TO:

BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS

GENERAL MANAGER

FROM:

PETER V. SEVCIK, P.E.

DIRECTOR OF ENGINEERING

AND OPERATIONS

DATE:

NOVEMBER 19, 2019

AGENDA ITEM

NOVEMBER 27, 2019

CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR A 4 PARCEL COMMERCIAL DEVELOPMENT LOCATED AT 170 S. FRONTAGE ROAD, APN 092-576-013

ITEM

Consider request for water, sewer and solid waste service (Intent-to-Serve Letter) for a 4-parcel commercial development at 170 South Frontage Road, APN 092-576-013 [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

BACKGROUND

The District received an application for water, sewer and solid waste service for 170 South Frontage Road, APN 092-576-013, on October 21, 2019. The applicant, Warren Family Investment Partnership, etal, is requesting water, sewer and solid waste services for a 4 parcel commercial subdivision. The applicant is represented by The Sobel Company, Inc.

The project will consist of a subdivision of 1 existing parcel into 4 commercial lots. The existing 5.12 acre parcel is zoned Commercial Retail. The District does not currently provide water or sewer service to the parcel. The District previously provided service to 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 5.3 acre-feet per year (AFY). After applying a credit of 1.58 AFY for the prior water service (1 @ 1.5-inch), the project's supplemental water demand is estimated at 3.7 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 estimated to be required:

ITEM E-3 SERVICE REQUEST 170 S. FRONTAGE ROAD NOVEMBER 27, 2019

Domestic: 3 @ 1-inch, 1 @ 1.5-inch

Irrigation: 4 @ 1-inchFire: 4 @ 6-inchSewer: 4 services

The estimated fee deposit for the project is approximately \$296,000 based on the current FY 19-20 District fee schedule including a credit for a 1.5-inch water and sewer service. 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

- Three (3) 1-inch water meters and backflow assemblies and one (1) 1.5-inch water meter and backflow assembly shall be provided for indoor water use. Water capacity charges are applicable.
- Four (4) separate 1-inch irrigation meters and backflow assemblies shall be provided for outdoor irrigation use. Water capacity charges are applicable.
- Four (4) separate 6-inch fire sprinkler services, as required and approved by CAL FIRE of SLO County, shall be provided for fire sprinkler service. Fire capacity charges are applicable.
- Four appropriately sized sewer laterals, one for each parcel, shall be provided. Sewer capacity charges are applicable.
- Properly abandon existing water main located on site in accordance with District Standards.
- A Master Plan review to assess project impact to existing water and sewer lines is required.
 Upsizing of existing District water and/or sewer lines may be required.
- A review to assess impact of the proposed County realignment of South Frontage Road to existing water and sewer lines is required. Relocation of existing water and/or sewer lines may be required.

STANDARD CONDITIONS

- Project shall obtain solid waste, water and sewer 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 all parcels prohibiting use of selfregenerating water softeners.
- 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/or 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
 - o Engineer's Certification
 - o Summary of all water and sewer improvement costs
- Solid waste collection services are mandatory. Applicant shall provide proof that the Project is provided with solid waste removal services in accordance with District regulations.
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than commercial use as defined by the District.
- Intent-to-Serve letters shall automatically terminate 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

NOVEMBER 27, 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 Jacs received

INTENT-TO-SERVE APPLICATION

1,,	This is an application for: X Sewer and Water Service Water Service Only
2.	SLO County Planning Department/Tract or Development No.: PRE2019-00125
3.	Project location: 170 S. FRONTAGE ROAD, NIPOMO 93444
4	Assessor's Parcel Number (APN) of parcel(s) to be served: 092-576-013
5.	Owner Name: Warren Family INVESTMENT Partnership, et al., C/o
6.	Mailing Address: UNION HOME LOAN ATTN'. DAN GOLDFIELD
7,,	Email: 23586 CALABADAS RD# 203, CALABASAS, CA 91302
8.	Phone: dang unionhomelogn, com FAX TAN 818-223-0399
9.	Agent's Information (Architect or Engineer):
	Name: Bradley Sobel Go The Sobel COMPANY, INC.
	Address: 9454 Wilshire BLVD., STE 210 Bevery HILLS, CA
	Email: Soboldevelopment Cearthlink. net 90212
	Phone: 310 277 4697 FAX: 310 277 4699
10.	Type of Project: (check box) (see Page 3 for definitions)
	Single-family dwelling units Multi-family dwelling units
	Commercial Mixed Use (Commercial and Residential)
11	Does this project require a sub-division? Yes No A New Procel MAP WILL
11.	Does this project require a sub-division? Dayes INO A NEW PRICEL MAP WILL
	If yes, number of new lots created create a total of
12.	Site Plan:
	For all projects, submit three (3) standard size (24" \times 36") and one reduced copy (8½" \times 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 parcel.
13.	Board Approval:

commercial developments

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

14. RESIDENTIAL SERVICE

Single Family Residential (SFR)

