

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER
DATE: SEPTEMBER 8, 2023



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: SEPTEMBER 8, 2023

AGENDA ITEM

D

SEPTEMBER 13, 2023

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 AUGUST 23, 2023, REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]
- D-3) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE
(INTENT-TO-SERVE LETTER) FOR A 2 PARCEL RESIDENTIAL SUBDIVISION
LOCATED ON HONEY GROVE LANE, APN 092-321-030 [RECOMMEND
CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]
- D-4) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE
(INTENT-TO-SERVE LETTER) FOR AN 8-UNIT MULTIFAMILY RESIDENTIAL
DEVELOPMENT LOCATED AT 213 WEST DANA STREET [RECOMMEND
CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]
- D-5) APPROVE AMENDMENT TO CONSTRUCTION MANAGEMENT AGREEMENT
WITH MNS FOR THE BRANCH STREET MAIN REPLACEMENT PROJECT
[RECOMMEND APPROVE AMENDMENT]

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER



FROM: JANA ETTEDDGUE
FINANCE DIRECTOR



DATE: SEPTEMBER 8, 2023

AGENDA ITEM
D-1
SEPTEMBER 13, 2023

WARRANTS WILL BE DISTRIBUTED TUESDAY, SEPTEMBER 12, 2023

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



DATE: SEPTEMBER 8, 2023



**APPROVE AUGUST 23, 2023
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. August 23, 2023 draft Regular Board Meeting Minutes

SEPTEMBER 13, 2023

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

DRAFT REGULAR MINUTES

AUGUST 23, 2023 AT 9:00 A.M.

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

BOARD of DIRECTORS

RICHARD MALVAROSE, PRESIDENT
DAN ALLEN GADDIS, VICE PRESIDENT
ED EBY, DIRECTOR
DAN WOODSON, DIRECTOR
GARY HANSEN, DIRECTOR

PRINCIPAL STAFF

MARIO IGLESIAS, INTERIM GENERAL MANAGER
LISA BOGNUDA, ASST GENERAL MANAGER
JANA ETTEDDGUE, FINANCE DIRECTOR
PETER SEVCIK, DIRECTOR OF ENG. & OPS.
CRAIG STEELE, GENERAL COUNSEL

Mission Statement:

Provide our customers with reliable, quality, and cost-effective services now and in the future.

A. CALL TO ORDER AND FLAG SALUTE

President Malvarose called the Regular Meeting of August 23, 2023, 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, all Directors were present.

Ray Dienzo thanked the Board for selecting him as the new General Manager and looks forward to working with them and District Staff.

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 Gaddis

- *August 15, attended Board Officers' Meeting*

Director Eby

- *August 15, attended WRAC subcommittee meeting*
- *WRAC will meet on September 6th and discuss the Dana Reserve*
- *August 17, attended LAFCO meeting*
- *August 21, attended SCAC meeting*

Director Malvarose

- *August 15, attended Board Officers' 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 Woodson and seconded, the Board approved receiving and filing presentations and reports.

Vote 5-0.

YES VOTES	NO VOTES	ABSTAIN
Directors Woodson, Hansen, Eby, Gaddis, and Malvarose	None	None

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE AUGUST 9, 2023, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) AUTHORIZE PURCHASE OF REPLACEMENT VALVE EXERCISER TRUCK [RECOMMEND ADOPT RESOLUTION AUTHORIZING STAFF TO PURCHASE FORD F550 TRUCK FROM PERRY FORD AT A COST OF \$85,812 AND TO PURCHASE VALVE EXERCISER FROM WACHS UTILITY PRODUCTS AT A COST OF \$93,297]
- D-4) CONSIDER ADOPTING A RESOLUTION TO ESTABLISH PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT LIFT STATIONS [RECOMMEND ADOPT RESOLUTION ESTABLISHING PRE-QUALIFICATION AND APPEALS POLICY FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT LIFT STATIONS]
- D-5) ADOPT ORDINANCE RE-STATING AND UPDATING THE DISTRICT CODE [RECOMMEND ADOPT – WAIVE FURTHER READING, READ BY TITLE ONLY – ORDINANCE NO. 2023-136, AN ORDINANCE OF THE BOARD OF THE DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT RE-STATING AND ADOPTING THE DISTRICT CODE, ADOPTING PENALTIES FOR THE VIOLATION OF SUCH CODE, AND FINDING THAT THE ADOPTION OF THIS ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)]

Staff answered questions regarding items D-3.

