**BOARD OF DIRECTORS** 

FROM:

MARIO IGLESIAS

**GENERAL MANAGER** 

DATE:

MAY 17, 2018



#### PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- C-1) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & 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.

**BOARD OF DIRECTORS** 

FROM:

MARIO IGLESIAS

GENERAL MANAGER

DATE:

MAY 17, 2018

# AGENDA ITEM

MAY 23, 2018

#### 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 MAY 9, 2018, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) ACCEPT OFFER OF WATER IMPROVEMENTS FOR DANA ADOBE VISITOR CENTER PROJECT 671 SOUTH OAKGLEN AVENUE, NIPOMO [RECOMMEND ADOPT RESOLUTION ACCEPTING OFFER OF IMPROVEMENTS]
- D-4) APPROVAL OF THE ENGINEER'S LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2018-2019 [RECOMMEND ADOPT RESOLUTION]

**BOARD OF DIRECTORS** 

REVIEWED: MARIO IGLESIAS

**GENERAL MANAGER** 

FROM:

LISA BOGNUDA

FINANCE DIRECTOR

DATE:

MAY 18, 2018

# **AGENDA ITEM D-1** MAY 23, 2018

#### **WARRANTS**

**TOTAL COMPUTER CHECKS** \$488,889.22

**HANDWRITTEN CHECKS** NONE

**VOIDS - NONE** 

## **COMPUTER GENERATED CHECKS – SEE ATTACHED**



## Nipomo Community Services District

# Item D-1 Warrants-MAY 23, 2018

By Payment Number

Payment Dates 05/23/2018 - 05/23/2018

Vendor Name	Description (Payable)	Payable Number	Payment Date		Amount
Payment: 3745					
AGM California, Inc.	Conservation ads	2956	05/23/2018		450.00
AGM California, Inc.	Conservation ads	5985	05/23/2018		400.00
AGM California, Inc.	Conservation ads	11295	05/23/2018	9-10	450.00
				Payment 3745 Total:	1,300.00
Payment: 3746					
Allweather Landscape Mainte	LMD	32111	05/23/2018		325.00
				Payment 3746 Total:	325.00
Payment: 3747					
American Industrial Supply	Test plug, air hose, bushings	0318715	05/23/2018		382.46
				Payment 3747 Total:	382.46
Payment: 3748			05 (00 (004 0		172.84
AT&T	Telephone	11320984	05/23/2018	B 3740 T-4-I	172.84
				Payment 3748 Total:	1/2.84
Payment: 3749	Live Coon voimburgament	NAAV2019	05/23/2018		74.00
Ayala, Sandro	Live Scan reimbursement	MAY2018	03/23/2018	Payment 3749 Total:	74.00
				Payment 3743 lotal.	74.00
Payment: 3750	CSM2 renewal reimbursemen	MAY2018	05/23/2018		90.00
Baumgarten, Michael	CSIVIZ Tellewal Tellinburselliell	WAIZOLO	03/23/2010	Payment 3750 Total:	90.00
Payment: 3751					
Blair, Robert	Mileage reimbursement-CSDA	MAY2018	05/23/2018	_	21.80
,				Payment 3751 Total:	21.80
Payment: 3752					
Brenntag Pacific, Inc.	Sodium hypochlorite	833404	05/23/2018		451.07
Brenntag Pacific, Inc.	Ammonium Sulfate	833402	05/23/2018		533.69
Brenntag Pacific, Inc.	Ammonium sulfate	833400	05/23/2018		771.95
Brenntag Pacific, Inc.	Sodium hypochlorite	833406	05/23/2018		135.33
Brenntag Pacific, Inc.	Sodium hypochlorite	833407	05/23/2018		389.71
Brenntag Pacific, Inc.	Sodium hypochlorite	833405	05/23/2018		577.37
Brenntag Pacific, Inc.	Ammonium sulfate	833401	05/23/2018		667.38
Brenntag Pacific, Inc.	Sodium hypochlorite	833403	05/23/2018	Payment 3752 Total:	396.94 <b>3,923.44</b>
				Payment 3732 Iotal.	3,323.77
Payment: 3753 Burdine Printing	Mail bills	36255A	05/23/2018		308.22
	Mail bills	36268A	05/23/2018		70.86
Burdine Printing	Postage for bills	36255B	05/23/2018		1,274.61
Burdine Printing Burdine Printing	Postage for bills	36268B	05/23/2018		94.00
bardine Frinting	rostage for bills	302000	00, 10, 1010	Payment 3753 Total:	1,747.69
Payment: 3754					
C.M. de Crinis & Co., Inc.	Opterra project analysis	201807	05/23/2018		3,656.25
				Payment 3754 Total:	3,656.25
Payment: 3755					
Cannon Corporation	Southland Metal Building	66050	05/23/2018	_	216.00
				Payment 3755 Total:	216.00
Payment: 3756			a= (aa (ac : 3		04.04
Carquest Auto Parts	Vehicle repair/maintenance	APR2018	05/23/2018	Dayment 3756 Total	91.84 91.84
				Payment 3756 Total:	71.04

