


TO: BOARD OF DIRECTORS

REVIEWED: RAY DIENZO, P.E.   
GENERAL MANAGER

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

DATE: DECEMBER 4, 2025

**AGENDA ITEM  
D-12  
DECEMBER 10, 2025**

**CONSIDER REQUEST FOR WATER, SEWER, AND  
SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR  
A COMMERCIAL DEVELOPMENT LOCATED  
AT 140 SOUTH MALLAGH STREET  
APN 090-135-018**

**ITEM**

Consider request for water, sewer, and solid waste service (Intent-to-Serve Letter) for a commercial development located at 140 South Mallagh Street, APN 090-135-018 [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

**BACKGROUND**

The District received an application for water, sewer, and solid waste service for a project located at 140 South Mallagh Street, APN 090-135-018. The applicant, Leon Leornas, is requesting water, sewer, and solid waste service for development of the Nipomo Food Basket.

The project consists of commercially developing one existing parcel that is not currently served water, sewer, or solid waste services. District water and sewer lines are adjacent to the property.

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.

The District's 2020 Urban Water Management Plan (UWMP) Update includes estimated water demands for infill development within the District. The development will include two (2) new 1-inch meters and will not exceed the estimated infill development demands included in the 2020 UWMP Update.

**FISCAL IMPACT**

Water 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-inch
- Irrigation: 1 @ 1-inch
- Fire Service: 1 @ 4-inch
- Sewer: 1 service

The estimated fee deposit for the project is \$61,993 based on the current FY 2025-2026 District fee schedule, including a credit for two volunteer sewer dwelling unit equivalents (DUEs). 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 meters 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**

- Parcel shall be served by a single 1-inch meter and backflow assembly for indoor use.
- Parcel shall be served by a single 1-inch meter and backflow assembly for irrigation use.
- Parcel shall be served by a single 4-inch fire service and backflow assembly for the private on-site fire sprinkler system.
- Parcel shall be served by a single sewer lateral.

#### **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 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 commercial use as defined by the District.
- Intent-to-Serve letters shall automatically terminate three (3) years from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
  - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
  - Applicant provides proof of reasonable due diligence in processing the Project.
  - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- District service is conditioned on the applicant complying with all terms, conditions, rules, and regulations of other agencies that have jurisdiction over the project.
- This Intent-to-Serve letter shall not be interpreted as the District's Board of Directors endorsement of the project.
- The District reserves the right to revoke this Intent-to-Serve letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

#### **ATTACHMENTS**

- A. Application
- B. Site Plan

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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:

SEP 07 2025

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: 140 Mallagh St.
4. Assessor's Parcel Number (APN) of parcel(s) to be served: 090-135-018
5. Owner Name: Leon Leornas - Nipomo Food Basket
6. Mailing Address: 197 W. Teft St., Nipomo CA 93444
7. Email: nipomofoodbasket@gmail.com
8. Phone: (805) 619-7681 FAX: \_\_\_\_\_
9. Agent's Information (Architect or Engineer):  
Name: Tom B. Martinez & Associates  
Address: 2624 Airpark Dr. Santa Maria CA 93455  
Email: tom@martinezassoc.net  
Phone: (805) 934-5737 FAX: \_\_\_\_\_
10. Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input type="checkbox"/> Multi-family dwelling units
<input checked="" 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		Proposed number of MFR	
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

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

Commercial and Mixed Use

Number of Parcel's created	40	Proposed number of residential dwellings	
Number of Domestic Meter(s)	1	Estimated Meter Size(s)	
Number of Landscape Meter(s)	1	Estimated Meter Size(s)	
Number of Fire System(s)	1	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 9.5.25 Signed Leon Leornas  
(Must be signed by owner or owner's agent)

Print Name Leon Leornas

**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, 2025**

PROJECT SIZE/TYPE	TOTAL AMOUNT DUE AT TIME OF APPLICATION**
Residential <4 units	\$1,497.00
Residential 4-20 units	\$2,056.00
Residential > 20 units	\$2,421.00
Commercial <1 acre	\$2,056.00
Commercial 1-3 acres	\$2,421.00
Commercial > 3 acres	\$3,345.00
Mixed Use with less than 4 Dwelling Units	\$2,421.00
Mixed Use with four or more Dwelling Units	\$3,345.00
*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.	

\*\*Commencing on July 1, 2024 and each year thereafter the Application Fees shall be adjusted by a Consumer Price Index –Section 2.04.010(B).

