for residential and commercial solid waste collection shall be established pursuant to their procedures established by Article XIII D Section 6 of the California Constitution and established by Resolution adopted by the District Board of Directors.
- C. The charges for both commercial and residential customers may be adjusted on July 1st of each fiscal year up to the average percentage change in the Consumer Price Index for Urban Consumers based on the All U.S. City Average for the prior twelve-month period, as reported by the Bureau of Labor Statistics of the United States Department of Labor.
- D. The franchisee shall provide each property owner with notice of property owner's responsibility for payment of solid waste rates and charges and a summary of Sections 7.08.030 et seq. and 7.09.000 et seq. of the district's code as part of all notices of rate increases as required by the franchise agreement.

SECTION 2. Any sections, portions of sections, or subsections of the District Code not specifically amended and replaced herein shall remain in full force and effect.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, ineffective or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this Ordinance. The Governing Board of the District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsection, sentence, clause or phrase be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

**ORDINANCE NO. 2019-XXXX**

**AN ORDINANCE OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AMENDING NIPOMO COMMUNITY SERVICES DISTRICT  
CODE SECTION 7.08.030**

SECTION 4. The Board of Directors of the District finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15378(b)(2) and 15378(b)(4) because it constitutes general policy and procedure making and government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. The Board of Directors further finds that the adoption of this Ordinance is not a project as defined in CEQA Guidelines Section 15378 because it can be seen with certainty that it will not result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. The District General Manager is directed to prepare and file an appropriate notice of exemption.

SECTION 5. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage. Before the expiration of the fifteenth (15<sup>th</sup>) day after passage this Ordinance shall be published once with the names of the members of the Board of Directors voting for or against the Ordinance in a newspaper of general circulation within the District.

INTRODUCED at its regular meeting of the Board of Directors held on June 12, 2019, and PASSED and ADOPTED by the Board of Directors of the Nipomo Community Services District at its regular meeting on the \_\_\_\_ day of \_\_\_\_\_, 2019, by the following roll call vote, to wit:

AYES:  
NOES:  
ABSENT:  
CONFLICTS:

\_\_\_\_\_  
ED EBY  
President, Board of Directors

ATTEST:

APPROVED AS TO FORM AND LEGAL  
EFFECT:

\_\_\_\_\_  
MARIO IGLESIAS  
General Manager and  
Secretary to the Board

\_\_\_\_\_  
WHITNEY G. McDONALD  
District Legal Counsel



TO: MARIO IGLESIAS  
GENERAL MANAGER

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

DATE: JUNE 20, 2019

**AGENDA ITEM  
E-2  
JUNE 26, 2019**

**CONSIDER REQUEST FOR WATER, SEWER, AND  
SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR  
A MIXED USE (COMMERCIAL AND RESIDENTIAL) DEVELOPMENT  
LOCATED AT 224 W DANA STREET, APN 090-135-023**

**ITEM**

Consider request for water, sewer and solid waste service (Intent-to-Serve Letter) for a mixed use (commercial and residential) development located at 224 W. Dana Street, APN 090-135-023 [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 project at 224 W. Dana Street, APN 090-135-023, on May 20, 2019. The applicant, Alfredo Ruiz, is requesting water, sewer, and solid waste service for a mixed used (commercial and residential) development.

The project will consist of two professional business offices and two residential units on one existing parcel. The existing 0.17 acre parcel is zoned Mixed Use and the District does not currently provide water, sewer or solid waste service for the parcel.

The project will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing well(s) on the property will not be utilized to provide domestic water service to any part of the project.

In accordance with the District's Supplemental Water Accounting Policy, Resolution 2015-1372, water demand for the project will be tracked against the 500 AFY supplemental water project capacity reservation for new development. Based on the preliminary information provided, total water demand for the project is estimated at 1.06 acre-feet per year (AFY). Sufficient supplemental water for the project is available.

Sufficient wastewater treatment capacity for the project is available in the District's Southland WWTF.

**FISCAL IMPACT**

Water and sewer capacity fees will be based on the domestic and irrigation meter sizes requested for the final County approved project as well as CAL FIRE's fire service requirements. Based on the preliminary information provided, the following services are proposed:

- Domestic: 1 @ 1-inch
- Irrigation: 1 @ 1-inch

- Fire: 1 @ 1-inch
- Sewer: 1 service

The estimated fee deposit for the project is \$35,396.25 based on the current FY 18-19 District fee schedule. Fees for Connection shall be calculated and owing as of the date the District accepts the public water and sewer improvements for the project and sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.

### **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-SPECIFIC CONDITIONS**

- A single 1-inch meter and backflow assembly shall be provided for indoor water use. Water capacity charges are applicable.
- A separate 1-inch irrigation meter and backflow assembly shall be provided for outdoor irrigation use. Water capacity charges are applicable.
- A separate 1-inch or larger fire sprinkler service, as required and approved by CAL FIRE of SLO County, shall be provided for fire sprinkler service. Fire capacity charges are applicable.

#### **STANDARD CONDITIONS**

- Project shall obtain solid waste, sewer and water service for all parcels.
- CAL FIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges are applicable if dedicated fire service lateral(s) are required.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the 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.
- 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. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- 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 prior to issuance of Will-Serve letter.
- 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 mixed use (commercial and residential) as defined by the District.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
  - 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.
- District service is conditioned on the applicant complying with all terms, conditions, rules, and regulations of other agencies that have jurisdiction over the project.
- This Intent-to-Serve letter shall not be interpreted as the District's Board of Directors endorsement of the project.
- 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
- B. Site Plan
- C. Supplemental Water Project Accounting Summary
- D. Resolution 2015-1372

JUNE 26, 2019

ITEM 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**  
MAY 20 2019

NIPOMO COMMUNITY SERVICES DISTRICT  
9:29 AM LAC

## INTENT-TO-SERVE APPLICATION

1. This is an application for:  Sewer and Water Service  Water Service Only
2. SLO County Planning Department/Tract or Development No.: \_\_\_\_\_
3. Project location: W. Dana St., Nipomo CA 93444
4. Assessor's Parcel Number (APN) of lot(s) to be served: 090-135-023
5. Owner Name: Alfredo Ruiz
6. Mailing Address: 525 So Oak Glen Ave, Nipomo CA 93444
7. Email: ruiznipomo@aol.com
8. Phone: 805-801-6357 FAX: \_\_\_\_\_
9. Agent's Information (Architect or Engineer):  
Name: Rodel Honrada  
Address: 803 Tabitha Ln. Santa Maria CA  
Email: \_\_\_\_\_  
Phone: (805) 264-2701 FAX: \_\_\_\_\_

10. 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 type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Mixed Use (Commercial and Residential)

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

12. Site Plan:  
**For all projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11") of site plans.**

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable. **Note that the District only provides one domestic meter per Assessor Parcel Number (APN).**

13. Board Approval:  
Board approval is required for the following type of projects:
  - more than four dwelling units
  - property requiring sub-divisions
  - higher than currently permitted housing density
  - commercial developments

14. **RESIDENTIAL SERVICE**

Single Family Residential (SFR)

Number of APN's created		Proposed number of SFR	
-------------------------	--	------------------------	--

Multi-Family Residential (MFR)

Number of APN's created	1	Proposed number of MFR	
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

15. **COMMERCIAL AND/OR MIXED USE SERVICE DEMAND ESTIMATES:**

Commercial and Mixed Use

Number of APN's created	1	Proposed number of residential dwellings	2
Number of Domestic Meter(s)	1	Estimated Meter Size(s)	1"
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)	1	Estimated Meter Size(s)	1"

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect.

**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.

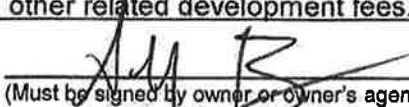
Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule on Page 3

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 5-20-19

Signed

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

Print Name

Alfredo Ruiz

JUNE 26, 2019

ITEM E-2

ATTACHMENT B





JUNE 26, 2019

ITEM E-2

ATTACHMENT C

**Nipomo Community Services District  
New Development Supplemental Water Accounting**

**Summary Since January 25, 2008**

	<b>Number of Equivalent Meters</b>	<b>AFY</b>
<b>Supplemental Water Available for Allocation</b>	<b>947</b>	<b>500</b>
<b>Supplemental Water Reserved (Will Serve Letter Issued)</b>	<b>98</b>	<b>-51.7</b>
<b>Subtotal Net Supplemental Water Available for Allocation</b>	<b>849</b>	<b>448.3</b>
<b>Supplemental Water Assigned (Intent-to-Serve Issued)</b>	<b>40</b>	<b>-21.1</b>
<b>Total Remaining Supplemental Water Available for Allocation</b>	<b>809</b>	<b>427.1</b>