Item D-1 Warrants-MAY 23, 20	018			Payment Dates: 05/23/2018	- 05/23/2018
Vendor Name	Description (Payable)	Payable Number	Payment Date		Amount
Payment: 3757 City of Santa Maria	Water Purchase 01-01-18 to 0	75972	05/23/2018	Payment 3757 Total:	366,118.32 366,118.32
Payment: 3758 City of Santa Maria	Meter testing	75973	05/23/2018	Payment 3758 Total:	230.00
Payment: 3759 Clever Ducks	Computer expense	25168	05/23/2018	Payment 3759 Total:	2,535.00 2,535.00
Payment: 3760 Crystal Springs	Distilled water	APR2018	05/23/2018	Payment 3760 Total:	30.90
Payment: 3761 Department of Consumer Affa	License renewal - Sevcik	MAY2018	05/23/2018	Payment 3761 Total:	115.00 115.00
Payment: 3762 Electricraft, Inc.	Pressure switch repair - SWW	12028	05/23/2018	Payment 3762 Total:	216.00 <b>216.00</b>
Payment: 3763 Engel & Gray, Inc.	Biosolids collection	84X00021	05/23/2018	Payment 3763 Total:	17,416.42 17,416.42
Payment: 3764 Environmental Systems Resea	ArcGIS software maintenance	93457236	05/23/2018	Payment 3764 Total:	2,072.50 <b>2,072.50</b>
Payment: 3765 Excel Personnel Services, Inc. Excel Personnel Services, Inc.	Temporary help Background check Temporary help	2521170 50954 2511130	05/23/2018 05/23/2018 05/23/2018	·	434.00 43.50 434.00
Excel Personnel Services, Inc. Excel Personnel Services, Inc. Payment: 3766	Temporary help	2516209	05/23/2018	Payment 3765 Total:	434.00 1,345.50
Farm Supply Company	Hydrated lime, cat litter, caml	53266	05/23/2018	Payment 3766 Total:	146.56 146.56
Payment: 3767 Hach Company Hach Company	CHEMKEYS WIMS software	10940063 10952249	05/23/2018 05/23/2018	Payment 3767 Total:	4,033.54 5,255.00 <b>9,288.54</b>
Payment: 3768 Iglesias, Mario	Cell phone reimbursement	MAY2018	05/23/2018	Payment 3768 Total:	65.00 <b>65.00</b>
Payment: 3769 Integrated Industrial Supply, I	PVC ball valves	53170	05/23/2018	Payment 3769 Total:	284.04 284.04
Payment: 3770 Iron Mountain	On-site shredding	AAVP081	05/23/2018	Payment 3770 Total:	33.42 33.42
Payment: 3771 Miner's Ace Hardware	Supplies	APR2018	05/23/2018	Payment 3771 Total:	416.64 416.64
Payment: 3772 More Office Solutions More Office Solutions More Office Solutions	B&W/Color copies B&W/Color copies B&W/Color copies	2062013 2051267 2057499	05/23/2018 05/23/2018 05/23/2018	Payment 3772 Total:	79.67 234.31 89.27 <b>403.25</b>

