

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

JULY 24, 2013, AT 9:00 A.M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

JAMES HARRISON, **PRESIDENT**
LARRY VIERHEILIG, **VICE PRESIDENT**
DAN GADDIS, **DIRECTOR**
BOB BLAIR, **DIRECTOR**
CRAIG ARMSTRONG, **DIRECTOR**

PRINCIPAL STAFF

MICHAEL S. LEBRUN, **GENERAL MANAGER**
LISA BOGNUA, **FINANCE DIRECTOR**
MIKE SEITZ, **GENERAL COUNSEL**
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**
MERRIE WALLRAVIN, **BOARD CLERK**

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.

00:00:00

A. CALL TO ORDER AND FLAG SALUTE

President Harrison called the Regular Meeting of July 24, 2013, 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 Board members were present.

Kevin Beauchamp, NCSD customer, asked the Board for relief on his bill due to a leak on his irrigation meter

Michael LeBrun, General Manager, and Mr. Beauchamp answered questions from the Board.

The Board directed staff to review the current policy with the Conservation Committee and return with information within 30 days.

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) SHERIFF COMMANDER JAMES TAYLOR

Update Report re: South County Law Enforcement and Department News

Sargent Anthony Perry in place of Sheriff Commander James Taylor gave an update of the law enforcement activities in South County. Sargent Perry answered questions from the Board. The Board thanked Sargent Perry for his report.

C-2) CAL FIRE BATTALION CHIEF

Update Report re: South County Cal Fire Activity and Department News

Battalion Chief was unable to attend this meeting.

C-3) DIRECTOR OF ENGINEERING AND OPERATIONS

RE: Summary of recent activities

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board packet. Mr. Sevcik answered questions from the Board. The Board thanked Mr. Sevcik for his report.

Nipomo Community Services District
REGULAR MEETING
MINUTES

C-4) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.

Receive Announcements and Reports from Directors

Director Armstrong

- ◇ July 22, South County Advisory Council met and had concerns about a new housing development in Guadalupe impacting the groundwater basin and the proposed project at the Phillips 66 Refinery.

Director Gaddis

- ◇ July 12, Attended Nipomo Mesa Management Area Technical Group meeting and discussed the key well index.

Director Vierheilig

- ◇ Water Resources Advisory Council subcommittee met and discussed the Laetitia recirculated revised draft EIR.
- ◇ July 23, Blacklake Management Association met. In September they will be discussing drought tolerant plants/landscaping.
- ◇ August 7, WRAC will meet at 1:30 p.m. at the San Luis Obispo City Library.

Director Blair

- ◇ Commented on the water table in the Santa Maria Valley.
- ◇ July 19, Attended CSDA meeting. Commented on smart growth in Nipomo.

Director Harrison

- ◇ July 17, Attended Olde Towne Nipomo Association meeting.
- ◇ July 18, Fire Safe Council met. The chipping event had lower participants this year and the Fire Safe Council was awarded \$300,000 to make Nacimiento more fire safe.
- ◇ July 19, Attended California Special District Association meeting.
- ◇ July 27, Benefit BBQ for Paul Teixeira at Miner's parking lot. \$10 tickets.
- ◇ Questioned a meter that was installed incorrectly and was reading incorrectly.

C-5) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE and FILE PRESENTATIONS AND REPORTS

The following member of the public spoke:

Kathy Kubiak, Nipomo resident, questioned District Engineer about more pipeline breaks on Tefft Street and requested the District patch Tefft Street nicely.

Michael LeBrun, General Manager, commented on Ms. Kubiak's request.

Upon the motion of Director Vierheilig and seconded by Director Blair, the Board unanimously approved to receive and file the presentations and reports as submitted. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Blair, Armstrong, Gaddis, and Harrison	None	None

Nipomo Community Services District
REGULAR MEETING
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00:55:14

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE JULY 10, 2013 REGULAR BOARD MEETING MINUTES

D-3) RECEIVE QUARTERLY INVESTMENT REPORT

At the request of Director Vierheilg, President Harrison pulled item D-3 for separate consideration

There was no public comment.