Number of Parcel's created	Proposed number of SFR
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Multi-Family Residential (MFR)

Number of Parcel'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 Parcel's created	4	Proposed number of residential dwellings	
Number of Domestic Meter(s)	14'	Estimated Meter Size(s)	
Number of Landscape Meter(s)	1 4	Estimated Meter Size(s)	
Number of Fire System(s)	41	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.

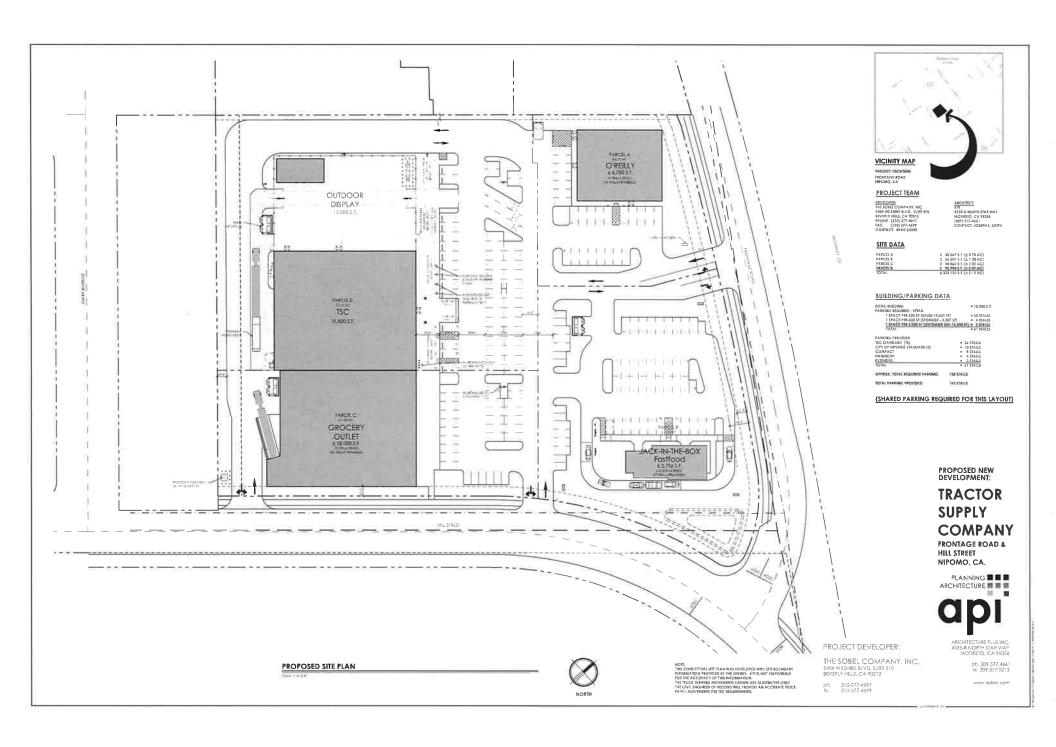
Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee			See /	Attack	ned Fe	ge Sonedule on Pa	ge 3
The District will only ac	cept cashi	er's ch	ock or b	ank	vire/fg	the payment of	
Water Capacity, Sewer	Capacity	and of	new relati	go de	velor	ment fees.	
Date_10-16-19	Signed	(Ni	St be signs	d by o	wher or	owner's agent)	
	Print Nar		malle	u	5	bel	

NOVEMBER 27, 2019

ITEM E-3

ATTACHMENT B



TO:

BOARD OF DIRECTORS

FROM:

MARIO IGLESIAS

GENERAL MANAGER 🚜

DATE:

November 22, 2019

AGENDA ITEM F

NOVEMBER 27, 2019

GENERAL MANAGER'S REPORT

ITEM

Standing report to your Honorable Board -- Period covered by this report is October 20, 2019 through November 9, 2019.

