

NIPOMO COMMUNITY SERVICES DISTRICT

AGENDA

Sample 650

DECEMBER 13, 2000

SPECIAL MEETING 10:30 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
AL SIMON, VICE PRESIDENT
RICHARD MOBRAATEN, DIRECTOR
MICHAEL WINN, DIRECTOR
JUDITH WIRSING, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
DONNA JOHNSON, SECRETARY TO THE BOARD
JON SEITZ, GENERAL COUNSEL

NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.

A. CALL TO ORDER AND FLAG SALUTE

B. ROLL CALL

C. PUBLIC COMMENTS PERIOD

PUBLIC COMMENTS

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

D. ADMINISTRATIVE ITEMS (The following may be discussed and action may be taken by the Board.)

D-1) REFUSE COLLECTION BY NCSD

Review the possibility of NCSD providing refuse collection and requesting LAFCO for the latent powers of refuse collection and disposal

D-2) MONTECITO VERDE II SEWER CONNECTION

Review EDA proposed design to connect MVII on-site sewer system to the District system

E. OTHER BUSINESS

E-1) TEFFT STREET WATER LINE DESIGN

Approval to request engineering services to design Tefft St. water line improvements

E-2) ELECTION OF BOARD OF DIRECTORS OFFICES

Election of Board President and Vice President

F. 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 be removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.

F-1) WARRANTS [RECOMMEND APPROVAL]

F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]

Approval of Minutes of November 29, 2000 Special Board meeting

F-3) EARLY RETURN TO WORK POLICY [RECOMMEND APPROVAL]

Consideration of an Early Return to Work Policy

F-4) TRANSFER OF OPERATING FUNDS TO REPLACEMENT FUNDS [RECOMMEND APPROVAL]

Consideration of resolution authorizing transfers

F-5) ACCEPTANCE OF TRACT 2304 IMPROVEMENTS (WITTSTROM) [RECOMMENDED APPROVAL]

Accept water system improvements for a 46 lot development

F-6) ACCEPTANCE OF DRUMM LANE SEWER IMPROVEMENTS (MITCHELL) [REC APPROVAL]

Accept sewer system improvements to existing lots on Drumm Lane

G. MANAGER'S REPORT

G-1) Notice of County Public Hearings

1) The Bluffs (115 buildable lots)

2) Bay Development (120 Unit Apartment Complex)

G-2) Environmental Review-Mesa Royale Tract Map

H. DIRECTORS COMMENTS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL GC\$54956.9


a. Litigation CPUC Appl. No. A 00-03-029 (Gov. Code §54956.9)

b. SMVWCD vs NCSD Santa Clara County Case No. CV 770214 and all consolidated cases.

c. NCSD vs State Dept of Health Services CV 990716, GC §54956.9

ADJOURN

The next regular Board meeting will be held on January 3, 2001

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: DECEMBER 13, 2000

AGENDA ITEM
DEC 13 2000



REFUSE COLLECTION BY NCSD

ITEM

Review the possibility of NCSD providing refuse collection and requesting LAFCO for the latent powers of refuse collection and disposal

BACKGROUND


At a previous meeting, your Honorable Board directed staff to look into the possibility of NCSD providing refuse collection for the community.

District staff has requested information from the refuse company on their operations within the Nipomo area. Mr. Tom Martin from the South County Sanitation Service has been invited to the meeting to discuss their operation and answer any questions the Board may have.

RECOMMENDATION

You may wish to appoint a sub-committee or direct staff to prepare the appropriate documents to proceed in this matter.

Board 2000 \ Refuse collection by NCSD

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: DECEMBER 13, 2000

AGENDA ITEM
DEC 13 2000



MONTECITO VERDE II SEWER CONNECTION

ITEM

Review engineering design to connect Montecito Verde II on-site sewer system to the District's area-wide sewer system.

BACKGROUND

Montecito Verde II subdivision was constructed in the 1980's, prior to the District's area-wide sewer system being built. The waste disposal system at Montecito Verde II consists of five on-site septic tank disposal systems. Over time, the concrete facilities have been degraded due to the hydrogen sulfide gases developed from septic tank disposal systems. The District has received correspondence from the Water Quality Control Board requesting that Montecito Verde II connect to the District's sewer system. Proposals were requested to design a connector system. Engineering Development Association (EDA) was given the contract to design the system. EDA has proposed a number of concepts for connecting the Montecito Verde II system to the District system. EDA will review these concepts with your Honorable Board.

The District is always looking for ways to eliminate sewage lift stations for reduction of operation and maintenance costs and move to a gravity system. EDA has made a proposal to eliminate the Nipomo Palms sewer lift station as part of their design.


The following are alternative ways to fund this project:

- Community Block Grant (CBG) Funds {Construction of facilities within PSHH project}
- Using the value of the land where the existing disposal systems are with the assistance of People's Self Help Housing (who will own the property) to fund the project
- Assessment District proceedings
- District participation
- Combination of the above

This year the District applied for a CBG funding but was not funded. The District is reapplying for next year's funding.

RECOMMENDATION

After your Honorable Board has reviewed the presentation from EDA, staff may be directed to proceed in one or more of the above options. The final design, plans and specifications would need to be completed before going out to bid for construction.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: DECEMBER 13, 2000

AGENDA ITEM
DEC 13 2000



TEFFT STREET WATER LINE DESIGN

ITEM

Request proposals to design a new water line in Tefft Street

BACKGROUND

The 1995 Boyle Engineering Water and Sewer Master Plan indicated that additional water line crossings need to be constructed across the freeway to Thompson Ave. to improve distribution of the District water system. The District has installed the Oakglen-Mallagh water line across Nipomo Creek and improvements in Thompson Ave. and Tefft Street to a new water storage facility. The concept from the 1995 Boyle Master Water Plan is to install a similar water line south of Tefft Street to Thompson Ave.