As of June 20, 2019

**Nipomo Community Services District  
New Development Supplemental Water Accounting**

**Intent to Serve Letters Issued Since January 25, 2008**

Issue Date	Expiration Date	Project	Number of Equivalent Meters	AFY Assigned	Type of Project
10/13/2011	10/12/2015	Tract 2634	2	1.1	Residential***
6/13/2012	6/12/2016	Tract 2906	15	7.9	Residential
	3/15/2017	Tract 2642 (South Oak Glen)	18	9.5	Residential - OUA
7/24/2013	7/23/2017	530 Hill Street	20	10.6	Multi-Family
10/23/2013	10/22/2017	OTNA Park	1	0.5	Park
10/22/2014	10/21/2017	Blacklake Canyon	153	80.8	Hotel and Residential
12/10/2014	12/9/2017	719 W Tefft	1	0.5	Commercial
9/10/2014	9/9/2018	549 Hill Street Hotel	6	3.2	Commercial
2/11/2015	2/10/2019	CO 15-0055 (875 Theodora St)	3	1.6	Residential
5/12/2015	5/11/2019	Tract 2652 (Mary/Juniper)	68.8	36.3	Commercial
5/27/2015	5/26/2019	CO 15-0065 (1650 Rocky Pl)	2	1.1	Residential
	N/A	Tract 2650 (Via Concha/Willow)	16	8.4	Residential - OUA
Pending Board Approval		Tract 3135 (Blume/Hill)	20	10.6	Residential
Pending Board Approval		224 W. Dana Street	2	1.1	Mixed Use
Pending Board Approval		CO 15-0065 (1650 Rocky Place)	2	1.1	Residential

**Total Supplemental Water Assigned**

<b>40.0</b>	<b>21.1</b>
-------------	-------------

As of June 20, 2019

\_\_\_\_\_ Denotes ITS expired and Will Serve Not Issued

**Nipomo Community Services District  
New Development Supplemental Water Accounting**

**Will Serve Letters Issued Since January 25, 2008**

<b>Issue Date</b>	<b>Project</b>	<b>Number of Equivalent Meters</b>	<b>AFY Assigned</b>	<b>Type of Project</b>
7/9/2008	Tract 2734 (Hunter Ridge)	6	3.2	Residential
6/15/2013	929 Camino Caballo	2	1.1	Residential
12/10/2014	699 W Tefft	3	1.6	Mixed Use
7/7/2016	Nipomo Oaks ALF	10	5.3	Commercial
1/3/2017	164 Mallagh	6	3.2	Multi-family
1/9/2017	Tract 2923 (545 Grande)	17	9.0	Residential
8/24/2018	Tract 2558 (Magenta)	15	7.9	Residential
12/5/2018	Tract 2441 (576 Grande)	38	20.1	Residential
6/19/2019	607 Honey Grove	1	0.5	Residential

**Total Supplemental Water Reserved**

<b>98</b>	<b>51.7</b>
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As of June 20, 2019

**Nipomo Community Services District  
New Development Supplemental Water Accounting**

<b>Fiscal Year</b>	<b>1 Inch Meter Equivalent</b>	<b>Total Water Consumption</b>	<b>AFY per 1 Inch Meter Equivalent</b>
FY 09-10	4563	2550	0.56
FY 10-11	4642	2420	0.52
FY 11-12	4684	2489	0.53
FY 12-13	4743	2376	0.50
FY 13-14	4777	2518	0.53
<b>Average Water Consumption per 1 Inch Meter Equivalent</b>			<b>0.53</b>

<b>Meter Size</b>	<b>Meter Capacity Ratio</b>	<b>Acre-Foot Allocation</b>
1 Inch	1	0.53
1.5 Inch	3	1.58
2 Inch	4.8	2.53
3 Inch	9	4.75
4 Inch	15	7.92
6 Inch	30	15.84

<b>Available Supplemental Water</b>	<b>AFY per 1 Inch Meter Equivalent</b>	<b>Total Number of Available Equivalent Meters</b>
<b>500</b>	<b>0.53</b>	<b>947</b>

JUNE 26, 2019

ITEM E-2

ATTACHMENT D

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2015-1372  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING A SUPPLEMENTAL WATER ACCOUNTING POLICY**

**WHEREAS**, the Nipomo Community Services District ("District") is a party to a groundwater adjudication, Santa Maria Valley Water Conservation District v. City of Santa Maria, etc. et al., Case No. CV 770214 ("Groundwater Litigation"); and

**WHEREAS**, the District's current water supply is groundwater extracted from the Nipomo Mesa Management Area (NMMA) as established by the court in the Santa Maria Groundwater Litigation (also referred to as the Nipomo Mesa Water Conservation Area (NMWCA) by the County of San Luis Obispo, pursuant to County Ordinance 3090), of the Santa Maria Groundwater Basin; and

**WHEREAS**, pursuant to Section VI D(1) of the June 2005 Stipulation as incorporated into the January 25, 2008, Final Judgment in the Groundwater Litigation, the Nipomo Mesa Management Area Technical Group has declared that a "Potentially Severe Water Shortage Condition" exists within the Nipomo Mesa Management Area; and

**WHEREAS**, the San Luis Obispo County Department of Planning and Building's 2004 Resource Capacity Study for the Water Supply in the Nipomo Mesa Area recommended a Level of Severity III (existing demand equals or exceeds dependable supply) be certified for the Nipomo Mesa Area and that measures be implemented to lessen adverse impacts of future development (said Study and referenced documents are incorporated herein by reference); and

**WHEREAS**, the San Luis Obispo County Board of Supervisors ("County") in June 2007, certified the Nipomo Mesa Water Conservation Area as a Severity Level III, meaning that existing water demand equals or exceeds the dependable supply; and

**WHEREAS**, the resource protection goals of the San Luis Obispo County South County Area Plan includes the following:

- Balance the capacity for growth allowed by the Land Use Element with the sustained availability of resources.
- Avoid the use of public resources, services and facilities beyond their renewable capacities, and monitor new development to ensure that its resource demands will not exceed existing and planned capacities or service levels; and

**WHEREAS**, the District is constructing a supplemental water project to increase its available water supply and meet the District's share of the court ordered commitment to bring a minimum of 2,500 AFY of supplemental water to the Nipomo Mesa Management Area (NMMA); and

**WHEREAS**, the District's supplemental water project includes a 500 AFY capacity reservation for new development within the District's existing boundaries consistent with the court order requirements that all new urban water demand within the NMMA be met with new developed water; and

**WHEREAS**, the purpose of the Supplemental Water Accounting Policy is to account for water reserved for all new development within the District against the 500 AFY supplemental water project capacity to ensure that the District does not over reserve or under reserve water for future development; and

**WHEREAS**, the Supplemental Water Accounting Policy will allow the District to track when it is getting close to fully accounting for and reserving the 500 AFY of supplemental water so that the District can plan for acquiring additional supplies; and

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2015-1372  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING A SUPPLEMENTAL WATER ACCOUNTING POLICY**

**WHEREAS**, the policy shall apply to all new development applications initiated or renewed after January 25, 2008; and

**WHEREAS**, based on the Staff Report, Staff presentation, and public comment, the District Board of Directors finds:

- A. That the purpose and intent of this Resolution is consistent with the purposes found in the Judgment and Stipulation in the Ground Water Litigation imposing a physical solution to assure long term sustainability of the groundwater basin and the San Luis Obispo County's certification of a Severity Level III for the waters underlying the NMWCA and;
- B. That adopting this Resolution will ensure the water supply for the greater public benefit, with particular regards to domestic use, sanitation and fire protection by ensuring that all new urban demand within the District is satisfied with new developed water and;

**WHEREAS**, based on the Staff Report, Staff presentation, and public comment, the District Board of Directors further finds this Resolution is adopted for the protection of the health, safety and welfare of District water customers who depend on the underlying ground water basin as their source of water supply.

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

- 1. Exhibit "A", attached hereto, is hereby incorporated by this reference as the District's Supplemental Water Accounting Policy
- 2. The above Recitals are true and correct and incorporated herein by reference.

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

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

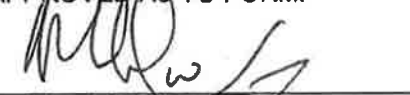
the foregoing resolution is hereby adopted this 8<sup>th</sup> day of April 2015.

  
CRAIG ARMSTRONG  
President of the Board

ATTEST:

  
MICHAEL S. LEBRUN  
General Manager and Secretary to the Board

APPROVED AS TO FORM:

  
MICHAEL W. SEITZ  
District Legal Counsel



**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2015-1372  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING A SUPPLEMENTAL WATER ACCOUNTING POLICY**

**EXHIBIT A**

**NIPOMO COMMUNITY SERVICES DISTRICT  
SUPPLEMENTAL WATER ACCOUNTING POLICY**

**Background**

The District is constructing a supplemental water project to increase its available water supply and meet the District's share of the court ordered commitment to bring a minimum of 2,500 AFY of supplemental water to the Nipomo Mesa Management Area (NMMA). In addition, the District's supplemental water project includes a 500 AFY capacity reservation for new development within the District's existing boundaries consistent with the court order requirements that all new urban water demand within the NMMA be met with new developed water.

**Purpose**

The purpose of the Supplemental Water Accounting Policy is to account for water reserved for all new development within the District against the 500 AFY supplemental water project capacity to ensure that the District does not over reserve or under reserve water for future development. In addition, the District needs to track when it is getting close to fully accounting for and reserving the 500 AFY of supplemental water so that the District can plan for acquiring additional supplies. The policy shall apply to all new development applications initiated or renewed after January 25, 2008.

**Supplemental Water Accounting**

The policy is based on the use of equivalent meters and five-year average total production for assigning a volume of supplemental water to new water connections. Based on the data from FY 09-10 to FY 13-14, a 1-inch equivalent meter will be assigned a volume of .53 AFY.