*Upon the motion of Director Gaddis and seconded by Director Armstrong, the Board unanimously approved Items D-1 and D-2.
Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Gaddis, Armstrong, Blair, Vierheilg, and Harrison</i>	None	None

ITEM D-3

Lisa Bognuda, Finance Director, answered questions from the Board.

There was no public comment.

*Upon the motion of Director Blair and seconded by Director Armstrong, the Board unanimously approved Item D-3.
Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Blair, Armstrong, Gaddis, Vierheilg, and Harrison</i>	None	None

E. ADMINISTRATIVE ITEMS

01:04:11

E-1) UPDATE ON DEVELOPMENT OF JIM O. MILLER PARK

Michael LeBrun, General Manager, reviewed the report as presented in the Board Packet. Caryn Maddalena, San Luis Obispo County Real Property Services, Mike Seitz, District Legal Counsel, Kathy Kubiak, Olde Towne Nipomo Association President, and Mr. LeBrun answered questions from the Board.

*The following members of the public spoke:
Ruth Brackett, NCSO customer, spoke in support of the proposed park.*

*Upon the motion of Director Blair and seconded by Director Armstrong, the Board unanimously supports Olde Towne Nipomo Association and directed the Parks Committee members to meet with San Luis Obispo County and Olde Towne Nipomo Association.
Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Blair, Armstrong, Gaddis, Vierheilg, and Harrison</i>	None	None

01:13:37

THE BOARD TOOK A BREAK FROM 10:30 TO 10:45 A.M.

- E-2) CONSIDER SERVICE REQUEST - 530 HILL STREET, APN 092-577-002, 20 MULTI-FAMILY UNIT RESIDENTIAL DEVELOPMENT

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board Packet.

The following members of the public spoke:

Bill Kengel, NCSD customer and project developer, handed the Board documents (See Exhibit "A") and commented on other issues with his development.

Upon the motion of Director Armstrong and seconded by Director Vierheilig, the Board unanimously approved the Intent-To-Serve letter with all terms and conditions outlined in the staff report including the transfer of project water allocation credit from the previous Intent-To-Serve letter to the new one.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Armstrong, Vierheilig, Blair, Gaddis, and Harrison	None	None

01:50:43

- E-3) REVIEW SERVICE WATER ALLOCATION PROCEDURES AND WATER CONNECTION MORATORIUM STATUS

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet and answered questions from the Board.

The following members of the public spoke:

Bill Kengel, NCSD customer, commented on the upfront costs.

Ed Eby, NCSD customer, suggested that the Board revisit the allocation Ordinance.

Jim Davis, Nipomo resident, commented on the impact of no water supply on his property value.

Upon the motion of Director Vierheilig and seconded by Director Armstrong, the Board unanimously directed staff to review the current allocation procedure with the Water Conservation Committee and return to the Board with a recommendation for changes.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Armstrong, Blair, Gaddis, and Harrison	None	None

Upon the motion of Director Blair and seconded by Director Harrison, the Board considered repeal of the suspended Ordinance restricting new District water connections. Vote 2-3. Motion failed and the Ordinance remains in a state of suspension.

YES VOTES	NO VOTES	ABSENT
Directors Blair and Harrison	Directors Armstrong, Gaddis, and Vierheilig	None

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

02:24:33

E-4) CONSIDER DAVIS OUTSIDE USER REQUEST FOR WATER SERVICE

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Jim Davis, Property owner, Peter Sevcik, Director of Engineering and Operations, Mike Seitz, Legal Counsel, and Mr. LeBrun answered questions from the Board.

*The following members of the public spoke:
Bill Kengel, NCSD customer, commented on private wells.*

Ed Eby, NCSD customer, handed the Board a parcel map (See Exhibit "B") and commented on District not having excess water resource capacity.