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**ATTACHMENT B**

# UTILITIES:

ELECTRICAL SERVICE: PACIFIC GAS AND ELECTRIC  
2445 SKYWAY DRIVE  
SANTA MARIA, CALIF. 93455

PHONE SERVICE: FRONTIER COMMUNICATIONS  
225 N. FAIRWAY DRIVE  
SANTA MARIA, CALIF. 93455

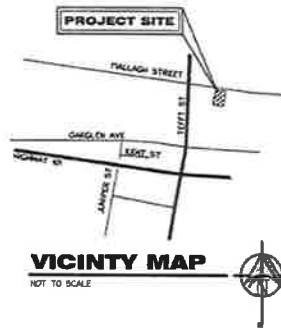
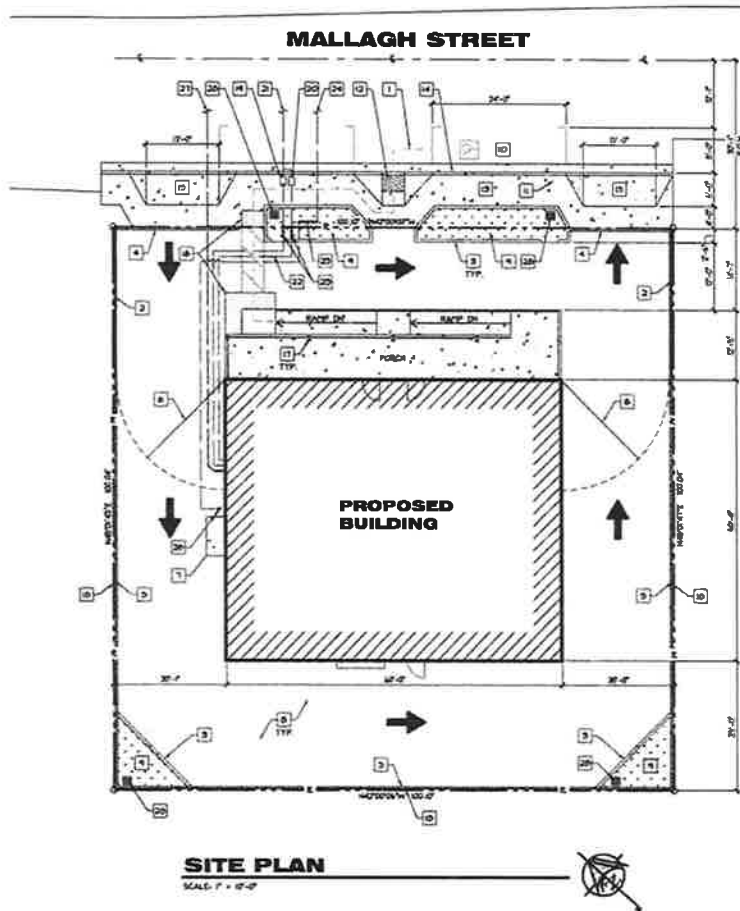
GAS SERVICE: THE GAS COMPANY  
3308 INDUSTRIAL PARKWAY  
SANTA MARIA, CALIF. 93455

CABLE T.V.: COMCAST CABLE  
2353 THOMPSON WAY  
SANTA MARIA, CALIF. 93455

WATER/SEWER SERVICE: NIPOMO COMMUNITY SERVICES DISTRICT  
480 S. WILSON STREET  
NIPOMO, CALIF. 93444

# PROJECT DIRECTORY:

ARCHITECT/RESPONSIBLE DESIGN PROFESSIONAL: TOM B. MARTINEZ & ASSOCIATES  
2024 AIRPORT DRIVE  
SANTA MARIA, CALIF. 93455  
TEL.: 805-964-5197  
ATTN: TOM B. MARTINEZ



# GENERAL DATA

PASSESSOR'S PARCEL NUMBER: 010-15-06

PROJECT NAME: NIPOMO FOOD BASKET  
ADDRESS: 140 MALLAGH STREET  
NIPOMO, CALIF. 93444

OWNER/APPLICANT: MR. LEON LEBRONAS  
NIPOMO FOOD BASKET  
101 N. 101ST STREET  
NIPOMO, CALIF. 93444

DESCRIPTION OF WORK: PROPOSED 3,400 SF FOOD DISTRIBUTION FACILITY WITH OFFICE

ZONING: OF - OFFICE PROFESSIONAL

OCCUPANCY GROUP: OFFICE - 9  
WAREHOUSE - 9-2

CONSTRUCTION TYPE (CBC): II-B, SPRINKLED

BUILDING HEIGHT: 16'-0" (ALLOWABLE HT. = 30')

STORES: ONE STORY (ALLOWABLE STORES = 3)

NUMBER OF EXITS: TWO EXITS

SEISMIC DESIGN CATEGORY: D

# SITE DATA/BREAKDOWN

PROPOSED BUILDING FOOTPRINT	3,400 SF	34.8 %
PROPOSED PARKING / HARDSCAPE	4,504 SF	45.3 %
PROPOSED LANDSCAPE AREA	0	0 %
TOTAL LOT AREA, 25 ACRES	10,044 SF	100 %