Supplemental water for all new water connections, residential and commercial, will be accounted for based on meter size. Meter capacity ratios, which are based on physical meter capacity, will be used to account for and reserve water for other size meters as follows:


METER SIZE	CAPACITY RATIO	ASSIGNED VOLUME
1 inch and Less	1.0	0.53 acre feet
1 and ½ inch	3.0	1.59 acre feet
2 inch	4.8	2.54 acre feet
3 inch	9.0	4.77 acre feet
4 inch	15.0	7.95 acre feet

*Connections larger than 4-inch will be calculated as needed on a case by case basis.*

Water will be assigned to new development when Intent-to-Serve letters, that are subject to expiration, are issued and reserved for new development when Will-Serve letters are issued.

Supplemental water accounting totals shall be reported to the Board monthly in the General Manager's report.

The Supplemental Water Accounting Policy shall be reviewed annually in January.

TO: MARIO IGLESIAS  
GENERAL MANAGER 

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

DATE: JUNE 20, 2019

**AGENDA ITEM**  
**E-3**  
**JUNE 26, 2019**

**CONSIDER REQUEST FOR WATER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR CO 15-0065, A 4 UNIT RESIDENTIAL DEVELOPMENT ON 1650 ROCKY PLACE APNS 091-073-021 AND 091-073-022**

**ITEM**

Consider request for water and solid waste service (Intent-to-Serve Letter) for CO 15-0065, a 4-unit residential development on 1650 Rocky Place, APNs 091-073-021 and 091-073-022 [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

**BACKGROUND**

The District received an application for water and solid waste service for CO 15-0065, 1650 Rocky Place, APNs 091-073-021 and 091-073-022, on June 6, 2019. The applicant, Carlos Castaneda, had previously been issued an Intent-to-Serve letter by the District that expired on May 26, 2019.

The project will consist of a subdivision of 2 existing parcels into 4 residential lots. Each existing parcel will be split into 2 lots. APN 091-073-021 (10.86 acres) is zoned Residential Rural and the District currently provides water and solid waste service to the parcel. APN 091-073-022 (9.84 acres) is zoned Residential Rural and while the District does not currently provide water service to the parcel, the parcel is on the District's Reserved Capacity List.

All parcels, existing and planned, will be required to obtain water and solid waste service in compliance with current District standards. Any existing well(s) on the property will not be utilized to provide domestic water service to any part of the project.

In accordance with the District's Supplemental Water Accounting Policy, Resolution 2015-1372, water demand for the project will be tracked against the 500 AFY supplemental water project capacity reservation for new development. Based on the preliminary information provided, total water demand for the project is estimated at 2.11 acre-feet per year (AFY). After applying a credit of 1.06 AFY for the existing service (1 @ 1-inch) and reserved capacity service (1@1-inch), the project's supplemental water demand is estimated at 1.06 AFY. Sufficient supplemental water for the project is available.

**FISCAL IMPACT**

Water capacity fees will be based on the domestic sizes requested for the final County approved project as well as CAL FIRE's fire service requirements. Based on the information provided, the following services are proposed:

- Domestic: 4 @ 1-inch

The estimated fee deposit for the project is \$25,039.00 based on the current FY 18-19 District fee schedule including a credit for 2 existing 1-inch services. Fees for Connection shall be calculated and owing as of the date the District accepts the public water and sewer improvements for the project and sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.

### **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-SPECIFIC CONDITIONS**

- Each new parcel shall be served by a single 1-inch meter and backflow assembly for indoor use and fire sprinkler service, if approved by CAL FIRE of SLO County.

#### **STANDARD CONDITIONS**

- Project shall obtain solid waste and water service for all parcels.
- 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.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the 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.
- 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. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- Any easements required for water 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 laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name prior to issuance of Will-Serve letter.
- 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 improvements

- Offer of Dedication
- Engineer's Certification
- Summary of all water 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.
- District service is conditioned on the applicant complying with all terms, conditions, rules, and regulations of other agencies that have jurisdiction over the project.
- This Intent-to-Serve letter shall not be interpreted as the District's Board of Directors endorsement of the project.
- 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
- B. Site Plan
- C. Supplemental Water Project Accounting Summary
- D. Resolution 2015-1372

JUNE 26, 2019

ITEM 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:

## INTENT-TO-SERVE APPLICATION

1. This is an application for:  Sewer and Water Service  Water Service Only
2. SLO County Planning Department/Tract or Development No.: Parcel Map CO15-0065
3. Project location: 1650 Rocky Place, Arroyo Grande,
4. Assessor's Parcel Number (APN) of lot(s) to be served: 091-073-021, 091-073-022
5. Owner Name: Carlos Castaneda
6. Mailing Address: PO Box 430, Grover Beach, CA 93483
7. Email: castaneda.charlie@gmail.com
8. Phone: 805-431-9360 FAX: \_\_\_\_\_
9. Agent's Information (Architect or Engineer):  
Name: Oasis Associates, Inc., C.M. Florence, AICP and Emily Ewer, AICP  
Address: 3427 Miguelito Court, San Luis Obispo, CA 93401  
Email: emily@oasisassoc.com, cmf@oasisassoc.com  
Phone: 805-541-4509 FAX: \_\_\_\_\_
10. 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)
11. Does this project require a sub-division?  Yes  No  
If yes, number of new lots created 4 subdivision is approved
12. Site Plan:  
**For all projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11") of site plans.**  
  
Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable. **Note that the District only provides one domestic meter per Assessor Parcel Number (APN).**
13. Board Approval:  
Board approval is required for the following type of projects:
  - more than four dwelling units
  - property requiring sub-divisions
  - higher than currently permitted housing density
  - commercial developments

14. **RESIDENTIAL SERVICE**

Single Family Residential (SFR)

Number of APN's created	4	Proposed number of SFR	4 + 1 adu
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includes existing 2 SFRs & 1 ADU

Multi-Family Residential (MFR)

Number of APN's created		Proposed number of MFR	
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

15. **COMMERCIAL AND/OR MIXED USE SERVICE DEMAND ESTIMATES:**

Commercial and Mixed Use

Number of APN's created		Proposed number of residential dwellings	
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect.

**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 on Page 3

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 06 June 2019 Signed

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

Print Name

C. H. Florence, ACP Agent

**DEFINITIONS**

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

**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.

**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.

**Commercial** – all non-residential and mixed-use projects.

**APPLICATION FEES AND CHARGES  
 EFFECTIVE July 1, 2018**

PROJECT SIZE/TYPE	TOTAL AMOUNT DUE AT TIME OF APPLICATION**
Residential <4 units	\$1,196.96
Residential 4-20 units	\$1,644.14
Residential > 20 units	\$1,935.77
Commercial <1 acre	\$1,644.14
Commercial 1-3 acres	\$1,935.77
Commercial > 3 acres	\$2,674.55
Mixed Use with less than 4 Dwelling Units	\$1,935.77
Mixed Use with four or more Dwelling Units	\$2,674.55
*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.	

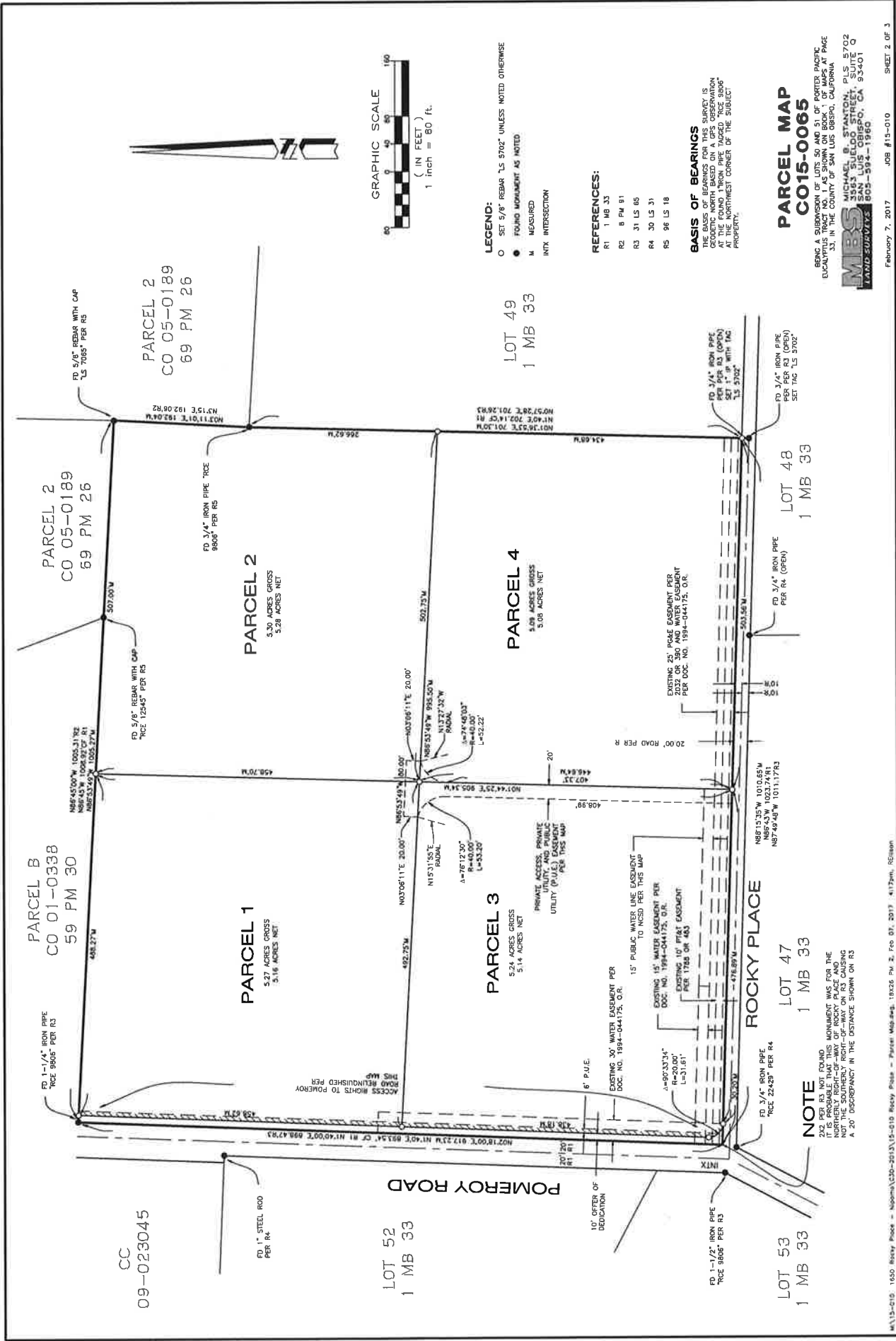
\*\*Commencing on July 1, 2008 and each year thereafter the Application Fees shall be adjusted by a Consumer Price Index formula.