There were no public comments.

*Upon the motion of Director Gaddis and seconded, the Board approved the Consent Agenda.
Vote 5-0.*

YES VOTES	NO VOTES	ABSTAIN
Directors Gaddis, Woodson, Hansen, Eby, and Malvarose	None	None

RESOLUTION NO. 2023-1679
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING PURCHASE OF
VALVE EXERCISER TRUCK AT A TOTAL COST OF \$179,109

RESOLUTION NO. 2023-1680
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING A PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE
FOR THE BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT LIFT STATIONS

SUBJECT TO BOARD APPROVAL

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

ORDINANCE NO. 2023-136

AN ORDINANCE OF BOARD OF THE DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT RE-STATING AND ADOPTING THE DISTRICT CODE, ADOPTING PENALTIES FOR THE VIOLATION OF SUCH CODE, AND FINDING THAT THE ADOPTION OF THIS ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")

E. ADMINISTRATIVE ITEMS

- E-1) AUTHORIZE GENERAL MANAGER TO ENTER INTO AN EASEMENT PURCHASE AGREEMENT WITH MICHAEL J. CAVALETTO RANCHES, LLC AND NKT DEVELOPMENT, LLC TO ACCOMMODATE ADDITIONAL STORAGE FACILITIES AT THE DANA FOOT HILLS TANK SITE [RECOMMEND AUTHORIZE GENERAL MANAGER TO ENTER INTO EASEMENT PURCHASE AGREEMENT]

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

Pam Wilson, NCSD Resident, asked about one of the owners of the property.

Upon the motion of Director Gaddis and seconded, the Board approved the General Manager entering into an easement purchase agreement for \$72,000.

Vote 5-0.

YES VOTES	NO VOTES	ABSTAIN
Directors Gaddis, Eby, Hansen, Woodson, and Malvarose	None	None

- E-2) APPROVE MISCELLANEOUS FEE SCHEDULE STUDY AND ADOPT RESOLUTION TO RESTATE, AMEND AND/OR ESTABLISH MISCELLANEOUS FEES [RECOMMEND ADOPT RESOLUTION TO RESTATE, AMEND AND/OR ESTABLISH MISCELLANEOUS FEES]

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

There were no public comments.

Upon the motion of Director Eby and seconded, the Board approved the Resolution to restate, amend and/or establish miscellaneous fees.

Vote 5-0.

YES VOTES	NO VOTES	ABSTAIN
Directors Eby, Woodson, Hansen, Gaddis, and Malvarose	None	None

RESOLUTION 2023-1681

A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
TO RESTATE, AMEND AND/OR ESTABLISH MISCELLANEOUS FEES

F. GENERAL MANAGER'S REPORT

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

There were no public comments.

SUBJECT TO BOARD APPROVAL

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

G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced that there would be no closed session.

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

- a. SMVWCD V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214,
SIXTH APPELLATE COURT CASE NO. H032750, AND ALL
CONSOLIDATED CASES

There were no public comments.

ADJOURN MEETING

President Malvarose adjourned the meeting at 9:23 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 23 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	0 hour 23 minutes

Respectfully submitted,

Mario Iglesias, General Manager and Secretary to the Board

Date

TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS
INTERIM GENERAL MANAGER



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

DATE: SEPTEMBER 7, 2023

AGENDA ITEM
D-3
SEPTEMBER 13, 2023

**CONSIDER REQUEST FOR WATER, SEWER AND
SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR
A 2 PARCEL RESIDENTIAL SUBDIVISION LOCATED
ON HONEY GROVE LANE, APN 092-321-030**

ITEM

Consider request for water, sewer, and solid waste service (Intent-to-Serve Letter) for a 2-parcel residential subdivision located on Honey Grove Lane, APN 092-321-030 [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

BACKGROUND

The District received an application for water, sewer and solid waste service for project located on Honey Grove Lane, APN 092-321-030, on August 9, 2023. The applicant, Greg Dickinson, is requesting water, sewer and solid waste service for a 2-parcel residential subdivision.