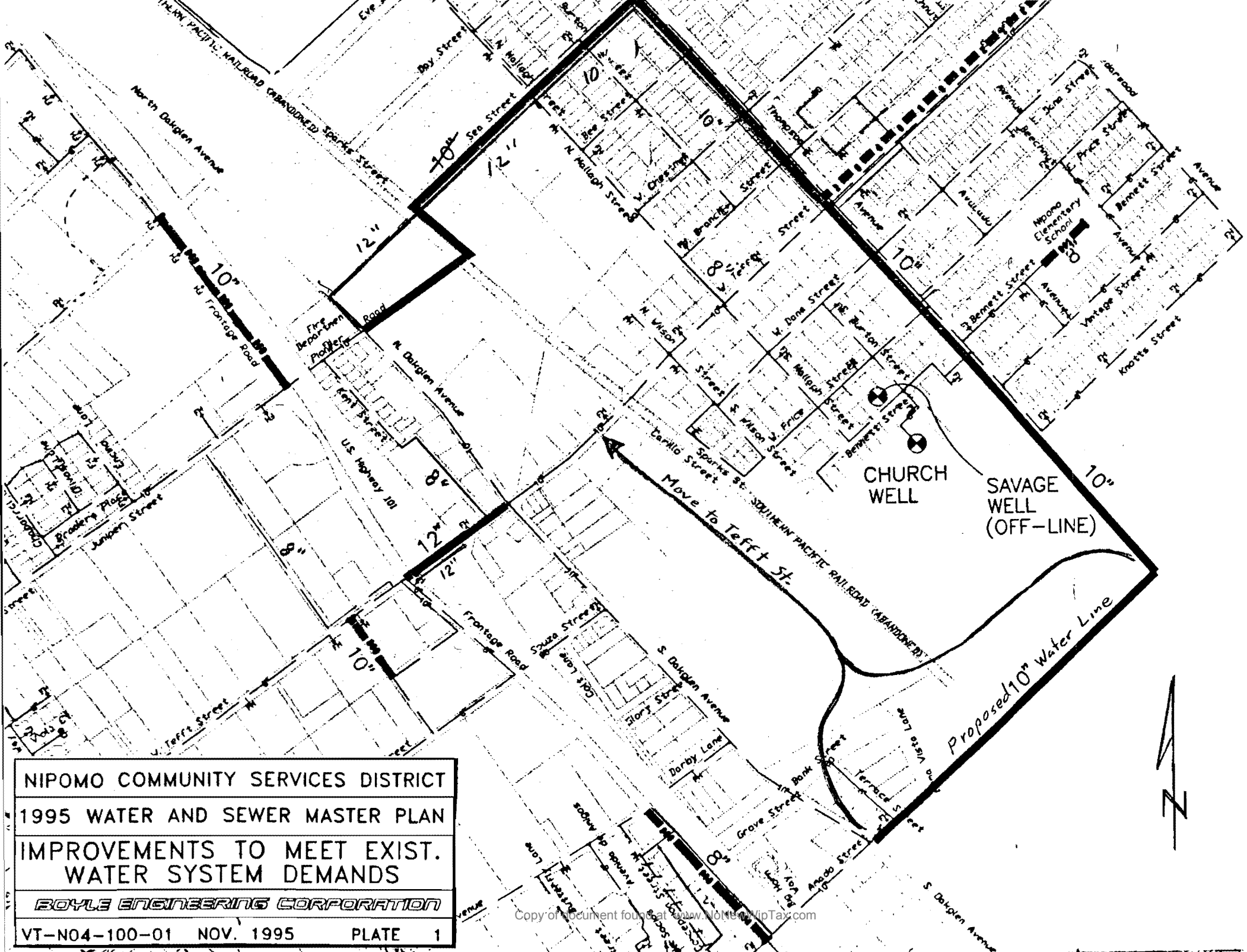
It is proposed that the southerly waterline be relocated as a parallel water line in Tefft St. to increase the flow to and from the Olde Towne to the Mesa. This location would eliminate a Nipomo Creek crossing, therefore, a Corp of Engineers and Fish and Game permit would not be required. The water line could be hung on the Nipomo Creek Bridge. This location not only improves the flow across the east-west direction, it also increases the capability of the water line in Tefft Street and provides capacity for the high school water supply.

It is proposed that the District request proposals to design the water line in Tefft St. with the sizing of the line to be determined by Boyle Engineering's update of the Water and Sewer Master Plan.

The design of the water line this fiscal year will assist in fast tracking the construction of this line in mid 2001. Funds for construction will be incorporated in the 2001-02 FY. By processing in this manner, the water line could be constructed before the county's schedule paving of Tefft St. in 2002 and the opening of the new high school.

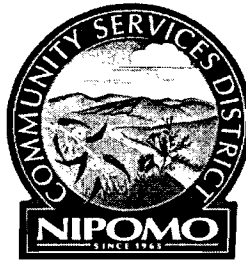
RECOMMENDATION

Staff recommends that your Honorable Board authorize staff to request proposals to design the Tefft Street water line improvements.