Item D-1 Warrants-MAY 23, 2018 Payment Dates: 05/23/2018 - 05/23/2018					
Vendor Name	Description (Payable)	Payable Number	Payment Date		Amount
Payment: 3773					
Nipomo Community Services	Southland WWTF water	07-2750-000	05/23/2018		72.37
Nipomo Community Services	LMD Water	11-0829-00	05/23/2018		370.53
Mponto communicy services	LIVID WALCE	22 0025 00	<del></del>	Payment 3773 Total:	442.90
Payment: 3774					
Nunley & Associates, Inc.	Interconnect Concept Design -	4346	05/23/2018		7,818.54
Nunley & Associates, Inc.	Interconnect Concept Design -	4348	05/23/2018		10,495.69
Nunley & Associates, Inc.	PCIA - Dana Elementary	4340	05/23/2018		456.25
Nunley & Associates, Inc.	Interconnect Concept Design -	4347	05/23/2018		7,919.54
Nunley & Associates, Inc.	PCIA - 545 Grande	4339	05/23/2018		1,073.05
Nunley & Associates, Inc.	PCIA - 335 Summit Station	4341	05/23/2018		127.50
				Payment 3774 Total:	27,890.57
Payment: 3775	0.60	422242075004	05/22/2019		59.24
Office Depot	Office supplies	133313876001	05/23/2018		16.09
Office Depot	Office supplies	133319955001	05/23/2018		88.99
Office Depot	Office supplies	136139714001	05/23/2018	Payment 3775 Total:	164.32
				rayment 3773 lotal.	104.52
Payment: 3776	Roof leak repair	5115	05/23/2018		425.00
Quaglino Roofing	Noor leak repail	3113	03/23/2010	Payment 3776 Total:	425.00
Payment: 3777					
Quinn Company	Semi-annual inspection - SW	WON30002408	05/23/2018		283.80
Quinn Company	Annual service - JRPS#1	WON30002406	05/23/2018		811.24
Quinn Company	Semi-annual inspection-Sund	WON30002405	05/23/2018		327.80
Quinn Company	Semi-annual inspection- Sout	WON30002410	05/23/2018		195.80
Quinn Company	Semi-annual inspection -Yard	WON30002407	05/23/2018		283.80
Quinn Company	Semi-annual inspection - Yard	WON30002409	05/23/2018		283.80
Quinn Company	Semia-annual inspection - Ma	WON30002404	05/23/2018		199.80
Quinn Company	Semi-annual inspection - Tefft	WON30002411	05/23/2018	F=	233.80
				Payment 3777 Total:	2,619.84
Payment: 3778					
Santa Maria Sun, LLC	Conservation ads	279731	05/23/2018		396.00
				Payment 3778 Total:	396.00
Payment: 3779	0.11	700440043	05/23/2018		815.64
SGS Guadalupe	Calcium ammonium nitrate	780118943	03/23/2018	Payment 3779 Total:	815.64
				rayment 3773 lotais	02010-1
Payment: 3780 State Water Resources Contro	SRF Debt Service Contract No.	ΜΔΥ2018	05/23/2018		42,180.25
State Water Resources Contro	Still Debe Service Contract von		,	Payment 3780 Total:	42,180.25
Payment: 3781					
Tribune	Employment ads	APR2018	05/23/2018		600.00
THOUSE				Payment 3781 Total:	600.00
Payment: 3782					
USA Bluebook	Zero oxygen standards	<b>5</b> 53797	05/23/2018		212.24
USA Bluebook	Pre-weighed filters	561380	05/23/2018		144.05
				Payment 3782 Total:	356.29
Payment: 3783					000.00
Wallace Group	FOG control program	45972	05/23/2018		280.00
				Payment 3783 Total:	280.00

BOARD OF DIRECTORS

FROM:

MARIO IGLESIAS

GENERAL MANAGER

DATE:

MAY 17, 2018

**AGENDA ITEM D-2** MAY 23, 2018

## **APPROVE MAY 9, 2018 REGULAR BOARD MEETING MINUTES**

#### <u>ITEM</u>

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. May 9, 2018 draft Regular Board Meeting Minutes

MAY 23, 2018

ITEM D-2

ATTACHMENT A

## NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

## **DRAFT REGULAR MINUTES**

MAY 9, 2018 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.

#### 00:00:00

A. CALL TO ORDER AND FLAG SALUTE

President Eby called the Regular Meeting of May 9, 2018 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.

There was no public comment.

- C. PRESENTATIONS AND REPORTS
  - C-1) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.

#### Director Blair

May 8, attended SLO Chapter of CSDA meeting in Templeton.

#### Director Gaddis

- April 28, attended memorial service for Gene Melschau.
- April 30, attended Board Officers meeting.

#### Director Armstrong

May 2, attended Water Resources Advisor Committee (WRAC).

#### Director Eby

- April 30, attended Board Officers meeting.
- May 2. attended Water Resources Advisory Committee (WRAC).
- May 7, attended new group named "What's Brewing".
- May 8, attended SLO Chapter of CSDA meeting in Templeton.
- 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.

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

Upon the motion of Director Armstrong and seconded, the Board unanimously approved to receive and file the presentations and reports as submitted.

Vote 5-0.

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

#### 00:07:36

#### D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE APRIL 25, 2018, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) ACCEPT THIRD QUARTER FISCAL YEAR 2018 QUARTERLY FINANCIAL REPORT [RECOMMEND ACCEPT AND FILE REPORT]

There were no public comments.

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

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

#### 00:10:06

#### E. ADMINISTRATIVE ITEMS

E-1) CONSIDER AUTHORIZING TASK ORDER FOR SUPPLEMENTAL WATER PROJECT JOSHUA ROAD PUMP STATION PUMP #4 ENGINEERING SERVICES AND AMENDING FY 2017/2018 BUDGET [RECOMMEND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION AUTHORIZING TASK ORDER WITH MKN & ASSOCIATES IN THE AMOUNT OF \$14,923 AND AMENDING FY 2017/2018 BUDGET]

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

Jon Hanlon of MKN & Associates, Inc. answered questions from the Board.

There were no public comments.

Upon motion of Director Gaddis and seconded, the Board unanimously approved the Task Order for Supplemental Water Project Joshua Road Pump Station Pump #4 Engineering Services in the amount of \$14,923 and Amending FY 2017-2018 Budget. Vote 5-0.