The project will consist of a subdivision on one (1) existing parcel into 2 (two) residential parcels. The District currently does not provide water, sewer or solid waste service 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 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 meter 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: 2 @ 1-inch
- Sewer: 2 services

The estimated fee deposit for the project is \$53,600 based on the current FY 2023-2024 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

- 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 water, sewer and solid waste 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.
- 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.
- Properly abandon any existing groundwater wells and provide documentation to District.
- 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 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

SEPTEMBER 13, 2023

ITEM D-3

ATTACHMENT A



NIPOMO COMMUNITY SERVICES DISTRICT

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

Office use only:
Date and Time
Complete
Application and
fees received
RECEIVED
AUG 08 2023

NIPOMO COMMUNITY
SERVICES DISTRICT

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: 213 W Dana St Nipomo Ca 93444
4. Assessor's Parcel Number (APN) of parcel(s) to be served: 090-136-001
5. Owner Name: Jeff Gamble
6. Mailing Address: PO Box 1666 Nipomo Ca 9344
7. Email: ig@igcontracting.biz
8. Phone: 805-264-5576 FAX: _____
9. Agent's Information (Architect or Engineer):
Name: MW Architects
Address: 330 S Halcyon Rd Arroyo Grande Ca 93420
Email: c.tarcon@mwa.bz
Phone: 805-544-4334 ext 110 FAX: _____
10. Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input checked="" 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 _____
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 parcel.**
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 Parcel's created		Proposed number of SFR	
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Multi-Family Residential (MFR)

Number of Parcel's created	1	Proposed number of MFR	8
Number of Domestic Meter(s)	1	Estimated Meter Size(s)	1.5"
Number of Landscape Meter(s)	1	Estimated Meter Size(s)	1"
Number of Fire System(s)	1	Estimated Meter Size(s)	2"

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

Commercial and Mixed Use

Number of Parcel'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)	

16. 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 8/07/2023

Signed

Jeff Gamble

Digitally signed by Jeff Gamble
Date: 2023.08.07 08:16:34 -07'00'

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

Print Name Jeff Gamble

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.

Accessory (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, 2023

PROJECT SIZE/TYPE	TOTAL AMOUNT DUE AT TIME OF APPLICATION**
Residential <4 units	\$1,437.40
Residential 4-20 units	\$1,974.39
Residential > 20 units	\$2,324.61
Commercial <1 acre	\$1,974.39
Commercial 1-3 acres	\$2,324.61
Commercial > 3 acres	\$3,211.79
Mixed Use with less than 4 Dwelling Units	\$2,324.61
Mixed Use with four or more Dwelling Units	\$3,211.79
*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.