JUNE 26, 2019

ITEM E-3

ATTACHMENT B



JUNE 26, 2019

ITEM E-3

ATTACHMENT C

**Nipomo Community Services District  
New Development Supplemental Water Accounting**

Summary Since January 25, 2008

	<b>Number of Equivalent Meters</b>	<b>AFY</b>
<b>Supplemental Water Available for Allocation</b>	947	500
<b>Supplemental Water Reserved (Will Serve Letter Issued)</b>	98	-51.7
<b>Subtotal Net Supplemental Water Available for Allocation</b>	<b>849</b>	<b>448.3</b>
<b>Supplemental Water Assigned (Intent-to-Serve Issued)</b>	40	-21.1
<b>Total Remaining Supplemental Water Available for Allocation</b>	<b>809</b>	<b>427.1</b>

As of June 20, 2019

**Nipomo Community Services District  
New Development Supplemental Water Accounting**

**Intent to Serve Letters Issued Since January 25, 2008**

Issue Date	Expiration Date	Project	Number of Equivalent Meters	AFY Assigned	Type of Project
10/13/2011	10/12/2015	Tract 2634	2	1.1	Residential***
6/13/2012	6/12/2016	Tract 2906	15	7.9	Residential
	3/15/2017	Tract 2642 (South Oak Glen)	18	9.5	Residential - OUA
7/24/2013	7/23/2017	530 Hill Street	20	10.6	Multi-Family
10/23/2013	10/22/2017	OTNA Park	1	0.5	Park
10/22/2014	10/21/2017	Blacklake Canyon	153	80.8	Hotel and Residential
12/10/2014	12/9/2017	719 W Tefft	1	0.5	Commercial
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Pending Board Approval		Tract 3135 (Blume/Hill)	20	10.6	Residential
Pending Board Approval		224 W. Dana Street	2	1.1	Mixed Use
Pending Board Approval		CO 15-0065 (1650 Rocky Place)	2	1.1	Residential

**Total Supplemental Water Assigned**

<b>40.0</b>	<b>21.1</b>
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As of June 20, 2019

\_\_\_\_\_ Denotes ITS expired and Will Serve Not Issued

**Nipomo Community Services District  
New Development Supplemental Water Accounting**

**Will Serve Letters Issued Since January 25, 2008**

<b>Issue Date</b>	<b>Project</b>	<b>Number of Equivalent Meters</b>	<b>AFY Assigned</b>	<b>Type of Project</b>
7/9/2008	Tract 2734 (Hunter Ridge)	6	3.2	Residential
6/15/2013	929 Camino Caballo	2	1.1	Residential
12/10/2014	699 W Tefft	3	1.6	Mixed Use
7/7/2016	Nipomo Oaks ALF	10	5.3	Commercial
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8/24/2018	Tract 2558 (Magenta)	15	7.9	Residential
12/5/2018	Tract 2441 (576 Grande)	38	20.1	Residential
6/19/2019	607 Honey Grove	1	0.5	Residential

**Total Supplemental Water Reserved**

<b>98</b>	<b>51.7</b>
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As of June 20, 2019

**Nipomo Community Services District  
New Development Supplemental Water Accounting**

<b>Fiscal Year</b>	<b>1 Inch Meter Equivalent</b>	<b>Total Water Consumption</b>	<b>AFY per 1 Inch Meter Equivalent</b>
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FY 10-11	4642	2420	0.52
FY 11-12	4684	2489	0.53
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FY 13-14	4777	2518	0.53
<b>Average Water Consumption per 1 Inch Meter Equivalent</b>			<b>0.53</b>

<b>Meter Size</b>	<b>Meter Capacity Ratio</b>	<b>Acre-Foot Allocation</b>
1 Inch	1	0.53
1.5 Inch	3	1.58
2 Inch	4.8	2.53
3 Inch	9	4.75
4 Inch	15	7.92
6 Inch	30	15.84

<b>Available Supplemental Water</b>	<b>AFY per 1 Inch Meter Equivalent</b>	<b>Total Number of Available Equivalent Meters</b>
500	0.53	947

JUNE 26, 2019

ITEM E-3

ATTACHMENT D



**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2015-1372  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING A SUPPLEMENTAL WATER ACCOUNTING POLICY**

**WHEREAS**, the Nipomo Community Services District ("District") is a party to a groundwater adjudication, Santa Maria Valley Water Conservation District v. City of Santa Maria, etc. et al., Case No. CV 770214 ("Groundwater Litigation"); and

**WHEREAS**, the District's current water supply is groundwater extracted from the Nipomo Mesa Management Area (NMMA) as established by the court in the Santa Maria Groundwater Litigation (also referred to as the Nipomo Mesa Water Conservation Area (NMWCA) by the County of San Luis Obispo, pursuant to County Ordinance 3090), of the Santa Maria Groundwater Basin; and

**WHEREAS**, pursuant to Section VI D(1) of the June 2005 Stipulation as incorporated into the January 25, 2008, Final Judgment in the Groundwater Litigation, the Nipomo Mesa Management Area Technical Group has declared that a "Potentially Severe Water Shortage Condition" exists within the Nipomo Mesa Management Area; and

**WHEREAS**, the San Luis Obispo County Department of Planning and Building's 2004 Resource Capacity Study for the Water Supply in the Nipomo Mesa Area recommended a Level of Severity III (existing demand equals or exceeds dependable supply) be certified for the Nipomo Mesa Area and that measures be implemented to lessen adverse impacts of future development (said Study and referenced documents are incorporated herein by reference); and

**WHEREAS**, the San Luis Obispo County Board of Supervisors ("County") in June 2007, certified the Nipomo Mesa Water Conservation Area as a Severity Level III, meaning that existing water demand equals or exceeds the dependable supply; and

**WHEREAS**, the resource protection goals of the San Luis Obispo County South County Area Plan includes the following:

- Balance the capacity for growth allowed by the Land Use Element with the sustained availability of resources.
- Avoid the use of public resources, services and facilities beyond their renewable capacities, and monitor new development to ensure that its resource demands will not exceed existing and planned capacities or service levels; and

**WHEREAS**, the District is constructing a supplemental water project to increase its available water supply and meet the District's share of the court ordered commitment to bring a minimum of 2,500 AFY of supplemental water to the Nipomo Mesa Management Area (NMMA); and

**WHEREAS**, the District's supplemental water project includes a 500 AFY capacity reservation for new development within the District's existing boundaries consistent with the court order requirements that all new urban water demand within the NMMA be met with new developed water; and

**WHEREAS**, the purpose of the Supplemental Water Accounting Policy is to account for water reserved for all new development within the District against the 500 AFY supplemental water project capacity to ensure that the District does not over reserve or under reserve water for future development; and

**WHEREAS**, the Supplemental Water Accounting Policy will allow the District to track when it is getting close to fully accounting for and reserving the 500 AFY of supplemental water so that the District can plan for acquiring additional supplies; and

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2015-1372  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING A SUPPLEMENTAL WATER ACCOUNTING POLICY**

**WHEREAS**, the policy shall apply to all new development applications initiated or renewed after January 25, 2008; and

**WHEREAS**, based on the Staff Report, Staff presentation, and public comment, the District Board of Directors finds:

- A. That the purpose and intent of this Resolution is consistent with the purposes found in the Judgment and Stipulation in the Ground Water Litigation imposing a physical solution to assure long term sustainability of the groundwater basin and the San Luis Obispo County's certification of a Severity Level III for the waters underlying the NMWCA and;
- B. That adopting this Resolution will ensure the water supply for the greater public benefit, with particular regards to domestic use, sanitation and fire protection by ensuring that all new urban demand within the District is satisfied with new developed water and;

**WHEREAS**, based on the Staff Report, Staff presentation, and public comment, the District Board of Directors further finds this Resolution is adopted for the protection of the health, safety and welfare of District water customers who depend on the underlying ground water basin as their source of water supply.

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

- 1. Exhibit "A", attached hereto, is hereby incorporated by this reference as the District's Supplemental Water Accounting Policy
- 2. The above Recitals are true and correct and incorporated herein by reference.