DISTRICT BUSINESS

<u>Administrative</u>

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 as well as tracking late fee waivers. The table below provides October and Fiscal Year-to-date data of these items.

Office Activities

	Oct-19	July 19 - Oct 2019
Reports of Water Waste	0	0
Leak Adjustments	4	9
Leak Adjustment Amount	\$1,235	\$2,087
Late Fee Waivers	8	41
Late Fee Waiver Adjustment Amount	\$401	\$1,710

Water Resources

Table 1. Total Production Acre Feet (AF)

	Oct-19	Jul 19 - Oct 19
Groundwater Production	109.5	467.3
Supplemental Water Imported	84.8	<u>337.7</u>
Total Production	194.3	805.0

NCSD imported almost all most 85 AF of water over the 31 day period in October averaging 619 gallons per minute for an average total of 891,360 gallons per day. For fiscal year 2019-20 the District must import at least 800 AF of supplemental water to meet is contractual obligation with the City of Santa Maria.

The District's total combined production, including groundwater production wells and supplemental water imported at the Joshua Road Pump Station, registered 194.3 AF for the month and 805 AF for the Fiscal Year 2020.

Table 2 compares the District's total water production for the month of October and the fiscal year (July 2019 through October 2019) total against the same period for 2013 (pre-drought production). The Department of Water Resources ("DWR") designated 2013 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. There is no mandated by DWR at this time for the District to reach a particular conservation level. For October 2019, the community's water conservation effort reached approximately 19.2% when compared to October 2013 consumption. The District's year-to-date conservation effort reached 24.1 % for the fiscal year and will continue to be monitored.

Table 2. FY 2020 Total Demand To-date Compared to 2013

	Oct-19	July – Oct 2019
Total Production (AF) for FY 2019-20	194.3	805.0
Total Production (AF) for 2013	<u>240.5</u>	<u>1,061.3</u>
Reduction (AF)	46.2	256.3
Percentage Reduction	19.2%	24.1%

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)

	Oct-19	Jul 19 - Oct 19
NCSD GW Well Production	109.5	467.3
Purveyor Customer Credit (33.3% of Import Water)	28.3	112.5
NCSD Total Calculated GW Production	137.8	579.8
Average GW Production for 2009-2013	223.6	1,064.2
NCSD Percentage of GW Reduction	38%	46%

Taking into consideration the above referenced purveyor customer credit, the District can claim a groundwater pumping reduction of 38% for the month of October compared to the 5-year average from 2009 to 2013 (NMMA-TG assigned comparator). For Fiscal Year 2020, the total groundwater pumping reduction for the District is 46%. At the current Stage IV level of NMMA's Water Shortage Condition and Response Plan, the District is short of achieving its targeted groundwater pumping reduction level of 50% for the year. However, early fiscal year months are typically higher water use months and it is not uncommon to balance out water use in second half of the fiscal year. Table 4 below projects that the District's groundwater reduction target level of 50% is still achievable.

2020 Fiscal Year Groundwater Pumping Forecast

Table 4 projects the District's groundwater pumping reduction effectiveness for Fiscal Year 2020. The targeted groundwater pumping reduction as stated above is 50%. At current usage through in October 2019, and with the last year's production values for the remaining 8 months inserted, the District is on-tract to reach its pumping reduction goals for the fiscal year. This exercise demonstrates that there would be 1.5 acft of water in excess of the 50% target. Each year, water use trends slightly differ depending upon the weather – a major factor that drives consumer water demand. Table 4 is an estimating tool.

Table 4. Groundwater Pumping

		Year-to-Date	52		
	Oct-19	Jul-Jun 2020	Target	Over/(Under)	
NCSD GW Well Production	109.5	894.2			
Purveyor Customer Credit (33.3% of Import Water)	28.3	323.3			
NCSD Total Calculated GW Production	137.8	1,267.5	1,266.0	(1.53)	AcFt
Average GW Production for 2009-2013	223.6	2,533.3	2,533.3		
NCSD Percentage of GW Reduction	38%	50%	50.0%		

Table 5. FY 2019 v. FY 2020 Groundwater Pumping

	Oct-19	Jul 19-Oct 19	Oct-18	Jul 18-Oct 18
NCSD GW Well Production	109.5	467.3	94.2	453.2
Purveyor Customer Credit (33.3% of Import Water)	28.3	112.5	28.4	112.6
NCSD Total Calculated GW Production	137.8	579.8	122.6	565.8
Average GW Production for 2009-2013	223.6	1,064.2	223.6	1,064.2
NCSD Percentage of GW Reduction	38%	46%	45%	47%

Table 5 compares the previous year's groundwater pumping with the current year's groundwater pumping for the same period. The District's overall water demand is up slightly for the current year. However, the community is close to achieving the same level of groundwater pumping reduction year over year. This indicator supports staff's conclusion that, all things equal, the District will reach its groundwater pumping reduction target for the fiscal year.