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

RESOLUTION 2018-1472
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING A TASK ORDER
TO MKN & ASSOCIATES, INC. IN THE AMOUNT OF \$14,923

May 9, 2018

# Nipomo Community Services District DRAFT REGULAR MEETING MINUTES

FOR ENGINEERING SERVICES FOR SUPPLEMENTAL WATER PROJECT JOSHUA ROAD PUMP STATION PUMP 4 AND AMENDING FY 2017/18 BUDGET

00:22:42

E-2) CONSIDER PARTICIPATING IN AND PROVIDING FUNDING FOR THE SAN LUIS OBISPO COUNTY COORDINATED NIPOMO COMMUNITY CLEAN-UP DAY [RECOMMEND ADOPT RESOLUTION TO FUND NIPOMO CLEAN-UP DAY IN AN AMOUNT NOT TO EXCEED \$9,500 AND AMEND SOLID WASTE FUND #300 2017-18 BUDGET ACCORDINGLY]

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

There were no public comments.

Upon motion of Director Blair and seconded, the Board unanimously approved participation and funding for the San Luis Obispo County coordinated Nipomo community Clean Up Day in an amount not to exceed \$9,500 and amend Solid Waste Fund #300 budget.

Vote 5-0.

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

RESOLUTION 2018-1473
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
TO PROVIDE \$9,500 IN SUPPORT OF SAN LUIS OBISPO COUNTY
ORGANIZED NIPOMO CLEAN-UP DAY AND
AMEND FISCAL YEAR 2017-18 SOLID WASTE BUDGET

00:30:54

#### F. MANAGER'S REPORT

Mario Iglesias, General Manager, presented the report as presented in the Board packet.

There were no public comments.

#### G. COMMITTEE REPORTS

There were no committee reports.

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

There were no Director requests to Staff.

- I. CLOSED SESSION ANNOUNCEMENTS
  - 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 A LITIGATION PURSUANT TO GC §54956.9 ALL CONSOLIDATED CASES)
  - STEP ONE OF A TWO STEP ANNUAL PERFORMANCE REVIEW PROCESS OF DISTRICT LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION §54957

# Nipomo Community Services District DRAFT REGULAR MEETING MINUTES

J. PUBLIC COMMENT ON CLOSED SESSION		PUBLIC	COMMENT	ON CLOSED	SESSION	THEMS
-------------------------------------	--	--------	---------	-----------	---------	-------

There were no public comments.

#### K. ADJOURN TO CLOSED SESSION

President Eby adjourned to Closed Session at 9:38 a.m.

#### L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

Mari Iglesias, General Manager, announced that the Board discussed Item I and 2. The Board took no reportable action.

There were no public comments.

#### **ADJOURN**

President Eby adjourned the meeting at 9:58 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 38 minutes
Closed Session	0 hour 20 minutes
TOTAL HOURS	0 hour 58 minutes

Resn	ectfu	ıllv sul	bmitted.
1/030	CULIU	IIIV SUI	omme.

Maria Islanias Canaral Managar and Sagretary to the Board	Data
Mario Iglesias, General Manager and Secretary to the Board	Date

**BOARD OF DIRECTORS** 

REVIEWED: MARIO IGLESIAS

**GENERAL MANAGER** 

FROM:

PETER V. SEVCIK, P.E.

DIRECTOR OF

**ENGINEERING & OPERATIONS** 

DATE:

MAY 16, 2018

# **AGENDA ITEM D-3** MAY 23, 2018

## ACCEPT OFFER OF WATER IMPROVEMENTS FOR DANA ADOBE VISITOR CENTER PROJECT, 671 SOUTH OAKGLEN AVENUE, NIPOMO

#### ITEM

Accept offer of water improvements for Dana Adobe Visitor Center Project, 671 South Oakglen Avenue, Nipomo [RECOMMEND ADOPT RESOLUTION ACCEPTING OFFER OF IMPROVEMENTS].

#### BACKGROUND

Upon completion of a developer's project, the District accepts improvements for the project after all requirements have been met. Dana Adobe Nipomo Amigos (DANA), the developer of the Dana Adobe Visitor Center Project, 671 South Oakglen Avenue, has met the District's standard conditions:

- Installed water improvements that are to be dedicated to the District
- Paid associated capacity charges
- Provided an Offer of Dedication
- Provided project as-built drawings Receipt of original pending
- Provided Engineer's certification Receipt of original pending

Regarding the Plan Check and Inspection Agreement Fees, the developer may owe the District for inspection and other costs which have yet to be billed by the District. Historically, the District has recovered these costs after the Board accepts the project as part of staff's project close out procedure. Staff will turn off water if all of these costs are not paid in a timely manner or if missing documentation is not provided in a timely manner.

#### FISCAL IMPACT

The developer paid District Capacity Charges in the amount of \$42,983 for the project. The project's Plan Check and Inspection Agreement account has a balance of approximately (\$3,500).

#### RECOMMENDATION

By motion and roll call vote, adopt Resolution accepting Dana Adobe waterline improvements.