# REFERENCE KEY NOTES:

1. ACCESSIBLE PATH OF TRAVEL
2. PROPOSED 4 FT. HIGH BRIGHT RED FENCE
3. PROPOSED CONC. 12" CURB
4. PROPOSED TRENCH DRAIN
5. PROPOSED 6 FT. HIGH CHAINLINK FENCE WITH VENT. PRIVACY SLATS
6. PROPOSED 6 FT. HIGH CHAINLINK SHING GATE WITH VENT. PRIVACY SLATS
7. PROPOSED HOUSE KEEPING PAD
8. PROPOSED A.C. PAVING
9. PROPOSED LANDSCAPING PLANTER
10. PROPOSED ON-STREET ACCESSIBLE PARALLEL PARKING SPACE 50'-0"
11. PROPOSED POLE MOUNTED ACCESSIBLE PARKING SPACE 50'-0"
12. PROPOSED ACCESSIBLE CURB RAMP
13. PROPOSED CONC. SIDEWALK
14. PROPOSED 4" CONC. CURB AND GUTTER
15. PROPOSED CONC. DRIVEWAY
16. PROPOSED DETECTABLE WARNING
17. PROPOSED METAL SLIDE COLLAR
18. PROPOSED RETAINING WALL
19. PROPOSED DOMESTIC WATER METER
20. PROPOSED IRRIGATION WATER METER
21. PROPOSED 1" DOMESTIC SERVICE LATERAL PER NCSO STANDARD DETAIL
22. PROPOSED 3/4" IRRIGATION WATER LINE
23. PROPOSED REDUCED PRESSURE BACKFLOW PREVENTION DEVICE PER NCSO STANDARD DETAIL
24. PROPOSED 4" FIRE WATER SERVICE LATERAL PER NCSO STANDARD DETAIL
25. PROPOSED 800A FIRE SERVICE BACKFLOW PREVENTION ASSEMBLY INSTALLED PER NCSO STANDARD DETAIL
26. PROPOSED FIRE SPRINKLER RISER
27. PROPOSED 4" 500R LATERAL PER NCSO STANDARD DETAIL
28. PROPOSED CATCH BASIN

PROJECT SHALL COMPLY BY CALIFORNIA CODE OF REGULATIONS, TITLE 24, THE 2022 CBC, CBC, CBC, CBC, CBC AND THEIR RESPECTIVE AMENDMENTS, CALIFORNIA STATE LAW REGULATING ENERGY CONSERVATION AND ACCESS FOR THE DISABLED, THE COUNTY OF SAN LUIS OBISPO MUNICIPAL CODE AND NIPOMO COMMUNITY STANDARDS.

ALL PROPERTY LINES, BASEMENTS AND BUILDINGS BOTH EXISTING AND PROPOSED ARE SHOWN ON SITE PLAN.

NO HAZARDOUS MATERIALS SHALL BE STORED OR USED WITHIN THE BUILDING UNLESS EXCEED QUANTITIES LISTED IN 2022 CBC, TABLES 307.1(1) AND 307.1(2).

# SHEET INDEX

C-1.0 COVER SHEET / INDEX / SITE PLAN  
A-1.0 FLOOR PLAN  
A-2.0 ELEVATIONS  
C-2.1 PRELIMINARY GRADING/DRAINAGE PLAN

REVISIONS	BY



tom b. martinez  
& associates  
ARCHITECTS  
2024 AIRPORT DRIVE  
SANTA MARIA, CA 93455  
TEL: 805-964-5197  
FAX: 805-964-5118


**M&A**

PROJECT TITLE:  
**COVER SHEET**  
PLANNING

PROJECT FOR:  
**NIPOMO FOOD BASKET**  
To be located at:  
140 MALLAGH STREET  
NIPOMO, CALIF. 93444

ASB NO.: 24-165  
DRAWN BY: TBM/SLA  
CHECK BY: TBM  
DATE: 06.03.23  
SHEET:

**C-1.0**

TO: BOARD OF DIRECTORS  
FROM: RAY DIENZO   
GENERAL MANAGER  
DATE: DECEMBER 4, 2025

**AGENDA ITEM  
E-1  
DECEMBER 10, 2025**

**ELECTION OF BOARD PRESIDENT AND VICE PRESIDENT FOR 2026**

**ITEM**

Election of Board President and Vice President for 2026 [RECOMMEND DIRECTORS ELECT BOARD OFFICERS FOR 2026 CALENDAR YEAR]

**BACKGROUND**

Section 1.4 of the Board By-Laws requires the Board of Directors elect a President and a Vice President for the upcoming year at the last regular meeting of the calendar year. The term of office for the President and Vice President shall commence on January 1 and end on December 31, annually.

**FISCAL IMPACT**

None

**STRATEGIC PLAN**

Goal 6. GOVERNANCE AND ADMINISTRATION. Conduct District activities in an efficient, equitable and cost-effective manner.

**RECOMMENDATION**

At your Board's direction, the General Manager will administer the election of officers of the Board of Directors as follows:

- Nominations taken for the President of the Board
- Public Comment is taken
- Voice vote taken for the President, if by acclamation
- If there are two or more candidates, Staff will distribute ballots
- Staff will announce the results of the ballots – both the voting Director and vote cast.
- Nominations taken for the Vice President of the Board
- Public Comment is taken
- Voice vote taken for the Vice President, if by acclamation
- If there are two or more candidates, Staff will distribute ballots
- Staff will announce the results of the ballots – both the voting Director and vote cast.