*Upon the motion of Director Harrison and seconded by Director Gaddis, the motion was to deny the application.
Vote 2-3. Motion failed.*

YES VOTES	NO VOTES	ABSENT
Directors Harrison and Gaddis	Directors Armstrong, Blair, and Vierheilig	None

*Upon the motion of Director Armstrong and seconded by Director Vierheilig, the Board directed staff to research the rules and regulations, and the pros and cons of water service for outside users and revisit this item at the next Board meeting.
Vote 4-1.*

YES VOTES	NO VOTES	ABSENT
Directors Armstrong, Vierheilig, Blair, and Gaddis	Director Harrison	None

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9 SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
2. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(a):
Existing litigation - 1 case: Mesa Community Alliance Vs. District, Case No. CV 130222
3. ANNUAL PERFORMANCE REVIEW OF DISTRICT GENERAL MANAGER PURSUANT TO GOVERNMENT CODE SECTION 54957

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to closed session at 12:25 p.m.

Nipomo Community Services District
REGULAR MEETING
MINUTES

L. OPEN SESSION
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 1:30 p.m.

Mike Seitz, District Legal Counsel, announced that the Board discussed Items One and Two listed above under closed session announcements, but took no reportable action.

Item Three listed above under closed session announcements, the Board made edits to the written evaluation of the General Manager and will continue this on the next agenda for final completion.

03:11:02 E-5) AUTHORIZATION TO PURCHASE REPLACEMENT GENERATOR FOR SOUTHLAND WASTEWATER TREATMENT FACILITY

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board packet. Mr. Sevcik answered questions from the Board. The Board thanked Mr. Sevcik for his report.

There was no public comment.

*Upon the motion of Director Armstrong and seconded by Director Gaddis, the Board unanimously approved the purchase of a new replacement generator for the Southland WWTF from Quinn Power Systems in the amount of \$114,732.
Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
Directors Armstrong, Gaddis, Blair, Vierheilig, and Harrison	None	None

03:20:01 E-6) CONSIDER BALLOT FOR CALIFORNIA SPECIAL DISTRICT ASSOCIATION 2013 BOARD ELECTIONS

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet.

There was no public comment.

*Upon the motion of Director Armstrong and seconded by Director Vierheilig, the Board unanimously agreed to support Director Blair for the CSDA Board election and directed staff to file completed ballot with CSDA no later than August 2, 2013.
Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
Directors Armstrong, Vierheilig, Blair, Gaddis, and Harrison	None	None

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

**E-7) CONSIDER BALLOT FOR SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY
2013 BOARD OF DIRECTORS ELECTION**

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet.

There was no public comment.

Upon the motion of Director Harrison and seconded by Director Armstrong, the Board unanimously agreed to support Muril Clift, Jean Bracy, and David Aranda for the SDRMA Board and adopted Resolution 2013-1320.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Harrison, Armstrong, Gaddis, Blair, and Vierheilig	None	None

A RESOLUTION OF THE GOVERNING BODY OF THE
NIPOMO COMMUNITY SERVICES DISTRICT FOR THE
ELECTION OF DIRECTORS TO THE SPECIAL DISTRICT
RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS

THE BOARD TOOK A BREAK FROM 1:55 TO 2:00 P.M.

03:33:02

A. PRESIDENT HARRISON ADJOURN TO NCS D PUBLIC FACILITIES CORPORATION

ROLL CALL

At roll call, all Board members were present.

PUBLIC COMMENT ON AGENDA ITEMS

There was no public comment.

A. NCS D PUBLIC FACILITIES CORPORATION ANNUAL MEETING

Approve Minutes

- JULY 25, 2012
- MAY 8, 2013
- JUNE 12, 2013

Upon the motion of Director Vierheilig and seconded by Director Gaddis, the Board unanimously approved the minutes of July 25, 2012.