#### <u>ATTACHMENTS</u>

A. Resolution 2018-XXXX Accept Dana Adobe Waterline Improvements

MAY 23, 2018

ITEM D-3

ATTACHMENT A

# A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING WATERLINE IMPROVEMENTS FOR DANA ADOBE VISITOR CENTER PROJECT

WHEREAS, the District approved the construction plans on April 17, 2017, for the water improvements to be constructed to serve the Dana Adobe Visitor Center (Project); and

WHEREAS, the water improvements have been constructed and said improvements are complete and certified by the Owners' Engineer; and

WHEREAS, on May 9, 2018, Marina Washburn, representing Dana Adobe Nipomo Amigos (herein the "Owner") offered the water improvements to the Nipomo Community Services District; and

WHEREAS, the District accepts such offer without obligation except as required by law; and

WHEREAS, all water capacity fees for service, required in conformance with District ordinances, have been paid for the Project.

# NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

- 1. That the water improvements to serve the Dana Adobe Visitor Center in Nipomo are accepted by the District.
- 2. That staff is authorized to set water meters to serve the project once all legal costs and the Plan Check and Inspection Agreement costs have been paid by the Owner.

to

On the motion by Director, seconded by D wit:	irector, and on the following roll call vote
AYES: NOES: ABSENT: CONFLICTS:	
The foregoing resolution is hereby adopted this 23	<sup>3rd</sup> day of May 2018.
	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

BOARD OF DIRECTOR

REVIEWED: MARIO IGLESIAS

GENERAL MANAGER

FROM:

PETER V. SEVCIK, P.E. (1)

DIRECTOR OF

**ENGINEERING & OPERATIONS** 

DATE:

MAY 16, 2018

# **AGENDA ITEM** D-4 MAY 23, 2018

## APPROVAL OF THE ENGINEER'S LEVY REPORT AND **DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS** FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR **FISCAL YEAR 2018-2019**

#### ITEM

Consider adoption of resolution approving the engineer's levy report and declaration of intention to levy annual assessments for Street Landscape Maintenance District No. 1 for Fiscal Year 2018-2019. [RECOMMEND ADOPT RESOLUTION]

#### BACKGROUND

On April 11, 2018, the Board of Directors adopted Resolution 2018-1469 entitled:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2018-2019 PURSUANT TO THE PROVISIONS OF PART 2 OF THE DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

Peter Sevcik, P.E., Director of Engineering and Operations, was directed to prepare the annual levy report (attached). Pursuant to Proposition 218 and the Petition Requesting Formation of the Street Landscape Maintenance District, the annual levy may be increased by a percentage equal to or less than the Consumer Price Index (CPI) without conducting a Protest Vote. The actual amount to be assessed is based on the annual budget and may be less or more than the CPI. Property owners within the Maintenance District must approve any proposed assessment that exceeds the adjusted maximum rate based on the CPI (via a Proposition 218 Protest Vote).

In FY 2017-2018, drought tolerant landscaping was installed bordering the frontage of lots 15 and 16 at a cost of \$9,971. Installation of drought tolerant landscaping is planned along Lot 1 in FY 2019-2020 at an estimated cost of \$5,000.

It is recommended that the assessment be increased to \$435 for FY 2018-2019 (See Page 4 of Engineer's Levy Report). The County of San Luis Obispo adds a \$2.00 per parcel handling fee for processing special district benefit assessments on the tax roll. Total amount of \$437 per parcel will be billed on the tax roll. The computed Maximum Assessment Allowable is \$497.30.

With the proposed assessment amount, the Maintenance District is projected to have an approximate surplus of \$2,030 in 2018-2019 and reserve balance at the end of FY 2018-2019 of \$14,710 (See Page 5 of Engineer's Levy Report). The Cash Reserve Goal is \$20,000. As the

# ITEM D-4, LMD NO. 1 ENGINEER REPORT MAY 23, 2018

history of the Maintenance District's annual levy and maximum allowable levy below shows, the levy can be lowered in the future when reserves are adequate.

## History of Annual Levy and Maximum Allowable Levy

Period Covered	Amount Assessed per Parcel	Maximum Assessment Allowable
Fiscal Year 2003-2004 (first year)	\$345.00	\$345.00
Fiscal Year 2004-2005	\$346.96	\$346.96
Fiscal Year 2005-2006	\$354.94	\$354.94
Fiscal Year 2006-2007	\$365.34	\$365.34
Fiscal Year 2007-2008	\$365.34	\$376.75
Fiscal Year 2008-2009	\$387.74	\$387.74
Fiscal Year 2009-2010	\$301.78	\$391.14
Fiscal Year 2010-2011	\$303.57	\$400.60
Fiscal Year 2011-2012	\$303.57	\$408.85
Fiscal Year 2012-2013	\$315.00	\$423.29
Fiscal Year 2013-2014	\$330.00	\$433.40
Fiscal Year 2014-2015	\$330.00	\$442.19
Fiscal Year 2015-2016	\$360.00	\$450.59
Fiscal Year 2016-2017	\$380.00	\$463.84
Fiscal Year 2017-2018	\$380.00	\$479.05

## Proposed Annual Levy and Maximum Allowable Levy for FY 2018-2019

t 407 20	
00 \$497.30	
١	00 \$497.50

#### FISCAL IMPACT

Budgeted staff time was used to prepare this staff report.