NIPOMO COMMUNITY SERVICES DISTRICT		
1995 WATER AND SEWER MASTER PLAN		
IMPROVEMENTS TO MEET EXIST. WATER SYSTEM DEMANDS		
BOYLE ENGINEERING CORPORATION		
VT-N04-100-01	NOV. 1995	PLATE 1

NIPOMO COMMUNITY



SERVICES DISTRICT

BOARD MEMBERS

ROBERT BLAIR, **PRESIDENT**
AL SIMON, **VICE PRESIDENT**
RICHARD MOBRAATEN, **DIRECTOR**
ALEX MENDOZA, **DIRECTOR**
MICHAEL WINN, **DIRECTOR**

STAFF

DOUGLAS JONES, **GENERAL MANAGER**
JON SEITZ, **GENERAL COUNSEL**
LEE DOUGLAS, **MAINTENANCE SUPERVISOR**

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Email address - NCSD@ix.netcom.com

REQUEST FOR PROPOSAL

DESIGN APPROX. 8500 FEET OF WATER TRANSMISSION MAIN

- I. The Nipomo Community Services District is requesting proposals to design approximately 8,500 ± feet of 12 inch and 16 inch water line in Tefft Street from the Dana School to Thompson Ave. The proposed improvements are shown on the attached map.
- II. The following should be considered in your proposal.
 1. The new water lines will parallel and cross existing lines.
 2. The new lines will be tied into existing District water lines at approx. 4-5 locations.
 3. A report to comply with CEQA. (Construction is planned for the 2001-02 Fiscal Year.)
 4. Make three presentation to the District Board of Directors
 1. CEQA findings
 2. Final design
 3. Bid results for construction
- III. Your proposal should include the following:
 1. Brief history & experience of your firm in designing similar projects.
 2. Time schedule to complete plans and specifications, CEQA requirements.
 3. Your engineering cost estimate to develop the plans, specifications and CEQA report.
 4. Cost estimate for construction, survey, and inspection of the proposed improvements.
 5. Other items you wish to include.
- IV. The District will supply:
 1. Plans of the District's existing water lines.
 2. The 12" and 16" pipeline sizes are estimates and may be revised on completion of the District's Water Master Plan Update due Spring 2001.
 3. Answers to most questions.

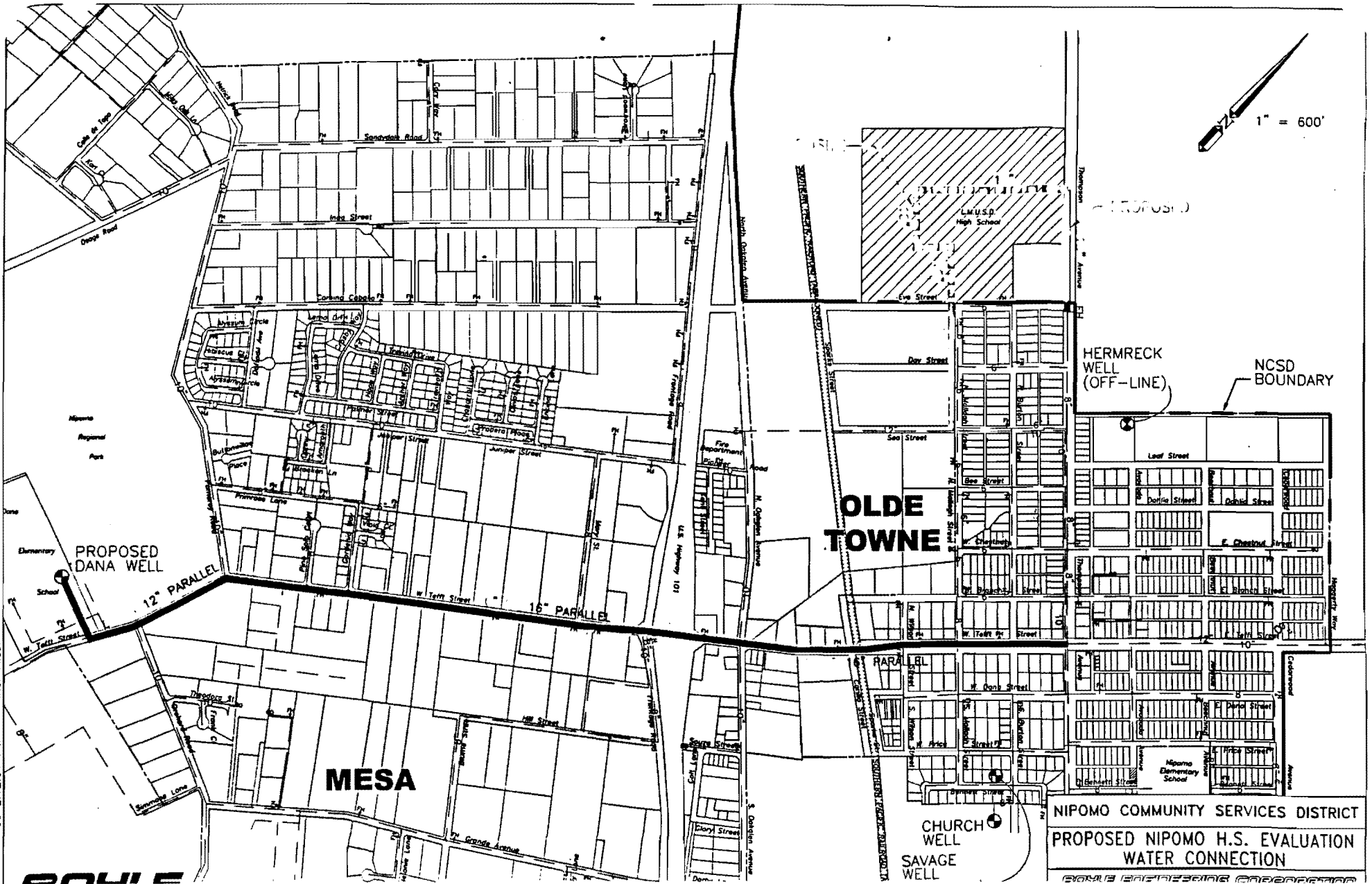
Your proposals should be submitted to the District by noon on January 24, 2001.