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

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

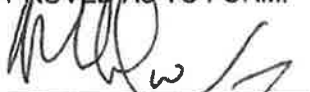
the foregoing resolution is hereby adopted this 8<sup>th</sup> day of April 2015.

  
CRAIG ARMSTRONG  
President of the Board

ATTEST:

  
MICHAEL S. LEBRUN  
General Manager and Secretary to the Board

APPROVED AS TO FORM:

  
MICHAEL W. SEITZ  
District Legal Counsel

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2015-1372  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING A SUPPLEMENTAL WATER ACCOUNTING POLICY**

**EXHIBIT A**

**NIPOMO COMMUNITY SERVICES DISTRICT  
SUPPLEMENTAL WATER ACCOUNTING POLICY**

**Background**

The District is constructing a supplemental water project to increase its available water supply and meet the District's share of the court ordered commitment to bring a minimum of 2,500 AFY of supplemental water to the Nipomo Mesa Management Area (NMMA). In addition, the District's supplemental water project includes a 500 AFY capacity reservation for new development within the District's existing boundaries consistent with the court order requirements that all new urban water demand within the NMMA be met with new developed water.

**Purpose**

The purpose of the Supplemental Water Accounting Policy is to account for water reserved for all new development within the District against the 500 AFY supplemental water project capacity to ensure that the District does not over reserve or under reserve water for future development. In addition, the District needs to track when it is getting close to fully accounting for and reserving the 500 AFY of supplemental water so that the District can plan for acquiring additional supplies. The policy shall apply to all new development applications initiated or renewed after January 25, 2008.

**Supplemental Water Accounting**

The policy is based on the use of equivalent meters and five-year average total production for assigning a volume of supplemental water to new water connections. Based on the data from FY 09-10 to FY 13-14, a 1-inch equivalent meter will be assigned a volume of .53 AFY.

Supplemental water for all new water connections, residential and commercial, will be accounted for based on meter size. Meter capacity ratios, which are based on physical meter capacity, will be used to account for and reserve water for other size meters as follows:


METER SIZE	CAPACITY RATIO	ASSIGNED VOLUME
1 inch and Less	1.0	0.53 acre feet
1 and ½ inch	3.0	1.59 acre feet
2 inch	4.8	2.54 acre feet
3 inch	9.0	4.77 acre feet
4 inch	15.0	7.95 acre feet

*Connections larger than 4-inch will be calculated as needed on a case by case basis.*

Water will be assigned to new development when Intent-to-Serve letters, that are subject to expiration, are issued and reserved for new development when Will-Serve letters are issued.

Supplemental water accounting totals shall be reported to the Board monthly in the General Manager's report.

The Supplemental Water Accounting Policy shall be reviewed annually in January.

TO: MARIO IGLESIAS  
GENERAL MANAGER 

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

DATE: JUNE 20, 2019



**CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR TRACT 3135, A 21 UNIT RESIDENTIAL DEVELOPMENT OF APN 092-573-003 ON THE CORNER OF BLUME STREET AND HILL STREET**

**ITEM**

Consider request for water, sewer and solid waste service (Intent-to-Serve Letter) for Tract 3135, a 21 unit residential development of APN 092-578-003 on the corner of Blume Street and Hill 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 Tract 3135, Blume Street and Hill Street, APN 092-578-003, on May 15, 2019. The applicants, Briar Rose Estates, LLC and Monte J. Cool, are requesting water, sewer and solid waste service for a 21 unit single-family subdivision (based on the District's definition).

The project will consist of a subdivision of the 1 existing parcel into 21 residential lots and 1 common lot. The existing 2.42 acre parcel is zoned Residential Multi-Family and the District currently provides 2 @ 1-inch water services for the parcel.

All parcels, existing and planned, will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing well(s) on the property will not be utilized to provide domestic water service to any part of the project.

In accordance with the District's Supplemental Water Accounting Policy, Resolution 2015-1372, water demand for the project will be tracked against the 500 AFY supplemental water project capacity reservation for new development. Based on the preliminary information provided, total water demand for the project is estimated at 11.6 acre-feet per year (AFY). After applying a credit of 1.06 AFY for the existing services (2 @ 1-inch), the project's supplemental water demand is estimated at 10.6 AFY. Sufficient supplemental water for the project is available.

Sufficient wastewater treatment capacity for the project is available in the District's Southland WWTF.

**FISCAL IMPACT**

Water and sewer capacity fees will be based on the domestic and irrigation meter sizes requested for the final County approved project as well as CAL FIRE's fire service requirements. Based on the preliminary information provided, the following services are proposed:

- Domestic: 21 @ 1-inch
- Irrigation: 1 @ 1-inch

- Sewer: 21 services

The estimated fee deposit for the project is \$444,170 based on the FY 18-19 District fee schedule including a credit for 2 existing 1-inch water services. Fees for Connection shall be calculated and owing as of the date the District accepts the public water and sewer improvements for the project and sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.

### **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-SPECIFIC CONDITIONS**

- Each new parcel shall be served by a single 1-inch meter and backflow assembly for indoor use and fire sprinkler service, if approved by CAL FIRE of SLO County. Water capacity charges are applicable.
- A separate 1-inch irrigation meter and backflow assembly shall be provided for the new common lot parcel. Water capacity charges are applicable.
- A sewer and water master plan review of project impacts will be required.
- Recorded Covenants, Conditions, and Restrictions (CC&R's), acceptable to the District, that include provisions for maintenance of common areas including common parcel sanitary sewer lines and formation of property owners' association that is responsible for payment of all costs related to common parcel irrigation meter, are required.

### **STANDARD CONDITIONS**

- Project shall obtain solid waste, sewer and water service for all parcels.
- CAL FIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges are applicable if dedicated fire service lateral(s) are required.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the 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.
- 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. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- 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 prior to issuance of Will-Serve letter.

- 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 (PDF) 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:
  - 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.
- District service is conditioned on the applicant complying with all terms, conditions, rules, and regulations of other agencies that have jurisdiction over the project.
- This Intent-to-Serve letter shall not be interpreted as the District's Board of Directors endorsement of the project.
- 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
- B. Site Plan
- C. Supplemental Water Project Accounting Summary
- D. Resolution 2015-1372

JUNE 26, 2019

ITEM E-4

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:  
MAY 15 2019

NIPOMO COMMUNITY  
SERVICES DISTRICT  
11:11 AM

## INTENT-TO-SERVE APPLICATION

1. This is an application for:  Sewer and Water Service  Water Service Only
2. SLO County Planning Department/Tract or Development No.: Tract 3135
3. Project location: 247 Blume Street & 695 Hill Street, Nipomo, CA
4. Assessor's Parcel Number (APN) of lot(s) to be served: 092-578-003
5. Owner Name: Briar Rose Estates, LLC and Monte J. Cool
6. Mailing Address: 720 South Frontage Road, Suite 102, Nipomo, CA 93444
7. Email: newdollconst@newdollhomes.com
8. Phone: 805-489-4457 FAX: \_\_\_\_\_
9. Agent's Information (Architect or Engineer):  
 Name: Norman & Vasquez Associates  
 Address: PO Box 193, Arroyo Grande, CA 93421  
 Email: design\_graphics@sbcglobal.net  
 Phone: 805 481-5645 FAX: \_\_\_\_\_

10. 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)

11. Does this project require a sub-division?  Yes  No

If yes, number of new lots created 21 (1 common lot existing + 21 new lots)

12. Site Plan:

**For all projects**, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11") of site plans.

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable. **Note that the District only provides one domestic meter per Assessor Parcel Number (APN).**

13. Board Approval:

Board approval is required for the following type of projects:

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



14. **RESIDENTIAL SERVICE**

Single Family Residential (SFR)

Number of APN's created	22	Proposed number of SFR	21
-------------------------	----	------------------------	----

1 existing + 21 new

2 existing to be replaced  
 plus 19 new residences

~~Multi-Family Residential (MFR)~~

Number of APN's created	above	Proposed number of MFR	n/a
Number of Domestic Meter(s)	21	Estimated Meter Size(s)	1"
Number of Landscape Meter(s)	1	Estimated Meter Size(s)	1"
Number of Fire System(s)	none	Estimated Meter Size(s)	n/a

19 new + 2 replaced

15. **COMMERCIAL AND/OR MIXED USE SERVICE DEMAND ESTIMATES:**

Commercial and Mixed Use

Number of APN's created		Proposed number of residential dwellings	
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect.