#### RECOMMENDATION

Staff recommends that the Board, by motion and roll call vote, approve Resolution 2018-XXXX Approving the Engineer's Report and Declaring the Intention to Levy the Annual Assessment.

#### **ATTACHMENTS**

- A. Resolution 2018-XXXX Approving Engineer's Report and Declaring Intention to Levy
- B. FY 2018-2019 LMD No 1. Engineer's Report

MAY 23, 2018

ITEM D-4

ATTACHMENT A

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE ANNUAL ENGINEER'S LEVY REPORT,
DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS
FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1
FOR FISCAL YEAR 2018-2019,
AND SETTING A PUBLIC HEARING THEREON

WHEREAS, the Board of Directors of the Nipomo Community Services District ("NCSD") has, by previous Petition and Resolutions, formed the Nipomo Community Services District Street Landscape Maintenance District No. 1 (hereinafter referred to as "Street Landscape Maintenance District No. 1") and initiated proceedings for the annual assessments for Fiscal Year 2017-2018 pursuant to the provisions of the Landscaping and Lighting Act of 1972, Streets and Highways Code of California, beginning with Section 22500 (hereinafter referred to as "Act"), which provides for the levy and collection of assessments by the County of San Luis Obispo for the NCSD to pay for the maintenance and services of all improvements and facilities related thereto; and

WHEREAS, the Street Landscape Maintenance District No. 1 and the associated assessments are in compliance with the provisions of California Constitution Article XIIID; and

WHEREAS, by previous Resolution, the Board of Directors initiated proceedings for the annual levy of assessments for Street Landscape Maintenance District No. 1 for fiscal year 2018-2019 and appointed Peter Sevcik, P.E., Director of Engineering and Operations, as assessment engineer for the purpose of assisting with the annual levy and to prepare and file a Report in accordance with Chapter 1, Article 4 of the Act, and

WHEREAS, said Report has been prepared, filed, and presented to the Board of Directors, as required by Chapters 1 and 3 of said Act; and

WHEREAS, the Board of Directors has carefully examined and reviewed the Report as presented, is satisfied with the budget items and documents as set forth therein, and is satisfied that the proposed assessments have been spread in accordance with the Petition for Street Landscape Maintenance District No. 1 and with benefits received from the improvements, operation, maintenance, and services to be performed within Street Landscape Maintenance District No. 1 as set forth in said Report, and

WHEREAS, the NCSD intends to levy and collect the annual assessments for Street Landscape Maintenance District No. 1 as set forth in said Report, pursuant to the Act.

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

<u>SECTION 1:</u> That the above recitals are all true and correct and incorporated herein by reference.

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE ANNUAL ENGINEER'S LEVY REPORT,
DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS
FOR THE STREET LANDSCAPE AND MAINTENANCE DISTRICT NO. 1
FOR FISCAL YEAR 2018-2019,
AND SETTING A PUBLIC HEARING THEREON

### SECTION 2: That the presented Report consists of the following:

a. A Description of the Improvements

- b. The Annual Budget (Costs and Expenses of Services, Operation, and Maintenance)
- c. The Method of Apportionment that details the method of calculating each parcel's proportional special benefits and annual assessment.
- d. The District Roll containing the proposed assessment for each parcel within the District for fiscal year 2018-2019.

SECTION 3: That the Report (Attached as Exhibit "A") is hereby approved and ordered to be filed in the NCSD Offices as a permanent record and remain open to public inspection.

SECTION 4: That the NCSD General Manager shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Engineer's Annual Levy Report.

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT, PURSUANT TO SECTION 22624 OF THE ACT, AS FOLLOWS:

SECTION 5: Intention: The NCSD hereby declares that it intends to levy and collect annual assessments pursuant to the Act over and including the land within the Street Landscape Maintenance District No. 1 boundary, and to levy and collect the assessments on all such land to pay the costs of the operation, maintenance, and servicing of landscaping and all appurtenant facilities and operations related thereto.

SECTION 6: Description of Improvements and Any Substantial Changes Proposed: The improvements within the Street Landscape Maintenance District No. 1 include: the maintenance and operation of and the furnishing of services and materials for landscaping which includes trees, shrubs, grass, and other ornamental vegetation, and appurtenant facilities, including irrigation systems within the Street Landscape Maintenance District No. 1. The Engineer's Annual Levy Report describes any new improvements or substantial changes in existing improvements.

SECTION 7: Boundaries and Designation: The boundaries of the Street Landscape Maintenance District No. 1 are generally described as Lots 1 through 29 of Tract 2409 located in the County of San Luis Obispo and more particularly described in the Report.

SECTION 8: Increase in Assessments: The assessment is proposed to increase to \$435.00.