Vote 3-0. (Directors Armstrong and Blair were not qualified to vote.)

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Gaddis, and Harrison	None	None

Upon the motion of Director Blair and seconded by Director Vierheilig, the Board unanimously approved the minutes of May 8, 2013.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Blair, Vierheilig, Armstrong, Gaddis, and Harrison	None	None

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

ITEM A (CONTINUED)

Upon the motion of Director Armstrong and seconded by Director Gaddis, the Board unanimously approved the minutes of June 12, 2013.

Vote 4-0. (Director Vierheilig was not qualified to vote.)

YES VOTES	NO VOTES	ABSENT
Directors Armstrong, Gaddis, Blair, and Harrison	None	None

PRESIDENT HARRISON ADJOURNED TO NCSD REGULAR MEETING

03:37:02

F. GENERAL MANAGER'S REPORT

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mike Seitz, Legal Counsel and Mr. LeBrun answered questions from the Board.

There was no public comment.

G. COMMITTEE REPORT

There were no committee reports.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

There were no Directors' request to staff.

03:58:15

ADJOURN

President Harrison adjourned the meeting at 2:30 p.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	4 hours 25 minutes
Closed Session	1 hour 5 minutes
TOTAL HOURS	5 hours 30 minutes

JULY 24, 2013

REGULAR BOARD MEETING MINUTES

EXHIBIT "A"

JON S. SEITZ
MICHAEL W. SETIZ

SHIPSEY & SEITZ, INC.

A LAW CORPORATION
1066 PALM STREET
POST OFFICE BOX 953
SAN LUIS OBISPO, CALIFORNIA
(805) 543-7272 FAX (805) 543-7281
JON S. SEITZ
District Legal Counsel
Nipomo Community Services District

JOHN L. SEITZ
(1924-1984)

GERALD W. SHIPSEY
(RETIRED)

October 8, 2009

Via E-mail & 1st Class Mail

John W. Belsher
BELSHER & BECKER
Attorneys at Law
412 Marsh Street
San Luis Obispo, CA 93401

Re: Kengel

Dear John;

Please accept the following as Nipomo Community Services District's (District) response to your faxed transmittal of September 24, 2009.

With reference to this response you will please find appended to this letter the following Exhibits:

1. A November 18, 2006, application for Intent-to-Serve letter/Will-Serve letter signed by Bill Kengel,
2. A depiction of a Tentative vested Parcel Map CO 06-0225,
3. Water Year 2006/2007 Water Allocation Accounting Summary, and
4. December 11, 2006, Intent-to-Serve letter.

In providing this response the District recognizes that there are ambiguities with reference to the four attached documents. However, from the District's prospective it is clear that in November 2006, Mr. Kengel was in the process of developing a three lot subdivision (see Exhibit 2). In order to begin processing the subdivision, the County required an Intent-to Serve letter evidencing that the NCSD was willing to provide water service to the three lots. With respect to the application for the Intent-to-Serve letter (Exhibit 1) I note that both paragraphs 11 that reflect the type of project and number of dwelling units are left blank and there is no record that the Mr. Kengel provided a Water Demand Certification as required by paragraph 14. The water allocated pursuant to the December 11, 2006 Intent-to-Serve letter reflects that water was allocated under single-family residential as opposed to multi-family (Exhibit 3):

RECEIVED

OCT 12 2009

NIPOMO COMMUNITY
SERVICES DISTRICT

Kengel
October 8, 2009
Page 2

The District does note that under the General Conditions of the Intent-to-Serve letter there is language that this letter is void if land used for other than multi-family residential.