Rainfall Gauge

(Reported in inches)	Nipomo East (Dana Hills Reservoirs)	Nipomo South (Southland Plant)
September 2019 Total	0	0
July-2019 through October-2019 (Seasonal Total)	0	0
July 1, 2019 to November 8, 2019 Total Rainfall to date	0	0
Average Annual Year Rainfall	18.0 ¹	14.0 ²

Note 1: SLO County Website

https://wr.slocountywater.org/site.php?site_id=3&site=935e7af7-0e94-4042-bc11-e02906d5ba44

Note 2: SLO County Website

 $\frac{\text{https://wr.slocountywater.org/site.php?site id=2&site=878bfdbf-5c40-4398-8226-418372e4039b}$

Safety Program

No items to report.

Other Items and News of Interest

No Items to report.

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)	116	120	-63.4
Subtotal Net Supplemental Water Available for Allocation	831	827	436.6
Supplemental Water Assigned (Intent-to-Serve Issued)	51.6	54.4	-28.7
Total Remaining Supplemental Water Available for			
Allocation	779.4	772.6	407.9

As of October 8, 2019 (no change from September 2019)

Connection Report

Nipomo Community Services District
Water and Sewer Connections

END OF MONTH REPORT

	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19
Water Connections (Total)	4434	4434	4437	4437	4437	4437	4438	4438	4440	4441
Sewer Connections (Total)	3197	3197	3199	3199	3200	3201	3206	3206	3207	3208
New Water Connections	0	0	3	0	0	0	1	0	2	1
New Sewer Connection	0	0	2	0	1	1	5	0	1	1
Galaxy & PSHH at Orchard and Division Sewer Connections billed to the County	475	475	475	475	475	475	475	475	475	475

The Connection Report is current through October 1, 2019.

Meetings (November 10, through November 23)

Meetings Attended (telephonically or in person):

- Nov 11, Holiday Veteran's Day
- Nov 12, Rat Consultant Pass-through Rate Development

ITEM F. MANAGERS REPORT November 27, 2019

- Nov 12, Finance and Audit Comm. Mtg.
- Nov 13, Rotary
- Nov 13, Regular NCSD Board Meeting
- Nov 13, Exec. Team After-Board Meeting
- Nov 14, RWMG Meeting
- Nov 14, Eng/Admin Meeting
- Nov 15, Asset Management Sedaru
- Nov 18, Management Team
- Nov 18, Board Officers Mtg.
- Nov 19, NMMA- TG
- Nov 19, Developer App Review Distr. Gen. Counsel
- Nov 19, Dana Elementary School Meter Location
- Nov 20, Rotary
- Nov 22, Blacklake Ad Hoc

Meetings Scheduled (November 24 through November 30):

Upcoming Meetings (telephonically or in person):

- Nov 25, MKN ADU Data Meeting
- Nov 26, NMMA Manager's Meeting
- Nov 26, Eng/Admin Meeting
- Nov 26, City of Santa Maria Pass-through
- Nov 27, Rotary
- Nov 27, Regular NCSD Board Meeting
- Nov 27, Exec. Team After-Board Meeting
- Nov 28, Thanksgiving Holiday
- Nov 29, Thanksgiving Holiday

Upcoming Water Resource and Other Meetings

Upcoming Standing Meetings:

- NMMA-TG: December 12th (Thursday) @ 10:00 AM, NCSD Board Room
- RWMG: December 4th @ 10:00 AM, SLO Library
- WRAC: December 4th @ 1:30 PM, SLO Library
- NMMA Purveyor Meeting: November 26th @ 10:00 AM, NCSD Conf. Rm

RECOMMENDATION

Staff seeks direction and input from your Honorable Board

ATTACHMENTS

None