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE ANNUAL ENGINEER'S LEVY REPORT,
DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS
FOR THE STREET LANDSCAPE AND MAINTENANCE DISTRICT NO. 1
FOR FISCAL YEAR 2018-2019,
AND SETTING A PUBLIC HEARING THEREON

<u>SECTION 9: Engineer's Report:</u> The Report is attached hereto as Exhibit "A" and is on file with the Secretary of NCSD Board of Directors. The Report contains a full and detailed description of the improvements, the boundaries of Street Landscape Maintenance District No. 1, and the proposed assessments upon assessable lots and parcels of land within Street Landscape Maintenance District No. 1.

SECTION 10: <u>Time of Public Hearing:</u> Notice is hereby given that a public hearing will be held by the Board of Directors of the Nipomo Community Services District on June 27, 2018, at 9:00 a.m. in the Regular Meeting Room located within the District Offices located at 148 South Wilson Street, Nipomo. California 93444.

SECTION 11: Notice: Pursuant to Sections 22552, 22553, and 22626 of the Act, notice of the Public Hearing shall be provided in accordance with Section 6061 of the Government Code, including publication of this Resolution once in the Santa Maria Times not less than ten (10) days before the date of the public hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the NCSD for the posting of notices.

<u>SECTION 12: Incorporation of Recitals</u>: The above Recitals are true and correct and incorporated herein by reference.

SECTION 13: Other Actions: The Board of Directors and such employees of the NCSD as are appropriate are authorized and directed to execute such other documents and take such further action as shall be consistent with the intent and purpose of this Resolution.

**PASSED AND ADOPTED** by the Board of Directors of the Nipomo Community Services District this 23<sup>rd</sup> day of May, 2018.

District this 25 day of May, 2016.	
AYES: NOES: ABSTAIN: ABSENT:	
	ED EBY President of the Board
ATTEST:	APPROVED AS TO FORM AND LEGAL EFFECT:
MARIO IGLESIAS General Manager and Secretary to the Board	WHITNEY G. McDONALD District Legal Counsel

MAY 23, 2018

ITEM D-4

ATTACHMENT B

#### Introduction

Nipomo Community Services District ("NCSD") annually levies and collects special assessments to maintain improvements within Street Landscape Maintenance District No. 1 ("District"). The District was formed and annual assessments are established pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "1972 Act").

This Engineer's Annual Report ("Report") describes the District and the proposed assessments for the fiscal year 2018-2019. The assessments are based on the historical and estimated future costs to maintain the improvements that provide a direct and special benefit to properties within the District.

For the purposes of this Report, the word "parcel" refers to an individual property assigned its own Assessor Parcel Number by the San Luis Obispo County Assessor's Office. The San Luis Obispo County Auditor/Controller uses Assessor Parcel Numbers and specific Fund Numbers to identify properties assessed for special district benefit assessments on the tax roll.

#### Effect of Proposition 218

In November 1996, California voters approved Proposition 218 that established specific requirements for the on-going imposition of taxes, assessments and fees. The provisions of the Proposition are now contained in the California Constitutional Articles XIIIC and XIIID.

All assessments described in this Report and approved by the Board of Directors are prepared in accordance with the 1972 Act and are in compliance with the provisions of the California Constitution Article XIIID.

The assessments adopted include the District's annual inflationary adjustment to the maximum assessment rate. This annual inflationary adjustment to the maximum assessment rate is provided in this Report.

## **Description of the District and Services**

The District (formed on April 9, 2003) provides and ensures the continued maintenance, servicing, administration and operation of landscaping located within a portion of the public rights-of-way and dedicated landscape easements in Tract 2409, a 28 lot subdivision commonly known as Vista Verde Estates, located off of West Tefft across from Dana Elementary School.

Improvements within the District include the maintenance and operation and the furnishing of services and materials for landscaping which include trees, shrubs, grasses and other ornamental vegetation, and appurtenant facilities, including irrigation systems.

The landscape maintenance obligation is limited to the following:

- Landscaping bordering the frontage of lots 1 through 6 on Tefft Street
- Landscaping bordering the frontage of lots 1, 15, 16, and 28 on Tejas
   Place
- Landscaping bordering the southwest and northwest sides of lot 29 (drainage basin) on Tejas Place
- The pathway between lots 4 and 5 between Tefft Street and Vista Verde

In FY 2017-2018, drought tolerant landscaping was installed bordering the frontage of lots 15 and 16 at a cost of \$9971. Installation of drought tolerant landscaping is planned along Lot 1 in FY 2019-2020 at an estimated cost of \$5000.

#### Method of Apportionment

#### General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of landscaping and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

The formula used for calculating assessments of the District therefore reflect the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on the benefits to each parcel.

#### Benefit Analysis

The associated costs and assessments have been carefully reviewed, identified and allocated based on special benefit pursuant to the provisions of the California Constitution and 1972 Act. The improvements associated with the District have been identified as necessary, required and/or desired for the orderly development of the properties within the District to their full potential, consistent

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with the proposed development plans. As such, these improvements would be necessary and required of individual property owners for the development of such properties, and the ongoing operation, servicing and maintenance of these improvements would be the financial obligation of those properties. Therefore, the improvements and the annual costs of ensuring the maintenance and operation of the improvements are of direct and special benefit to the properties.