NIPOMO Community Services District
Doug Jones, General Manager (805) 929-1133
148 S. Wilson Street
PO Box 326
Nipomo, CA 93444

After the proposals are reviewed, the District staff will make a recommendation to the District Board.

The Board of Directors of Nipomo Community Services District will approve the final selection.

h:\11-00-00 2:12:01 PM User: drains Job # N0410103
XRef Files:



TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: DECEMBER 13, 2000

AGENDA ITEM
DEC 13 2000



ELECTION OF BOARD OF DIRECTORS OFFICERS

ITEM

Election of Board President and Vice President

BACKGROUND

Paragraph 1.4 of the adopted by-laws of the Board of Directors requires that at the last meeting of the calendar year, the Board shall elect a President and a Vice-President for the upcoming year. The elected terms of office shall commence January 1st immediately following the election.

The by-laws do not prevent a President from serving a second term although historically, the position has been rotated among the Board members.

RECOMMENDATION

Staff recommends that the presiding President administer the election of the officers of the Board of directors.

The following is the recommended procedure:

- Nominations taken for the President of the Board.
- Vote taken for the President
- Nominations taken for the Vice President of the Board
- Vote taken for the Vice President

These officers will administer the January 3, 2001, Board meeting. At that time, the President may appoint ad hoc committee members, as deemed necessary or advisable with respect to administration of the District.

The following were the established committees for the year 2000. These committees will be up for appointment or reappointment in January for the year 2001.

<u>Committees for 2000</u>	<u>Present Member</u>	<u>Present Alternate</u>
Nipomo Community Advisory Committee	Mike Winn	Al Simon
Water Resources Advisory Committee	Doug Jones	Bob Blair
Chamber of Commerce	Dick Mobraaten	Al Simon
NCAC Water Committee	Bob Blair	Dick Mobraaten

These committees require two (2) members.

<u>Committees for 2000</u>	<u>Present Members</u>	
Finance Committee	Mike Winn	Al Simon
Water Committee	Al Simon	Bob Blair
High School Committee	Alex Mendoza	Dick Mobraaten

AGENDA ITEM

DEC 13 2000

F

TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: DECEMBER 13, 2000

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 be removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.

- F-1) WARRANTS [RECOMMEND APPROVAL]
- F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Approval of Minutes of November 29, 2000 Special Board meeting
- F-3) EARLY RETURN TO WORK [RECOMMEND APPROVAL]
Consideration of an Early Return to Work Policy
- F-4) TRANSFER OF OPERATING FUNDS TO REPLACEMENT FUNDS [RECOMMEND APPROVAL]
Consideration of resolution authorizing transfers
- F-5) ACCEPTANCE OF TRACT 2304 IMPROVEMENTS (WITTSTROM) [RECOMMEND APPROVAL]
Accept water system improvements for a 46 lot development
- F-6) ACCEPTANCE OF DRUMM LANE SEWER IMPROVEMENTS (MITCHELL)
[RECOMMEND APPROVAL]

WARRANTS DECEMBER 13, 2000

HAND WRITTEN CHECKS

18393	11-29-00	STEPHENSON	270.00
18394	11-29-00	PERS RETIREMENT	15.98

COMPUTER GENERATED CHECKS

005369	12/01/00	EMP01	EMPLOYMENT DEVELOP DEPT	366.00
5370	12/01/00	MID01	MID STATE BANK	1596.26 390.78
			Check Total.....:	1987.04
5371	12/01/00	MID02	MIDSTATE BANK - DIRECT DP	12134.04
5372	12/01/00	PER01	PERS RETIREMENT	961.32
5373	12/01/00	SIM01	DEBRA SIMMONS	150.00
5374	12/01/00	STA01	STATE STREET GLOBAL	525.00
005375	12/13/00	BEN01	BENERGY INC	14896.80
005376	12/13/00	BLA01	ROBERT L BLAIR	100.00
005377	12/13/00	BLU01	BLUEPRINT EXPRESS	30.63
005378	12/13/00	CAL03	CALIFORNIA ELECTRIC SUPPL	158.61
005379	12/13/00	COR01	CORBIN WILLITS SYSTEMS	614.99
005380	12/13/00	CRE01	CREEK ENVIRONMENTAL LABS	30.00 50.00 30.00
			Check Total.....:	110.00
005381	12/13/00	DAT01	DATAMATIC INC	150295.50
005382	12/13/00	DWI01	DWIGHT'S AUTOMOTIVE	60.00
005383	12/13/00	FGL01	FGL ENVIRONMENTAL	44.80 44.80 29.60 44.80 44.80
			Check Total.....:	253.60
005384	12/13/00	GAR01	GARING TAYLOR & ASSOC	353.00 43.50
			Check Total.....:	396.50
005385	12/13/00	GIL01	GLM	217.00
005386	12/13/00	GRO01	GROENIGER & CO	6.38 120.12
			Check Total.....:	126.50
005387	12/13/00	JOH01	DONNA JOHNSON	6.35 21.51
			Check Total.....:	27.86
005388	12/13/00	LOU01	PERRY LOUCK, CPA	815.00
005389	12/13/00	MCK01	MCKESSON WATER PRODUCTS	8.50
005390	12/13/00	MIS01	MISSION UNIFORM SERVICE	266.77
005391	12/13/00	MOB01	RICHARD MOBRAATEN	100.00
005392	12/13/00	NIP01	NIPOMO ACE HARDWARE INC	49.70
005393	12/13/00	NIP02	NIPOMO GARBAGE	42.50 14.55
			Check Total.....:	57.05
005394	12/13/00	NIF03	NIPOMO SHELL	827.72

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

NOVEMBER 29, 2000

AGENDA ITEM

DEC 13 2000



SPECIAL MEETING 10:30 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
AL SIMON, VICE PRESIDENT
RICHARD MOBRAATEN, DIRECTOR
ALEX MENDOZA, DIRECTOR
MICHAEL WINN, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
DONNA JOHNSON, SECRETARY TO THE BOARD
JON SEITZ, GENERAL COUNSEL

NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.