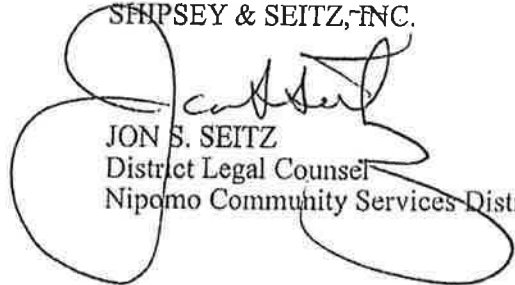
In reviewing the current status of the project we understand that Mr. Kengel is now processing the project as creating two parcels as opposed to the original three with one of the parcels having existing water service provided by the District. Both parcels are required to connect to the District's sewer system.

The District can take the position that either the most recent Intent-to-Serve letter supersedes the prior December 11, 2006, Intent-to-Serve letter or to provide additional water for the project pursuant to the Allocation Summary (Exhibit 2).

As an accommodation the District is willing to serve the project with an additional 0.69 AFY of water pursuant to District Code Section 3.05.030E.

If you should have questions, please do not hesitate to give me a call.

Very truly yours,
SIMPSEY & SEITZ, INC.



JON S. SEITZ
District Legal Counsel
Nipomo Community Services District

JSS:ga
Enclosures

cc: Peter Sevcik



NIPOMO COMMUNITY SERVICES DISTRICT

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

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

INTENT-TO-SERVE/WILL-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.: CO 06-0225
3. Attach a copy of SLO County application.

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

4. Project location: 719 W. Tefft Street
5. Assessor's Parcel Number (APN) of lot(s) to be served: 092-130-012
6. Owner Name: Mesa Dunes Investment Inc, c/o Bill Kengel
7. Mailing Address: P O Box 267, Avila Beach, CA 93424
8. Email: N/A
9. Phone: (805) 627-2168 FAX: _____
10. Agent's Information (Architect or Engineer):
Name: Westland Engineering, Inc.
Address: 3480 S. Higuera Street, Ste 130, San Luis Obispo, CA 93401
Email: telder@westlandengr.com
Phone: (805) 541-2394 FAX: (805) 541-2439

11. Type of Project: (circle as applicable)
Single Family Residence Duplex Secondary (a.k.a Granny) Unit
Multi-Family (under single roof) Commercial Mixed-Use (commercial & residential)
11. Number of Dwelling Units _____ Number of Low Income units _____
12. Does this project require a sub-division? Yes (yes/no)
If yes, number of new lots created 3

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

All other projects, submit two (2) standard size (24" x 36") and one reduced copy (8½" x 11").
Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.



WESTLAND ENGINEERING 0000712400 P. 2

SAN LUIS OBISPO COUNTY HEALTH AGENCY

PUBLIC HEALTH *Environmental Health Services Division*

2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
805-781-5544 • FAX 805-781-4211

March 17, 2009

Westland Engineering, Inc,
3480 S. Higuera St. Suite 130
San Luis Obispo, CA 93401

Jeff Hannan
Health Agency Director

Penny Borestein, M.D., M.P.H.
Health Officer/Public Health Administrator

Curtis A. Batson, R.E.H.S.
Director of Environmental Health

ATTN: TERRI ETTEDDGUE
RE: EVIDENCE OF WATER AND SEWER, 719 W. TEFFT STREET, NIPOMO
PROPOSED MULTI-FAMILY RESIDENTIAL DEVELOPMENT PROJECT

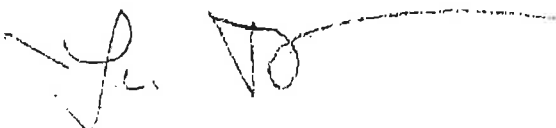
Water Supply and Wastewater Disposal

This office is in receipt of an "Intent-To-Serve" letter from Nipomo Community Services District for the above mentioned project for the supply of domestic water, fire protection water and sewer service. This document is dated September 9, 2008. Be advised that although this document would be satisfactory for demonstrating "preliminary evidence of water" the conditions and restrictions on the water to be delivered are not acceptable for the proposed development as it is understood by this office at this time. Water and sewer services must be provided without interruption and in perpetuity at the time of development.