The method of apportionment (method of assessment) is based on the premise that each assessed parcel within the District receives special benefit from the improvements provided by the District. The desirability of properties is enhanced by the presence of local improvements in close proximity to those properties.

The special benefits associated with landscaped improvements are specifically:

- Enhanced desirability of properties through association with the improvements.
- Improved aesthetic appeal of properties providing a positive representation of the area.
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
- Environmental enhancement through improved erosion resistance, dust and debris control.
- Increased sense of pride in ownership of property within the District resulting in well-maintained improvements associated with the properties.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings.

Based on the preceding special benefits, it has been determined that the improvements provided through the District and for which parcels are assessed, contribute to aesthetic value and desirability of those properties. It has further been determined that these improvements, either individually or collectively are provided for the special benefit and enhancement of properties within the District and provide no measurable general benefit to properties outside the District or to the public at large.

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#### Assessment Methodology

The maximum annual assessment that may be levied each fiscal year includes an annual inflationary adjustment to the maximum assessment rate based on the percentage change in the Consumer Price Index for Urban Wage Earners and Clerical Workers in San Francisco/San Jose for February 28 of the current year over the previous year's index on the same date. Although the maximum rate for the District may increase each year, the actual amount to be assessed is based on the annual budget and may be less than the maximum rate. The property owners must approve any proposed assessment that exceeds the adjusted maximum rate before it can be imposed.

The maximum assessment that may be levied in a fiscal year is increased annually by the following formula

(Prior Year's Annual Maximum Assessment x CPI)
Plus
Prior Year's Annual Maximum Assessment

Current Year's
Annual
Maximum
Assessment

The percentage change used is the annual change for the preceding 12 months. The annual inflation factor applied for the fiscal year 2018-2019 is based on the percentage change from February 2016 to February 2017 and has been identified as 3.28% (annual percentage change currently available).

MAXIMUM ALLOWABLE ASSESSMENT	"
PER PARCEL	
(APPLYING INFLATIONARY ADJUSTMENT)	
2017-2018 Maximum Assessment	(A) \$479.05
X CPI (3.81%)	(B) \$18.25
Maximum Assessment Allowable	(A) + (B) \$497.30
2018-2019	=======
Proposed 2018-2019 Annual Assessment	\$435.00
	=========

The County of San Luis Obispo adds a \$2.00 per parcel handling fee for processing special district benefit assessments on the tax roll. Total amount of \$437 per parcel will be billed on tax roll.

#### Fiscal Year 2018-2019 District Budget

DESCRIPTION		2018-2019
		BUDGET
Beginning Estimated Fund Balance		\$12,500
(July 1, 2018)		
Proposed Assessment Levy		\$12,180
Estimated Interest Income		\$180
Estimated Expenditures		
Contract Landscape Maintenance	(\$5,000)	
Water	(\$3,000)	
Electricity	(\$150)	
Public Notifications	(\$500)	
Administration	(\$1,500)	
Total Estimated Expenditures		(\$10,150)
Estimated Ending Fund Balance (1)		\$14,710
(June 30, 2019)		

(1) In accordance with the Reserve Policy adopted by the Nipomo Community Services District Board in 2012, the target fund balance reserve for Street Landscape Maintenance District No. 1 is \$20,000. Reserve is for landscaping repair/replacement and irrigation system repair/replacement.

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Lot Number	Assessor Parcel Number	Annual Assessment
1	092-512-001	\$435.00
2	092-512-002	\$435.00
3	092-512-003	\$435.00
4	092-512-004	\$435.00
5	092-512-005	\$435.00
6	092-512-006	\$435.00
7	092-512-007	\$435.00
8	092-512-008	\$435.00
9	092-512-009	\$435.00
10	092-512-010	\$435.00
11	092-512-011	\$435.00
12	092-512-012	\$435.00
13	092-512-013	\$435.00
14	092-512-014	\$435.00
15	092-512-015	\$435.00
16	092-512-016	\$435.00
17	092-512-017	\$435.00
18	092-512-018	\$435.00
19	092-512-019	\$435.00
20	092-512-020	\$435.00
21	092-512-021	\$435.00
22	092-512-022	\$435.00
23	092-512-023	\$435.00
24	092-512-024	\$435.00
25	092-512-025	\$435.00
26	092-512-026	\$435.00
27	092-512-027	\$435.00
28	092-512-028	\$435.00
	TOTAL	\$12,180.00

Annual assessment amount does not include the County of San Luis Obispo \$2.00 per parcel handling fee for processing special district benefit assessments on the tax roll.

Peter V. Sevcik

C 60411

Expires 6/30/18

Civil

Of California

PETER V. SEVCIK, P.E. DISTRICT ENGINEER

DATE

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