SEPTEMBER 13, 2023

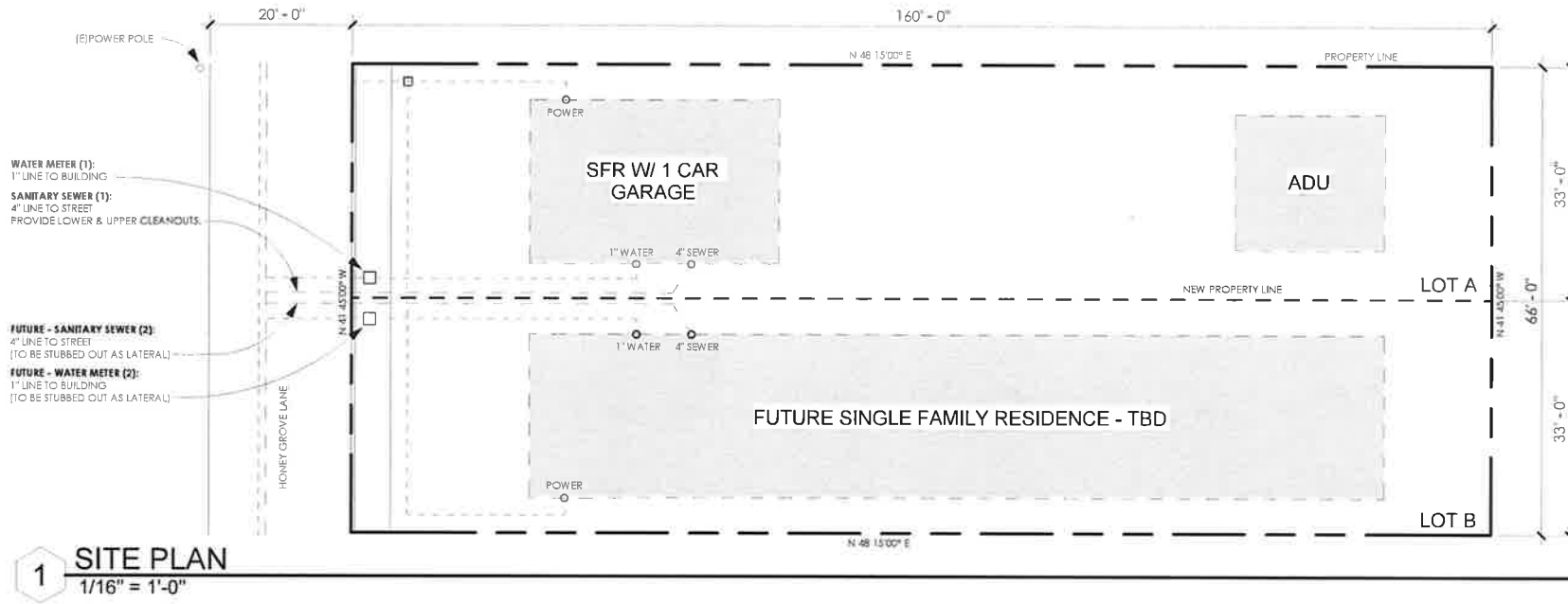
ITEM D-3

ATTACHMENT B

PROJECT DESCRIPTION

LOT 71
APN# 092-321-030

THIS PROJECT PROPOSES A LOT SPLIT OF AN EXISTING PROPERTY INTO TWO LOTS,
"LOT A" PROPOSES A SINGLE FAMILY RESIDENCE WITH A DETACHED ADU,
"LOT B" PROPOSES A FUTURE SINGLE FAMILY RESIDENCE WITH A DETACHED ADU,



ATOM
ARCHITECTS

LOT 71 HONEY GROVE LANE, NIPOMO

SITE PLAN - DICKENSON, G.

A.00

7.26.2023

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
INTERIM GENERAL MANAGER

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

DATE: SEPTEMBER 7, 2023

AGENDA ITEM
D-4
SEPTEMBER 13, 2023

**CONSIDER REQUEST FOR WATER, SEWER AND
SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR
AN 8-UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT
LOCATED AT 213 WEST DANA STREET**

ITEM

Consider request for water, sewer, and solid waste service (Intent-to-Serve Letter) for an 8-unit multifamily residential development located at 213 West Dana Street, APN 090-136-001 [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

BACKGROUND

The District received an application for water, sewer and solid waste service for project located at 213 West Dana Street on August 8, 2023. The applicant, Jeff Gamble, is requesting water, sewer and solid waste service for a multifamily residential development.