**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.

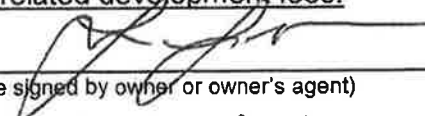
Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule on Page 3

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 5-15-19

Signed

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

Print Name

Lori Newdell

**DEFINITIONS**

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

**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.

**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.

**Commercial** – all non-residential and mixed-use projects.

**APPLICATION FEES AND CHARGES  
EFFECTIVE July 1, 2018**

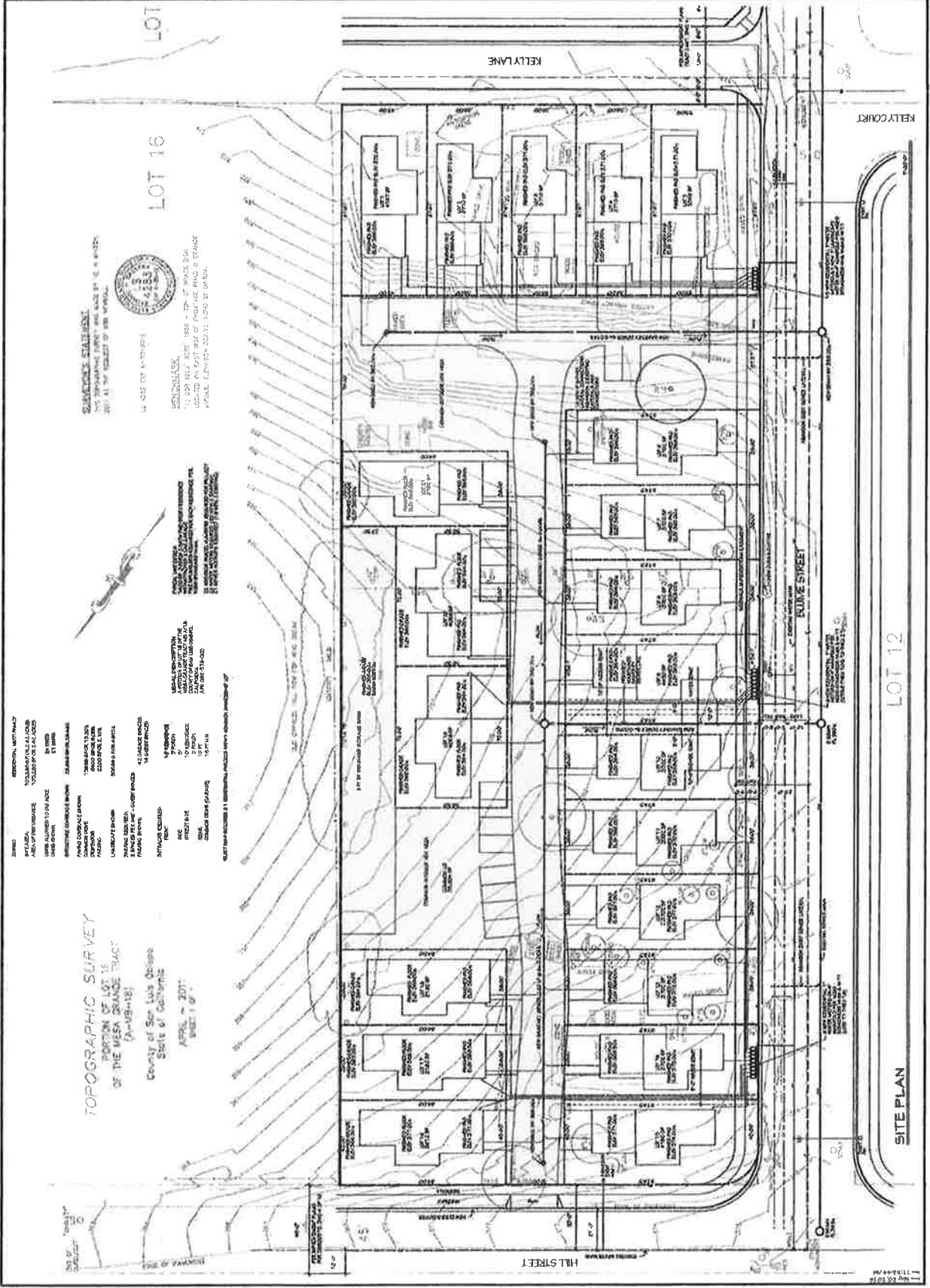
PROJECT SIZE/TYPE	TOTAL AMOUNT DUE AT TIME OF APPLICATION**
Residential <4 units	\$1,196.96
Residential 4-20 units	\$1,644.14
Residential > 20 units	\$1,935.77
Commercial <1 acre	\$1,644.14
Commercial 1-3 acres	\$1,935.77
Commercial > 3 acres	\$2,674.55
Mixed Use with less than 4 Dwelling Units	\$1,935.77
Mixed Use with four or more Dwelling Units	\$2,674.55
*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.	

\*\*Commencing on July 1, 2008 and each year thereafter the Application Fees shall be adjusted by a Consumer Price Index formula.

JUNE 26, 2019

ITEM E-4

ATTACHMENT B



**TOPOGRAPHIC SURVEY**  
 PORTION OF LOT 16  
 OF THE MESA GRANDE TRACT  
 (A-18-118)  
 County of San Luis Obispo  
 State of California  
 APRIL 2007  
 SHEET 1 OF 1

**REMARKS:**  
 THIS SURVEY WAS CONDUCTED FOR THE PURPOSE OF DETERMINING THE EXISTING ELEVATIONS AND TOPOGRAPHY OF THE PORTION OF LOT 16 OF THE MESA GRANDE TRACT, AS SHOWN ON THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA, AND AS SHOWN ON SHEET 1 OF 1 OF THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA, AND AS SHOWN ON SHEET 1 OF 1 OF THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA, AND AS SHOWN ON SHEET 1 OF 1 OF THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA.

**REMARKS:**  
 THIS SURVEY WAS CONDUCTED FOR THE PURPOSE OF DETERMINING THE EXISTING ELEVATIONS AND TOPOGRAPHY OF THE PORTION OF LOT 16 OF THE MESA GRANDE TRACT, AS SHOWN ON THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA, AND AS SHOWN ON SHEET 1 OF 1 OF THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA, AND AS SHOWN ON SHEET 1 OF 1 OF THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA.

**REMARKS:**  
 THIS SURVEY WAS CONDUCTED FOR THE PURPOSE OF DETERMINING THE EXISTING ELEVATIONS AND TOPOGRAPHY OF THE PORTION OF LOT 16 OF THE MESA GRANDE TRACT, AS SHOWN ON THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA, AND AS SHOWN ON SHEET 1 OF 1 OF THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA, AND AS SHOWN ON SHEET 1 OF 1 OF THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA.

**REMARKS:**  
 THIS SURVEY WAS CONDUCTED FOR THE PURPOSE OF DETERMINING THE EXISTING ELEVATIONS AND TOPOGRAPHY OF THE PORTION OF LOT 16 OF THE MESA GRANDE TRACT, AS SHOWN ON THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA, AND AS SHOWN ON SHEET 1 OF 1 OF THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA, AND AS SHOWN ON SHEET 1 OF 1 OF THE PLAT OF THE MESA GRANDE TRACT, COUNTY OF SAN LUIS OBISPO, CALIFORNIA.

JUNE 26, 2019

ITEM E-4

ATTACHMENT C

**Nipomo Community Services District  
New Development Supplemental Water Accounting**

Summary Since January 25, 2008

	<b>Number of Equivalent Meters</b>	<b>AFY</b>
<b>Supplemental Water Available for Allocation</b>	<b>947</b>	<b>500</b>
<b>Supplemental Water Reserved (Will Serve Letter Issued)</b>	<b>98</b>	<b>-51.7</b>
<b>Subtotal Net Supplemental Water Available for Allocation</b>	<b>849</b>	<b>448.3</b>
<b>Supplemental Water Assigned (Intent-to-Serve Issued)</b>	<b>40</b>	<b>-21.1</b>
<b>Total Remaining Supplemental Water Available for Allocation</b>	<b>809</b>	<b>427.1</b>

As of June 20, 2019

**Nipomo Community Services District  
New Development Supplemental Water Accounting**

**Intent to Serve Letters Issued Since January 25, 2008**

Issue Date	Expiration Date	Project	Number of Equivalent Meters	AFY Assigned	Type of Project
10/13/2011	10/12/2015	Tract 2634	2	1.1	Residential***
6/13/2012	6/12/2016	Tract 2906	15	7.9	Residential
	3/15/2017	Tract 2642 (South Oak Glen)	18	9.5	Residential - OUA
7/24/2013	7/23/2017	530 Hill Street	20	10.6	Multi-Family
10/23/2013	10/22/2017	OTNA Park	1	0.5	Park
10/22/2014	10/21/2017	Blacklake Canyon	153	80.8	Hotel and Residential
12/10/2014	12/9/2017	719 W Tefft	1	0.5	Commercial
9/10/2014	9/9/2018	549 Hill Street Hotel	6	3.2	Commercial
2/11/2015	2/10/2019	CO 15-0055 (875 Theodora St)	3	1.6	Residential
5/12/2015	5/11/2019	Tract 2652 (Mary/Juniper)	68.8	36.3	Commercial
5/27/2015	5/26/2019	CO 15-0065 (1650 Rocky Pl)	2	1.1	Residential
	N/A	Tract 2650 (Via Concha/Willow)	16	8.4	Residential - OUA
Pending Board Approval		Tract 3135 (Blume/Hill)	20	10.6	Residential
Pending Board Approval		224 W. Dana Street	2	1.1	Mixed Use
Pending Board Approval		CO 15-0065 (1650 Rocky Place)	2	1.1	Residential