A. CALL TO ORDER AND FLAG SALUTE

President Blair called the meeting to order at 10:35 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call, the following members were present:

Directors Winn, Mendoza, Mobraaten and Blair. Director Simon was absent.

C. PUBLIC COMMENTS PERIOD

PUBLIC COMMENTS

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

President Blair opened the meeting to Public Comments. There were none.

D. ADMINISTRATIVE ITEMS

D-1) WATER AND SEWER RATE ADJUSTMENTS (ORDINANCE NO. 2000-89)

Second Reading and proposed adoption of an ordinance adjusting water and sewer rates

The Board had the second reading of the ordinance adjusting water and sewer rates. There were no public comments.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved Ordinance 2000-89 adjusting water and sewer rates.

Vote 4-0 with Director Simon absent.

ORDINANCE 2000-89

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING TITLE 3 AND TITLE 4 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO

(1) ESTABLISH BI-MONTHLY RATES FOR WATER AND SEWER SERVICE; and

(2) CLARIFY SECTION 3.03.070(A) OF THE DISTRICT CODE

D-2) REQUEST FOR ANNEXATION NO. 18 (TRACT 2393) NEWDOLL

Annex No. 18, a 2½ ac, 8-lot development at Cyclone & Grande Ave.

The following members of the public spoke:

Jim McGillis, Surveyor on behalf of Mr. Newdollar - handed the members of Board a page from the South County General Plan changing lots for 6000 sq ft lots to 10,000 sq ft lots

John Snyder, 662 Eucalyptus, Nipomo - I am asking that NCSD openly disclose any knowledge it has that's supplying water to this Annexation #18 will require adverse use of landowner's groundwater production before approving this item.

Donna Mills, 655 Sweet Donna Place, Nipomo - This project will have an impact on the schools which are in a Severity 3 Level. Would like to see this project come before NCAC before approval.

Jessie Hill, 1910 Grant Ave, Nipomo - Would like to see LAFCO uniformity.

NIPOMO COMMUNITY SERVICES DISTRICT
MINUTES
NOVEMBER 29, 2000
PAGE TWO

Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved the request for Annex #18 to NCSD with the requirements listed in the application in addition to which notification will be sent to LAFCO that this matter will be considered by NCAC prior to the LAFCO meeting, December 21, 2000. Vote 4-0 with Director Simon absent.

RESOLUTION NO. 00-748
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
CONDITIONALLY APPROVING THE ANNEXATION OF APPROXIMATELY 2.5 ACRES
LOCATED AT THE INTERSECTION OF CYCLONE AND GRANDE STREET, NIPOMO, CALIFORNIA
ANNEXATION NO. 18

D-3) INSTALLATION OF AUTOMATIC METER READING DEVICES (AMR)
Consideration to award bid to install AMR's

The Board considered awarding the contract to install Automatic Meter Reading devices. Amick Construction was the lowest bidder at \$4.50 per unit.

There were no public comments.

Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously awarded the contract to install Automatic Meter Reading devices to Amick Construction of Morro Bay and to fund this item of approx. \$14,850.00 from reserves of the Property Tax Fund. Vote 4-0 with Director Simon absent.

E. OTHER BUSINESS

E-1) CELL SITE LEASE AGREEMENT
Review and possible approval of standpipe lease site agreement for cell phone antennas with Tacit Communications, Cox PCS Assets

The Board reviewed the cell site lease agreement between NCSD, Nipomo Oaks and Cox PCS Assets (Sprint).

The following member of the public spoke:

Donna Melschau, Partner in Nipomo Oaks - Received the final draft this morning and has not had a chance to read it. She will inform staff later about signing.

Upon motion of Director Mobraaten and seconded by Director Winn, the Board unanimously approved the lease agreement as presented. Vote 4-0 with Director Simon absent.

F. 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 be removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.*

F-1) WARRANTS [RECOMMEND APPROVAL]

F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]

Approval of Minutes of November 15, 2000 Regular Board meeting
Approval of Minutes of November 17, 2000 Special Board meeting

There were no public comments. Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously approved the Consent Agenda with the addition to the Minutes as suggested by Director Winn.

G. MANAGER'S REPORT

CSDA seminar January 30-31 for new Board members

Mr. Seitz mentioned that the local chapter of CSDA would also be holding a training in Los Osos January. Time and date will be announced later.

H. DIRECTORS COMMENTS

Director Mobraaten letter to Planning concerning the UPC 608

Director Winn has been asked about odor from strawberry fields. Mr. Jones explained that it was the hydrogen sulfide gases.

NCAC has inquired about NCSD exploring activation of landscaping on Tefft.

At Board of Supervisors meeting 11/21/00 ad hoc committee was discussed. Option 2 was chosen.

District Legal Counsel, Jon Seitz, announced the need to go into Closed Session concerning the matters below.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

- a. SMVWCD vs NCSD Santa Clara County Case No. CV 770214 and all consolidated cases.
- b. NCSD vs. State Dept of Health Services CV 990706, GC§54956.9
- c. Litigation CPUC Appl. No. A 00-03-029 (Gov. Code §54956.9)

ADJOURN

The Board came back into Open Session and reported in the case of NCSD vs State Dept. of Health Services, the Board considered the Boyle Report and recommendations of staff and directed staff to come up with a rebate program in regards to Option 2 considered in the Boyle Report which relates to booster pumps and the Board also agreed to consider Options 4, 5 & 6 as part of an overall view for future Master Plan. Motion by Director Winn, seconded by Director Mobraaten. Vote 4-0 with Director Simon absent.