The project will consist of eight (8) multifamily residential units on an existing 0.35 acre parcel. The District currently does not provide water, sewer or solid waste service 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 2.1 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 information provided, the following services are proposed:

- Domestic: 1 @ 1.5-inch
- Irrigation: 1 @ 1-inch
- Fire: 1 @ 2-inch
- Sewer: 1 service

The estimated fee deposit for the project is \$103,443 based on the current FY 2023-2024 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

- One (1) new 1.5-inch domestic water meter and appropriate backflow assembly shall be provided for indoor use. Water capacity charges are applicable.
- One (1) separate 1-inch irrigation meter and appropriate backflow assembly shall be provided for outdoor irrigation use. Water capacity charges are applicable.
- One (1) separate 2-inch fire sprinkler service including appropriate backflow device 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 water, sewer and solid waste 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.
- 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.
- Properly abandon any existing groundwater wells and provide documentation to District.
- 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 multifamily residential 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

SEPTEMBER 13, 2023

ITEM D-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



NIPOMO COMMUNITY
SERVICES DISTRICT

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: 213 W Dana St Nipomo Ca 93444
4. Assessor's Parcel Number (APN) of parcel(s) to be served: 090-136-001
5. Owner Name: Jeff Gamble
6. Mailing Address: PO Box 1666 Nipomo Ca 9344
7. Email: jg@jgcontracting.biz
8. Phone: 805-264-5576 FAX: _____
9. Agent's Information (Architect or Engineer):
Name: MW Architects
Address: 330 S Halcyon Rd Arroyo Grande Ca 93420
Email: c.farcon@mwa.bz
Phone: 805-544-4334 ext 110 FAX: _____
10. Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input checked="" 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 _____
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 parcel.**
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 Parcel's created		Proposed number of SFR	
----------------------------	--	------------------------	--

Multi-Family Residential (MFR)

Number of Parcel's created	1	Proposed number of MFR	8
Number of Domestic Meter(s)	1	Estimated Meter Size(s)	1.5"
Number of Landscape Meter(s)	1	Estimated Meter Size(s)	1"
Number of Fire System(s)	1	Estimated Meter Size(s)	2"

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

Commercial and Mixed Use

Number of Parcel'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)	

16. 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 8/07/2023

Signed

Jeff Gamble

Digitally signed by Jeff Gamble
Date: 2023.08.07 08:16:34 -07'00'

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

Print Name Jeff Gamble

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.

Accessory (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, 2023

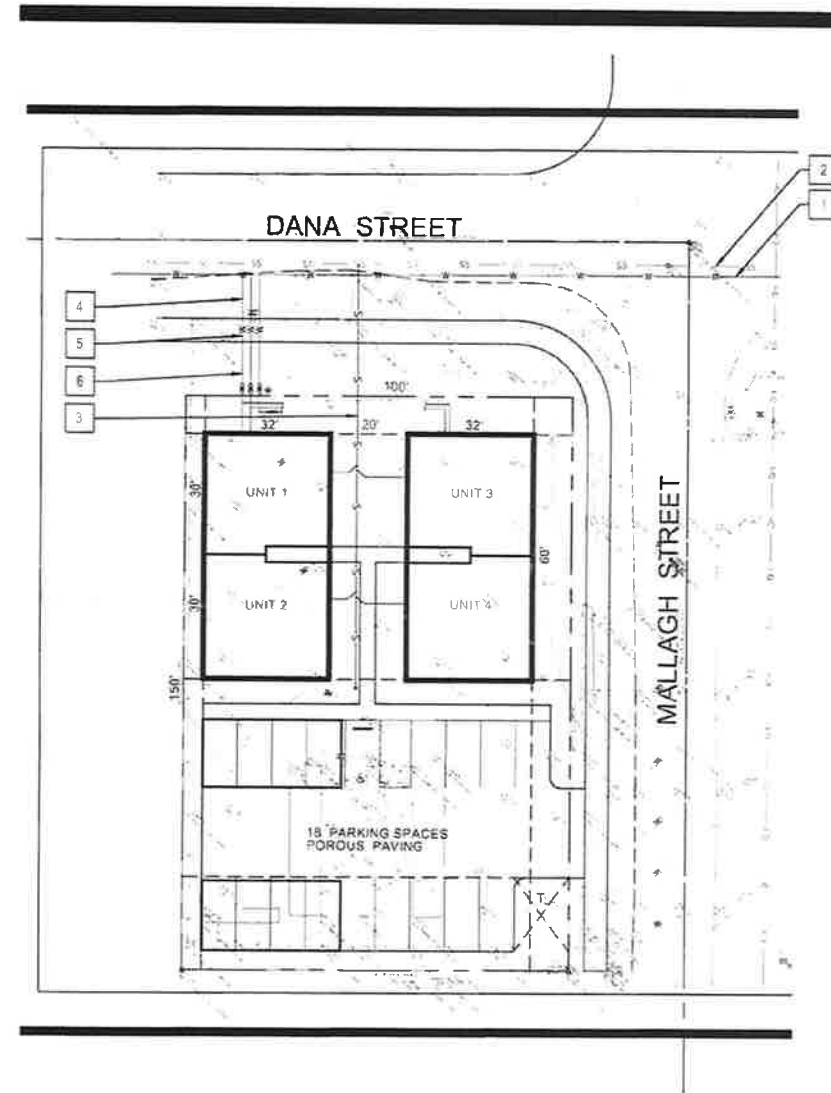
PROJECT SIZE/TYPE	TOTAL AMOUNT DUE AT TIME OF APPLICATION**
Residential <4 units	\$1,437.40
Residential 4-20 units	\$1,974.39
Residential > 20 units	\$2,324.61
Commercial <1 acre	\$1,974.39
Commercial 1-3 acres	\$2,324.61
Commercial > 3 acres	\$3,211.79
Mixed Use with less than 4 Dwelling Units	\$2,324.61
Mixed Use with four or more Dwelling Units	\$3,211.79
*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.