**Total Supplemental Water Assigned**

<b>40.0</b>	<b>21.1</b>
-------------	-------------

As of June 20, 2019

\_\_\_\_\_ Denotes ITS expired and Will Serve Not Issued

**Nipomo Community Services District  
New Development Supplemental Water Accounting**

**Will Serve Letters Issued Since January 25, 2008**

<b>Issue Date</b>	<b>Project</b>	<b>Number of Equivalent Meters</b>	<b>AFY Assigned</b>	<b>Type of Project</b>
7/9/2008	Tract 2734 (Hunter Ridge)	6	3.2	Residential
6/15/2013	929 Camino Caballo	2	1.1	Residential
12/10/2014	699 W Tefft	3	1.6	Mixed Use
7/7/2016	Nipomo Oaks ALF	10	5.3	Commercial
1/3/2017	164 Mallagh	6	3.2	Multi-family
1/9/2017	Tract 2923 (545 Grande)	17	9.0	Residential
8/24/2018	Tract 2558 (Magenta)	15	7.9	Residential
12/5/2018	Tract 2441 (576 Grande)	38	20.1	Residential
6/19/2019	607 Honey Grove	1	0.5	Residential

<b>Total Supplemental Water Reserved</b>	<b>98</b>	<b>51.7</b>
--	-----------	-------------

As of June 20, 2019



**Nipomo Community Services District  
New Development Supplemental Water Accounting**

<b>Fiscal Year</b>	<b>1 Inch Meter Equivalent</b>	<b>Total Water Consumption</b>	<b>AFY per 1 Inch Meter Equivalent</b>
FY 09-10	4563	2550	0.56
FY 10-11	4642	2420	0.52
FY 11-12	4684	2489	0.53
FY 12-13	4743	2376	0.50
FY 13-14	4777	2518	0.53
<b>Average Water Consumption per 1 Inch Meter Equivalent</b>			<b>0.53</b>

<b>Meter Size</b>	<b>Meter Capacity Ratio</b>	<b>Acre-Foot Allocation</b>
1 Inch	1	0.53
1.5 Inch	3	1.58
2 Inch	4.8	2.53
3 Inch	9	4.75
4 Inch	15	7.92
6 Inch	30	15.84

<b>Available Supplemental Water</b>	<b>AFY per 1 Inch Meter Equivalent</b>	<b>Total Number of Available Equivalent Meters</b>
500	0.53	947

JUNE 26, 2019

ITEM E-4

ATTACHMENT D

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2015-1372  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING A SUPPLEMENTAL WATER ACCOUNTING POLICY**

**WHEREAS**, the Nipomo Community Services District ("District") is a party to a groundwater adjudication, Santa Maria Valley Water Conservation District v. City of Santa Maria, etc. et al., Case No. CV 770214 ("Groundwater Litigation"); and

**WHEREAS**, the District's current water supply is groundwater extracted from the Nipomo Mesa Management Area (NMMA) as established by the court in the Santa Maria Groundwater Litigation (also referred to as the Nipomo Mesa Water Conservation Area (NMWCA) by the County of San Luis Obispo, pursuant to County Ordinance 3090), of the Santa Maria Groundwater Basin; and

**WHEREAS**, pursuant to Section VI D(1) of the June 2005 Stipulation as incorporated into the January 25, 2008, Final Judgment in the Groundwater Litigation, the Nipomo Mesa Management Area Technical Group has declared that a "Potentially Severe Water Shortage Condition" exists within the Nipomo Mesa Management Area; and

**WHEREAS**, the San Luis Obispo County Department of Planning and Building's 2004 Resource Capacity Study for the Water Supply in the Nipomo Mesa Area recommended a Level of Severity III (existing demand equals or exceeds dependable supply) be certified for the Nipomo Mesa Area and that measures be implemented to lessen adverse impacts of future development (said Study and referenced documents are incorporated herein by reference); and

**WHEREAS**, the San Luis Obispo County Board of Supervisors ("County") in June 2007, certified the Nipomo Mesa Water Conservation Area as a Severity Level III, meaning that existing water demand equals or exceeds the dependable supply; and

**WHEREAS**, the resource protection goals of the San Luis Obispo County South County Area Plan includes the following:

- Balance the capacity for growth allowed by the Land Use Element with the sustained availability of resources.
- Avoid the use of public resources, services and facilities beyond their renewable capacities, and monitor new development to ensure that its resource demands will not exceed existing and planned capacities or service levels; and

**WHEREAS**, the District is constructing a supplemental water project to increase its available water supply and meet the District's share of the court ordered commitment to bring a minimum of 2,500 AFY of supplemental water to the Nipomo Mesa Management Area (NMMA); and

**WHEREAS**, the District's supplemental water project includes a 500 AFY capacity reservation for new development within the District's existing boundaries consistent with the court order requirements that all new urban water demand within the NMMA be met with new developed water; and

**WHEREAS**, the purpose of the Supplemental Water Accounting Policy is to account for water reserved for all new development within the District against the 500 AFY supplemental water project capacity to ensure that the District does not over reserve or under reserve water for future development; and

**WHEREAS**, the Supplemental Water Accounting Policy will allow the District to track when it is getting close to fully accounting for and reserving the 500 AFY of supplemental water so that the District can plan for acquiring additional supplies; and

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2015-1372  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING A SUPPLEMENTAL WATER ACCOUNTING POLICY**

**WHEREAS**, the policy shall apply to all new development applications initiated or renewed after January 25, 2008; and

**WHEREAS**, based on the Staff Report, Staff presentation, and public comment, the District Board of Directors finds:

- A. That the purpose and intent of this Resolution is consistent with the purposes found in the Judgment and Stipulation in the Ground Water Litigation imposing a physical solution to assure long term sustainability of the groundwater basin and the San Luis Obispo County's certification of a Severity Level III for the waters underlying the NMWCA and;
- B. That adopting this Resolution will ensure the water supply for the greater public benefit, with particular regards to domestic use, sanitation and fire protection by ensuring that all new urban demand within the District is satisfied with new developed water and;

**WHEREAS**, based on the Staff Report, Staff presentation, and public comment, the District Board of Directors further finds this Resolution is adopted for the protection of the health, safety and welfare of District water customers who depend on the underlying ground water basin as their source of water supply.

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

- 1. Exhibit "A", attached hereto, is hereby incorporated by this reference as the District's Supplemental Water Accounting Policy
- 2. The above Recitals are true and correct and incorporated herein by reference.

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

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

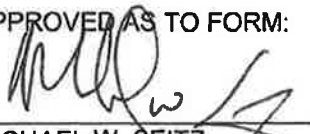
the foregoing resolution is hereby adopted this 8<sup>th</sup> day of April 2015.

  
CRAIG ARMSTRONG  
President of the Board

ATTEST:

  
MICHAEL S. LEBRUN  
General Manager and Secretary to the Board

APPROVED AS TO FORM:

  
MICHAEL W. SEITZ  
District Legal Counsel

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2015-1372  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING A SUPPLEMENTAL WATER ACCOUNTING POLICY**

**EXHIBIT A**

**NIPOMO COMMUNITY SERVICES DISTRICT  
SUPPLEMENTAL WATER ACCOUNTING POLICY**

**Background**

The District is constructing a supplemental water project to increase its available water supply and meet the District's share of the court ordered commitment to bring a minimum of 2,500 AFY of supplemental water to the Nipomo Mesa Management Area (NMMA). In addition, the District's supplemental water project includes a 500 AFY capacity reservation for new development within the District's existing boundaries consistent with the court order requirements that all new urban water demand within the NMMA be met with new developed water.

**Purpose**

The purpose of the Supplemental Water Accounting Policy is to account for water reserved for all new development within the District against the 500 AFY supplemental water project capacity to ensure that the District does not over reserve or under reserve water for future development. In addition, the District needs to track when it is getting close to fully accounting for and reserving the 500 AFY of supplemental water so that the District can plan for acquiring additional supplies. The policy shall apply to all new development applications initiated or renewed after January 25, 2008.

**Supplemental Water Accounting**

The policy is based on the use of equivalent meters and five-year average total production for assigning a volume of supplemental water to new water connections. Based on the data from FY 09-10 to FY 13-14, a 1-inch equivalent meter will be assigned a volume of .53 AFY.

Supplemental water for all new water connections, residential and commercial, will be accounted for based on meter size. Meter capacity ratios, which are based on physical meter capacity, will be used to account for and reserve water for other size meters as follows:

METER SIZE	CAPACITY RATIO	ASSIGNED VOLUME
1 inch and Less	1.0	0.53 acre feet
1 and ½ inch	3.0	1.59 acre feet
2 inch	4.8	2.54 acre feet
3 inch	9.0	4.77 acre feet
4 inch	15.0	7.95 acre feet

*Connections larger than 4-inch will be calculated as needed on a case by case basis.*

Water will be assigned to new development when Intent-to-Serve letters, that are subject to expiration, are issued and reserved for new development when Will-Serve letters are issued.

Supplemental water accounting totals shall be reported to the Board monthly in the General Manager's report.

The Supplemental Water Accounting Policy shall be reviewed annually in January.

TO: BOARD OF DIRECTORS  
 FROM: MARIO IGLESIAS  
 GENERAL MANAGER  
 DATE: JUNE 21, 2019



**AGENDA ITEM**  
**F**  
**JUNE 26, 2019**

**GENERAL MANAGER'S REPORT**

**ITEM**

Standing report to your Honorable Board -- *Period covered by this report is June 9, 2019 through June 22, 2019.*

**DISTRICT BUSINESS**

**Administrative**

The District encourages residents to provide reports of any observed water waste. The District keeps an accounting of leak adjustments as a measure of non-revenue water lost to leaks. The table below provides the May data and the cumulative data for these activities.