The regular Board meetings scheduled for December 6 and December 20, 2000 will be canceled. A Special Board meeting will be held on December 13, 2000.



TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: DECEMBER 13, 2000

EARLY RETURN TO WORK POLICY

ITEM

Adoption of an Early Return to Work Policy

BACKGROUND

The District purchases its Workman's Compensation Insurance through the State Compensation Insurance Fund. State Compensation Insurance Fund recommends that the District establish an Early Return To Work Program with a written policy. State Compensation Insurance Fund states the following:

"Programs which help limit loss exposure are an essential part of your company's cost containment efforts. Once such program that is beginning to gain wide acceptance is called "Early Return to Work." It is, essentially, a new way of looking at the age-old disability problem. It simply consists of devising ways to bring injured employees back to work as soon as possible after an injury, then carefully monitoring their progress until they return to full duty. Early return to work programs empower employers to take control of their workers' compensation costs and their injured workers."

On previous occasions the District has provided modified work duties to employees with on-the-job injuries even though a written policy did not exist.

The attached Draft Resolution is for review purposes.

RECOMMENDATION

Staff recommends that your Honorable Board adopt the following:

1. Motion, second and voice vote, to circulate this policy to District employees and ask for their comments to be received by the General manager no later than December 22.
2. Place the Resolution on the January 3, 2001 Agenda for consideration. The Board may consider the employee comments at that time and make any necessary modifications.

bd2000\early return to work.doc

RESOLUTION 00-early return to work

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING AN EARLY RETURN TO WORK POLICY

DRAFT

WHEREAS, the District provides Workman's Compensation Insurance to its employees via the State Compensation Insurance Fund; and

WHEREAS, the State Compensation Insurance Fund recommends that the District establish an Early Return To Work Program with a written policy; and

WHEREAS, the Early Return To Work Policy is attached as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Directors of the Nipomo Community Services District, San Luis Obispo County, California, as follows:

1. Adopt the Early Return to Work Policy attached as Exhibit "A".
2. Include this policy in the Employee Policy and Procedure Manual.

Upon motion of Director _____, seconded by Director _____ and on the following roll call vote, to wit:

AYES: Directors

NOES:

ABSENT:

ABSTAIN: .

the foregoing Resolution is hereby adopted this 3rd day of January, 2001.

President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
District Legal Counsel

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DRAFT

EXHIBIT "A"

EARLY RETURN TO WORK POLICY

NIPOMO COMMUNITY SERVICES DISTRICT recognizes the need to provide temporary modified work to employees who are unable to perform their regular duties due to industrial illness or injury. In this regard, it is our intent to implement an Early Return-to-Work program designed to return the injured employee to work in a physically appropriate job as soon as the treating physician deems it medically feasible, whenever possible.

This policy applies to all employees. Due to the limited amount of modified/alternative work available, employees are assigned on a "first come, first served" basis, to appropriate positions as available.

The purpose of this program is: 1. To assist employees in the transition from disability to full recovery while continuing to be a productive part of the work force, while minimizing the deterioration of the employee's work skills, health and attitude that may result from prolonged work absence; and 2. To provide management with a constructive program to reduce the cost of Worker's Compensation and to minimize the loss of productivity.

_____ will be responsible for development and implementation of the Early Return-to-Work program in consultation with State Fund's Early Return-to-Work Coordinator.

_____ will determine the employee's eligibility for the program, placement in modified work, record keeping, and monitoring the progress and full return to work of the employee(s) in the Early Return-to-Work program.

The modified/alternative work will be implemented immediately to avoid lost time and wages. The temporary/modified work assignment is not considered to be part of the regular staffing pattern. The employee must have a medical clearance authorization slip from the attending physician specifying work restrictions and abilities.

ERTW program participants are encouraged to schedule physical therapy and doctor's appointments around their work schedules to avoid loss of earning power. If this cannot be arranged, appointments should be scheduled at the beginning or end of the work day. All appointments requiring time away from work must have written verification of time in and out of the facility to present to their supervisor.

If employee health status changes, it must be reported immediately to their supervisor and management.

While on the temporary modified/alternative work program, employees who have experienced an on the job injury will be evaluated at 30 days or when medically stationary, whichever occurs first.

As long as work can be provided, there is no right of refusal without jeopardizing benefits and entitlements.

A modified job offer will be made only when the work is available and of benefit to the company. The modified job, if offered, will end with the date the employee receives a regular release, and may be ended at any time if there is no longer a need for modified work. Each case will be assessed individually based on need. Wages and hours will not necessarily be the same as that of the regular job.

ADMINISTRATOR'S SIGNATURE

DATE



TO: BOARD OF DIRECTORS

FROM: DOUG JONES

DATE: DECEMBER 13, 2000

APPROVAL OF TRANSFER OF FUNDS FROM THE
TOWN SEWER DIVISION AND BLACK LAKE WATER DIVISION
TO THE REPLACEMENT FUND ACCOUNTS

ITEM

1. Request to transfer \$400,000.00 from the Town Sewer Division Operating Fund to the Town Sewer Replacement Fund
2. Request to transfer \$400,000.00 from the Black Lake Water Division Operating Fund to the Black Lake Water Replacement Fund.