SEPTEMBER 13, 2023

ITEM D-4

ATTACHMENT B



213 DANA STREET - NIPOMO

SITE NOTES

APN 090-136-001

SITE AREA 15,135 SF

ZONING OP

PROPOSED USE:

WE ARE PROPOSING (8) 2 BED - 1.5 BATH UNITS. THE PROJECT WILL CONSIST OF TWO BUILDING, EACH WITH (4) UNITS. THERE WILL BE A EXTERIOR STAIRWAY ON EACH BUILDING THAT SERVES AS ACCESS TO THE UPPER UNITS.

PARKING PROPOSED 18 SPACES
(1 ADA VAN ACCESSIBLE)
(8 COVERED SPACES)
(9 STANDARD SPACES)

SPECIAL CONSIDERATIONS:

THIS PROPERTY FALLS WITHIN THE FLOODPLAIN LINE AS SHOWN ON FEMA'S FLOOD MAP (PLEASE NOTE THE DASHED LIGHT BLUE LINE)

FIXTURE NOTES

- 1 EXISTING WATER LINE
- 2 EXISTING SANITARY SEWER
- 3 NEW SEWER LATERAL
- 4 NEW DOMESTIC WATER LINE WITH 1 1/2" METER
- 5 NEW LANDSCAPE WATER LINE WITH 1" METER
- 6 NEW FIRE SPRINKLER SUPPLY LINE 2" METER

FIXTURE NOTES

PROPOSED FIXTURES PER UNIT	QTY	WSFU	TOTAL WSFU	GPM
BATHROOM:				
TOILET	2	2.5	5	
SINK	2	1.5	3	
SHOWER/TUB	1	4	4	
KITCHEN:				
SINK	1	1.5	1.5	
D/WASHER	1	1.5	1.5	
LAUNDRY:				
WASHER	1	4	4	
COMMON:				
HOSE BIBS	4	2.5/1	5.5	
TOTAL FIXTURES ALL UNITS	68		157.5	60



ARCHITECTS
MICHAEL S. PACHA
WAYNE P. SILVER
210 S. WALTON AVENUE
NIPOMO, CALIFORNIA 93420
TEL: (805) 744-1000
FAX: (805) 744-1000

213 DANA STREET
NIPOMO - CALIFORNIA

A0

PL-22YXX DATE 06.05.22