**Office Activities**

	<u>May-19</u>	<u>Jul-May 2019</u>
Reports of water waste followed up on	0	4
Leak Adjustments	2	22
Leak Adjustment Amount	\$833	\$7,496
Late Fee Waivers (April and May)	9	9
Late Fee Waiver Adjustment Amount	\$367	\$367

**Water Resources**

**Table 1. Total Production Acre Feet (AF)**

	<u>May-19</u>	<u>Jul 18 - May 19</u>
Groundwater Production	72.8	782.8
Supplemental Water Imported	<u>84.3</u>	<u>888.1</u>
Total Production	<u>157.1</u>	<u>1,670.8</u>

NCSD imported 84.3 AF of water over the 30 day period in May averaging 636 gallons per minute for a daily total of 915,641 gallons per day. For fiscal year 2018-19 [July-2018 through June-2019] the District must import 800 AF of supplemental water. However, at the current import level, the District could see up to 960 AF for this time period. The District's total production, including groundwater wells and imported water measured at the Joshua Road Pump Station, registered 1,670.8 AF of water for the current fiscal year.

On the following page, Table 2 compares the District's total water production for the month of May and the fiscal year (July 2018 through June 2019) year-end total against those same periods for 2013 (pre-drought production). 2013 is the year the Department of Water Resources ("DWR") designated as the pre-drought production year. The pre-drought production data is included in the monthly water production report and compared to current usage, all of which is submitted by water purveyors statewide to DWR. For May 2019, the community's water

conservation effort reached approximately 41% compared to May 2013. The District's year-end conservation effort for fiscal year 2019 will continue to be monitored throughout the year.

**Table 2. FY 2019 Total Demand To-date Compared to 2013**

	May-19	Jul 18 - May 19
Total Production (AF) for FY 2018-19	157.1	1,670.8
Total Production (AF) for 2013	265.4	2,257.0
Reduction (AF)	108.4	586.2
Percentage Reduction	40.8%	26.0%

**NCSD GW Reduction**

The District's purveyor customers, Golden State Water Company and Woodlands Mutual Water Company, each claim 16.66% (cumulatively 33.33%) of the imported water NCSD brings onto the basin through the NSWP. Of the 800 AF minimum imported water from the City of Santa Maria, 266.6 AF will be credited to these two purveyor customers. The credited amount must be added to the District's groundwater pumping total every month to reflect the groundwater pumped by these customers in-lieu of taking imported water from the District. Table 3 below demonstrates the calculus for determining the District's groundwater pumping reduction.

**Table 3. NCSD GW Production (NCSD GW Well Production plus Purveyor Credit)**

	May-19	Jul 18 - May 19
NCSD GW Well Production	72.8	782.8
Purveyor Customer Credit (33.3% of Import Water)	28.1	296.4
NCSD Total Calculated GW Production	100.9	1,079.2
Average GW Production for 2009-2013	261.6	2,269.7
NCSD Percentage of GW Reduction	61%	52%

Taking into consideration the above referenced purveyor customer credit, the District can claim a groundwater pumping reduction of 61% for the month of May compared to the 5-year average from 2009 to 2013 (NMMA-TG assigned comparator). For Fiscal Year 2019, the cumulative groundwater pumping reduction for the District is 52%. At the current Stage IV level of NMMA's Water Shortage Condition and Response Plan, the District continues to achieve its targeted groundwater pumping reduction level of 50% for the year.

**Table 4. 2019 Fiscal Year Forecasted Groundwater Pumping**

	May-19	Jun-19	Jul 18-Jun 19	Target	Over_(Under)	
NCSD GW Well Production	72.8	120.3	903.1			
Purveyor Customer Credit (33.3% of Import Water)	28.1	25.3	321.6			
NCSD Total Calculated GW Production	100.9	145.6	1,224.8	1,266.7	42	AcFt
Average GW Production for 2009-2013	261.6	263.6	2,533.4	2,533.4		
NCSD Percentage of GW Reduction	61%	45%	52%	50%		

Table 4 is a forward looking view of the District's groundwater pumping reduction efforts for Fiscal Year 2019. The targeted groundwater pumping reduction is 50%. For usage in future months, Fiscal Year 2018 production values from the previous year are inserted. Looking at the 11 months of actual data, July 2018 through May 2019, and completing the year using last year's monthly data where necessary, the District can forecast an "Over\_(Under)" value. By using this method to forecast groundwater pumping into fiscal year 2019, it can be estimated that the District will be 42 acre-feet under the groundwater reduction target. Each year trends slightly different depending upon the weather, a major factor that drives consumer water demand. As actual data replaces projected data, the reliability of the table to provide year-end groundwater reduction becomes more reliable and aids staff in recognizing opportunities for shifting water production strategies.

**Table 5. FY 2018 v. FY 2019 Groundwater Pumping**

	<u>May-19</u>	<u>Jul 18-May 19</u>	<u>May-18</u>	<u>Jul 17-May 18</u>
NCSD GW Well Production	72.8	782.8	107.1	909.6
Purveyor Customer Credit (33.3% of Import Water)	<u>28.1</u>	<u>296.4</u>	<u>25.9</u>	<u>299.8</u>
NCSD Total Calculated GW Production	100.9	1,079.2	133.0	1,209.4
Average GW Production for 2009-2013	<u>261.6</u>	<u>2,269.7</u>	<u>261.6</u>	<u>2,269.7</u>
NCSD Percentage of GW Reduction	61%	52%	49%	47%

Table 5 compares the previous year's groundwater pumping with the current year groundwater pumping for the same time period (July through May). The comparison demonstrates a favorable consumption forecast emerging where demand on groundwater supplies diminished over time putting the District in a stronger position to sustain the target groundwater pumping reduction level of 50%.

**Rainfall Gauge**

(Reported in inches)	Nipomo East (Dana Hills Reservoirs)	Nipomo South (Southland Plant)
May 2019 Total	1.93	1.49
July-2018 through May-2019 (Seasonal Total)	19.58	16.97
June 1, 2019 to June 7, 2019	<u>0.00</u>	<u>0.00</u>
Total Rainfall to date	19.58	16.97
Average Annual Year Rainfall	18.0	16.0

**Safety Program**

No Items

**Other Items and News of Interest**

July 4<sup>th</sup> Parade



**Supplemental Water Capacity Accounting**

Summary Since January 25, 2008

	Number of Equivalent Meters	AFY
Supplemental Water Available for Allocation	947	500
Supplemental Water Reserved (Will Serve Letter Issued)	98	-51.7
Subtotal Net Supplemental Water Available for Allocation	849	448.3
Supplemental Water Assigned (Intent-to-Serve Issued)	40	-21.1
<b>Total Remaining Supplemental Water Available for Allocation</b>	<b>809</b>	<b>427.1</b>

As of June 20, 2019

The District began to accept applications for new water services on May 9, 2019. Since that date the District has:

Issued 1 Will-Serve Letter for single lot water services – 3 additional applications are pending, and once completed Will-Serve Letters will be issued. Each lot is allocated .53 acre-feet of water and equals 1 “Equivalent Meter” as referenced in the table above.

Received 7 applications for service for projects larger than a single lot. These applications require an engineering evaluation to determine the “Equivalent Meter” quantity and must be approved by the Board. Of the 7 applications in this category, 3 projects equaling 24 Equivalent Meters were presented to your Board for consideration at today’s Board Meeting.

**Connection Report**

Nipomo Community Services District Water and Sewer Connections	END OF MONTH REPORT				
	Jan-19	Feb-19	Mar-19	Apr-19	May-19
Water Connections (Total)	4434	4434	4437	4437	4437
Sewer Connections (Total)	3197	3197	3199	3199	3200
New Water Connections	0	0	3	0	0
New Sewer Connection	0	0	2	0	1
Galaxy & PSHH at Orchard and Division Sewer Connections billed to the County	475	475	475	475	475

The Connection Report is current through May 2019.

**Meetings (June 9, through June 22)**

Meetings Attended (telephonically or in person):

- June 9, Rotary
- June 9, Regular NCSD Board Meeting
- June 9, Exec. Team After Board Meeting
- June 14, Supervisor Compton’s Office

- *June 17, Board Officer Meeting*
- *June 18, NCSD General Counsel*
- *June 18, SLO Board of Supervisor Meeting*
- *June 19, Management Team Meeting – Employee Handbook*
- *June 19, Rotary*
- *June 20, NMMA Purveyor's Manager Meeting*
- *June 20, Cal Poly ITRC Metric w/ Brad Newton*
- *June 20, MKN Engineers, Annual Water Audit Report*

**Meetings Scheduled (June 23 through June 29):**

*Upcoming Meetings (telephonically or in person):*

- *June 25, Eng/Admin Mtg.*
- *June 26, Rotary*
- *June 26, Regular NCSD Board Meeting*
- *June 26, Exec. Team After Board Meeting*
- *June 27, NMMA-TG Meeting*

**Upcoming Water Resource and Other Meetings**

*Upcoming Standing Meetings:*

- *NMMA-TG: June 27<sup>th</sup> (Thursday) @ 10:00 AM, NCSD Board Room*
- *RWVG: September 4<sup>th</sup> @ 10:00 AM, SLO Library*
- *WRAC: September 4<sup>th</sup> @ 1:30 PM, SLO Library*
- *NMMA Purveyor Meeting: July 25<sup>th</sup> @ 10:00 AM, NCSD Admin Office*

**RECOMMENDATION**

Staff seeks direction and input from your Honorable Board

**ATTACHMENTS**

No Attachments