BACKGROUND

On June 9 and July 21, 2000, the Board of Directors held study sessions with Perry Louck, CPA to review his recommendations for the Water and Wastewater Rate Study Update. On July 21, 2000, Mr. Louck asked for your Honorable Board's direction in order to complete his study. Mr. Louck requested the Board give direction on two points:

1. What level of funding of replacement should the rates be based upon
2. Due to excess operating reserves in the Town Sewer Division and the Black Lake Water Division, would the Board direct a transfer of these funds to the replacement funds to mitigate the rate increases, if any, in these Divisions.

At the July 21, 2000, study session the Board directed Mr. Louck to complete the study based upon 100% funding of replacement and directed him to include in the study the transfer of Town Sewer Division and Black Lake Water Division to the replacement funds.

On November 17 and 29, 2000, public hearings on the rate increases were held and an Ordinance was adopted based upon the Water and Wastewater Rate Study Update.

RECOMMENDATION

Adoption of attached Resolution authorizing the transfer of funds from the Town Sewer Division and the Black Lake Water Division to the Replacement Fund Accounts.

RESOLUTION 00-transfer

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE TRANSFER OF OPERATING FUNDS FROM THE TOWN SEWER DIVISION AND BLACK
LAKE WATER DIVISION TO THE REPLACEMENT FUND ACCOUNTS**

WHEREAS, the District commissioned Perry R. Louck, Certified Public Accountant, to perform a WATER AND WASTEWATER RATE STUDY UPDATE (herein the STUDY); and

WHEREAS, two study sessions were held on June 9 and July 21, 2000 to review recommendations of Perry R. Louck, CPA. On July 21, 2000, the Board directed Mr. Louck to complete his STUDY based upon the recommendations 1) transfer excess operating funds from the Town Division Sewer Division and the Black Lake Water Division to the Replacement Fund Accounts and 2) fund replacement at 100%.

WHEREAS, the STUDY recommended that the operating reserve requirements for the Town Water Division and Black Lake Water Division be 50% (six months) of variable operating costs and the operating reserve requirements for the Town Sewer Division and Black Lake Sewer Division be 25% (four months) of operating costs, net of the replacement reserve requirements; and

WHEREAS, the Staff Report and STUDY was received and filed by the Board of Directors on November 17, 2000; and

WHEREAS, the adopted rate increases were based upon the STUDY which included the Board recommendations of completing the transfer of Town Sewer Division and Black Lake Water Division funds.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Directors of the Nipomo Community Services District, San Luis Obispo County, California, as follows:

1. \$400,000.00 from the Town Division Sewer Operating Fund should be transferred to the Town Division Sewer Replacement Fund.
2. \$400,000.00 from the Black Lake Division Water Operating Fund should be transferred to the Black Lake Division Water Replacement Fund.

Upon motion of Director _____, seconded by Director _____ and on the following roll call vote, to wit:

AYES: Directors _____

NOES:

ABSENT:

ABSTAIN: .

the foregoing Resolution is hereby adopted this 13th day of December, 2000.

Robert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
District Legal Counsel

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *D*
DATE: DECEMBER 13, 2000

AGENDA ITEM
DEC 13 2000



ACCEPTING WATER IMPROVEMENTS FOR
TRACT 2304
WITTSTROM

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer (Wittstrom) for Tract 2304, a 46-lot development on Mesa and Osage has installed water improvements and has met the District's conditions:

- Installed the improvements,
- Paid associated fees
- Provided the necessary paperwork, including the Offer of Dedication and the Engineer's Certification.

Staff recommends that your Honorable Board approve the attached Resolution 00-accept 2304, accepting the water improvements for Tract 2304.

Bd 2000\Accept Tr 2304 1.DOC

RESOLUTION NO. 00-ACCEPT 2304

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER IMPROVEMENTS
FOR TRACT 2304 (WITTSTROM)**

WHEREAS, on March 17, 1999, the District issued a conditional Will-Serve Letter for water service for Tract 2304 on Mesa and Osage in Nipomo; and

WHEREAS, the District approved and signed the construction plans on June 3, 1999 for the water improvements to be constructed; and

WHEREAS, the water improvements have been constructed and said improvements are complete and certified by the engineer; and

WHEREAS, on May 17, 2000, the Owner offered the water improvements to the Nipomo Community Services District; and

WHEREAS, this District has accepted such offer without obligation except as required by law, and

WHEREAS, all water fees for service, required in conformance with District Ordinances, have been paid in full for Tract 2304.

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

That the water improvements constructed to serve Tract 2304 on Mesa and Osage in Nipomo are accepted by this District.

On the motion of Director _____, seconded by Director _____ and on the following roll call vote, to wit:

AYES: Directors _____
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 13th day of December 2000.

Robert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: DECEMBER 13, 2000

AGENDA ITEM

DEC 13 2000



ACCEPTING SEWER IMPROVEMENTS FOR
DRUMM LANE
MITCHELL

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer (Mitchell) has installed sewer improvements on Drumm Lane and has met the District's conditions:

- Installed the improvements,
- Paid associated fees
- Provided the necessary paperwork, including the Offer of Dedication and the Engineer's Certification.

Staff recommends that your Honorable Board approve the attached Resolution 00-accept, accepting the sewer improvements for Drumm Lane.

Bd 2000\Accept drumm.DOC

RESOLUTION NO. 00-ACCEPT

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE SEWER IMPROVEMENTS
FOR DRUMM LANE (MITCHELL)**

WHEREAS, the Mitchell's constructed sewer improvements in Drumm Lane to serve APN 092-331-033 and

WHEREAS, the sewer improvements have been constructed and said improvements are complete and certified by the engineer; and

WHEREAS, on November 13, 2000, the Owner offered the sewer improvements to the Nipomo Community Services District; and

WHEREAS, this District has accepted such offer without obligation except as required by law, and

WHEREAS, all sewer fees for service, required in conformance with District Ordinances, have been paid in full for APN 092-331-033, and

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

That the sewer improvements constructed to serve APN 092-331-033 on Drumm Lane in Nipomo are accepted by this District.