In addition, please note that any existing agricultural well(s) which may remain for irrigation purposes should be equipped with a backflow device once community water is brought to the parcel.

Should you have any questions I can be reached at (805) 781-5551.

Sincerely,



LESLIE A. TERRY, R.E.H.S.
Environmental Health Specialist
Land Use Section

c: NCSD



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

March 9, 2009

Bill Kengel
PO Box 267
Avila Beach, CA 93424
Subject: **2nd Response to January 20, 2009 letter regarding NCSD Intent-to-Serve letter**

Dear Mr. Kengel:

This letter is a second response to your letter to our office dated January 20, 2009 regarding the Intent-to-Serve Water and Sewer Service letter dated September 9, 2008 from the Nipomo Community Services District. You have focused your question on whether you can record a final map for CO-06-0225 based on this letter.

Final Map Recordation

The subject Intent-to-Serve letter is problematic for several reasons for filing the final map for Parcel Map CO-06-0225. First, the letter needs to identify which parcel(s) the NCSD is intending to serve. Second, the County cannot accept a "conditional" intent-to-serve letter. The subject letter includes conditions that would potentially alter the project description included in the original approval of the parcel map by the Subdivision Review Board on August 4, 2008, including a phasing schedule for a future development into the year 2017.

Another problematic condition of the letter is that the NCSD states they reserve the right to revoke the Intent-to-Serve letter at any time. This provision renders the Intent-to-Serve letter to one that cannot be reasonably relied upon as sufficient evidence showing adequate water for the proposed parcel(s).

If you have any questions concerning the information in this letter, please contact me at (805) 788-2788 or by email at bpedrotti@co.slo.ca.us.

Sincerely,

Brian Pedrotti, AICP
Inland Planning and Permitting

cc: Terry Orton, Westland Engineering

MAR 11 2009

976 OSOS STREET, ROOM 300 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252
Fax (805) 781-1229

email address: pwd@co.slo.ca.us

May 4, 2009

Mr. William G. Kengel
PO Box 267
Avila Beach, CA 93424

Subject: Recordation of Parcel Map CO 06-0225

Thank you for your letter dated April 22, 2009 (submitted April 29, 2009) requesting that the County of San Luis Obispo Department of Public Works and Transportation (Department) address the *Intent to Serve Water and Sewer Service* letter dated September 9, 2008, addressed to you from the Nipomo Community Services District, and its implications upon the recordation of your approved tentative parcel map CO 06-0225.

The Real Property Division Ordinance, 21.06.030, requires that when all tentative map conditions of approval have been met, and when a final or parcel map that is substantial in conformance with the design of the tentative map has been submitted, the County Surveyor shall transmit the map with his approval and certification to the County Clerk for the Board's approval to record the map.

The County Surveyor defers certain verifications of tentative map condition compliance unto the respective regulatory County Departments and Agencies. With respect to your Nipomo Community Services District *Intent to Serve* letter the County's Public Health Department (specifically the Division of Environmental Health Services) is that regulatory agency. You are responsible for providing them the necessary documentation to satisfy the water and sewer tentative map conditions of approval and they, in turn, are responsible to provide the County Surveyor written verification of condition compliance.

Therefore, the County Surveyor cannot recommend map approval until all tentative map conditions have been satisfied. Please feel free to contact me if you have any questions.

Sincerely,

Glenn D. Marshall, PE
Development Services Engineer

Cc: Terry Orton, Westland Engineering, 3480 S Higuera St, Suite 130, San Luis Obispo, CA 93401
Glen Priddy, County Surveyor
Leslie Terry, County Environmental Health Services

File: CO 06-0225

JULY 24, 2013

REGULAR BOARD MEETING MINUTES

EXHIBIT "B"

37 Parcels Between Hetrick and Pomeroy Not in NCSD Boundaries