On the motion of Director _____, seconded by Director _____ and on the following roll call vote, to wit:

AYES: Directors _____

NOES:

ABSENT:

ABSTAIN:

the foregoing resolution is hereby adopted this 13th day of December 2000.


Robert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: DECEMBER 13, 2000

AGENDA ITEM
DEC 13 2000



MANAGER'S REPORT

- G-1) Notice of County Public Hearings
1) The Bluffs (115 buildable lots)
2) Bay Development (120 unit apartment complex)
- G-2) Environmental Review-Mesa Royale Tract Map



G1
SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH
CHIEF BUILDING OFFICIAL

NOTICE OF PUBLIC HEARING

- WHO:** San Luis Obispo County Planning Commission
- WHEN:** Thursday, JANUARY 11, 2001, at 8:45 a.m. (All items are advertised for 8:45 a.m. To find out the agenda placement call the Planning Department at 781-5600)
- WHAT:** Hearing to consider proposal by ERIC BENHAM, THE BLUFFS LLC, AND WOODLAND PLAZA LLC for a Development Plan and Tentative Tract Map to allow reconsideration of the development plan and tentative tract map applications for three approved cluster subdivisions. The three projects are adjacent to each other and they consist of a total of 115 buildable lots ranging from 10,000 square feet to 38,200 square feet each with unbuildable open space lots totaling 68.1 acres. The reconsideration is to allow the on-site wastewater disposal system to be privately maintained rather than maintained by a public entity, and to allow for adjustments in the tentative map designs, in the Residential Suburban Land Use Category. The property is located in the county on the west of Hutton Road and the Santa Maria Raceway, south and west of the terminus of Moss Lane, north of the Santa Maria River, south of the community of Nipomo, APN: 090-301-013, 018, 034, in the South County Planning Area. County File Number: TRACTS 1802/ S890124T/D890422D, 1808/S890064T/D890218D and 1856/S890219T/D890321D. Date application accepted: October 14, 2000. Supervisorial District #4 .
- WHERE:** The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, Room 224, County Government Center, San Luis Obispo, California. At the hearing all interested persons may express their views for or against, or to change the proposal.

FOR FURTHER INFORMATION:

You may contact Jay Johnson, Planner and Environmental Specialist, in the San Luis Obispo County Department of Planning and Building, County Government Center, San Luis Obispo, California 93408 (805) 781-5600.

ENVIRONMENTAL INFORMATION:

Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures identified for: biological resources, drainage, erosion and sedimentation, water resources, pollution, traffic, public services agricultural/mineral resources/noise. Anyone interested in commenting or receiving a copy of the proposed Negative Declaration should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

****If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing****

DATED: November 22, 2000

DIANE TINGLE, SECRETARY
COUNTY PLANNING COMMISSION

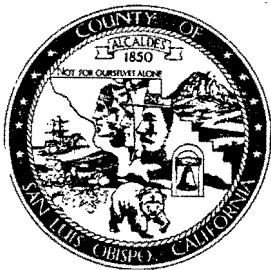
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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH
CHIEF BUILDING OFFICIAL

NOTICE OF PUBLIC HEARING

- WHO:** San Luis Obispo County Planning Commission
- WHEN:** Thursday, JANUARY 11, 2001, at 8:45 a.m. (All items are advertised for 8:45 a.m.,
To find out the agenda placement call the Planning Department at 781-5600)
- WHAT:** Hearing to consider proposal by BAY DEVELOPMENT GROUP AND WAYS ESTATES for a Development Plan to allow construction of a 120 unit apartment complex, in the Residential Multi Family Land Use Category. The applicant is requesting an affordable housing density bonus of 17 percent. The property is located in the county on the northwest corner of Grande Avenue and Blume Street in the community of Nipomo, APN: 092-130-046, in the South County Planning Area. County File Number: D990051D. Date application accepted: July 31, 2000. Supervisorial District #4.
- WHERE:** The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, Room 224, County Government Center, San Luis Obispo, California. At the hearing all interested persons may express their views for or against, or to change the proposal.

FOR FURTHER INFORMATION:

You may contact Jay Johnson, Planner and Environmental Specialist, in the San Luis Obispo County Department of Planning and Building, County Government Center, San Luis Obispo, California 93408 (805) 781-5600.

ENVIRONMENTAL INFORMATION:

Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures identified for: biological resources, drainage, erosion and sedimentation, pollution. Anyone interested in commenting or receiving a copy of the proposed Negative Declaration should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

****If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing****

DATED: December 4, 2000

DIANE TINGLE, SECRETARY
COUNTY PLANNING COMMISSION

DEC 8 2000

REC'D - DISTRICT
SEP 11 2000

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THE FOLLOWING IS FOR PUBLIC INFORMATION ONLY AND IS NOT A PART
OF THE BOARD OF SUPERVISORS' AGENDA

WEEKLY REPORT OF ENVIRONMENTAL DOCUMENTS AVAILABLE FOR REVIEW
For the week ending December 8, 2000

Nipomo Community: Mesa Royale Tract Map. A request to subdivide a 1-acre parcel into two parcels of approximately 0.5 acres each for the sale and/or development of each proposed parcel. The subject property is within the Residential Single Family land use category and is located at 380 Apricot Street, approximately 100 feet east of Orchard Avenue, in the Community of Nipomo. ED00-233 (S990184T/TR99-2371)

