

# NIPOMO COMMUNITY SERVICES DISTRICT

*Celebrating 43 - Years of Service 1965 - 2008*

## MINUTES

**AUGUST 27, 2008 AT 9:00 A.M.**

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

### BOARD of DIRECTORS

MICHAEL WINN, **PRESIDENT**  
JAMES HARRISON, **VICE PRESIDENT**  
CLIFFORD TROTTER, **DIRECTOR**  
LARRY VIERHEILIG, **DIRECTOR**  
ED EBY, **DIRECTOR**

### PRINCIPAL STAFF

BRUCE BUEL, **GENERAL MANAGER**  
LISA BOGNUDA, **FINANCE DIRECTOR/ASST GM**  
DONNA JOHNSON, **BOARD SECRETARY**  
JON SEITZ, **GENERAL COUNSEL**  
PETER SEVCIK, **DISTRICT ENGINEER**

Mission Statement: The Nipomo Community Services District's mission is to provide the community with reliable, quality and cost-effective services.

Vision Statement: The Nipomo Community Services District's vision is to manage the resources and future growth of the community.

00:00:00

#### A. CALL TO ORDER AND FLAG SALUTE

President Winn called the meeting to order at 9:00 a.m. and led the flag salute.

00:00:44

#### B. ROLL CALL

At Roll Call, the following directors were present:  
Directors Eby, Trotter, Harrison and Winn. Director Vierheilig was absent.

00:00:50

#### C. PRESENTATIONS AND PUBLIC COMMENT

##### C-1) NCSD UTILITY SUPERINTENDENT TINA GRIETENS Update re: Utility Department Operations & New Employees

Tina Grietens, Utility Superintendent, introduced the District's newly hired employees, Rick Richard and Pete Davison.

Ms. Grietens gave an update of the activities within the Utility Division, which includes the following outlined in the Board packet:

- Southland Wastewater Plant
- Southland Utility Yard
- Collection System
- Wells
- Distribution System Maintenance
- Waterline Relocation Project
- Personnel
- Compliance
- Other

Bruce Buel, General Manager, commended the utility staff for the desludging operation at the Southland Wastewater Treatment Facility. The ponds are operating as designed. Peter Sevcik, District Engineer, explained that the last inspection by the State Water Quality Control Board was unexpected but favorable.

When asked by the Board about Sundale Well, Ms. Grietens explained that the heads were pulled and repaired.

Director Eby asked about the problem at the Quad Tanks. Ms. Grietens explained that the SCADA system was working but the signal was not reaching the person on call. It has been repaired and is back on line.

The Board thanked Ms. Grietens for the report.

C-2) WATER CONSERVATION COORDINATOR CELESTE WHITLOW  
Update re: Water Conservation Activities & Program Kickoff

Celeste Whitlow, Water Conservation Specialist, gave an update of the conservation programs, which include the following outlined in the Board packet:

- Community Events and Educational Workshops
- Newsletters, Mailings, Advertising
- Water Conservation Program Implementation
- Landscape
- Water Use Comparison
- Nipomo Mesa Plumbing Retrofit Program
- Water Conservation Program Launch

The Board asked questions and made some suggestions for the flyers.

Ms. Whitlow presented a series of slides outlining the new water conservation program, "Water – Use It Wisely". For more information, the site can be accessed at [www.wateruseitwisely.com](http://www.wateruseitwisely.com).

Director Winn stated that the new light standards on Tefft Street have built-in banner holders.

The Board thanked Ms. Whitlow for the report.

C-3) MIKE NUNLEY OF BOYLE ENGINEERING  
Update re: Waterline Intertie Project Final Design

Mike Nunley, Boyle Engineering Project Manager, reviewed the Status Report for the Design Phase of the Waterline Intertie Project. The Project Team has worked on the items listed in the Board packet (EIR scoping, committee meetings, draft of Technical Memorandum 9, coordinating with utility companies, developing). The approval from the California Department of Fish and Game for test holes in the Santa Maria riverbed was expected by August 15<sup>th</sup> but has been delayed.

Mr. Nunley answered questions from the Board concerning the process, timing, agreements, and EIR certification of the project.

*C-4 will be heard later as Mr. McEwen will arrive after 10:30 a.m.*

C-5) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST  
Receive Announcements from Directors Items of District & Community Interest

Director Eby

Announced September 21, 2008 piano and vocalist concert to benefit the Dana Adobe. Reception at 3:00 p.m. and concert at 4:30 p.m. Tickets are \$18.50.

Director Harrison

Nipomo Incorporation Committee for Education (NICE) will meet September 20, 2008, in the Avila Room at Trilogy.

SCAC – Monday's meeting included a good presentation by a District Board member. He found it interesting how the County looks at the General Plan zoning for land use. If an area is zoned for 2½ acre lots, one could divide an eighteen-acre lot into 7 lots. It could include 6 one-acre lots and one ten-acre lot. Some folks are concerned about the

## C-5) DIRECTORS' ANNOUNCEMENTS OF DISTRICT &amp; COMMUNITY INTEREST (CONT)

Director Winn

- The Board of Supervisors met August 26, 2008.
  - In the update of the Conservation Element, the Board will include the open space element but will keep the agriculture element as a separate item. The speakers from Nipomo supported the notion. Agriculture is important to this community.
  - There was discussion of the Willow Road extension and the interchange at Highway 101. The project is now estimated to be \$42 million, which will be tricky to fund. Public education workshops will be held. Some ideas for funding may include a parcel tax, ad valorem tax, or community facilities district.
  - Perret detachment of over 5,000 acres into Santa Barbara County was discussed. Formal action to allow it or deny it was not taken.
- ❖ Mr. Buel stated that workshops will be held concerning the Willow Road extension. Neither time nor location has been set. Staff will report back to the Board of Supervisors February 9, 2009.
- The Planning Commission will meet August 28, 2008.
- Water Resources Advisory Committee will meet Wednesday, September 3, 2008.
- Board of Supervisors Strategic Planning Day will be Tuesday, September 2, 2008.

## C-6) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There was no public comment.

01:04:35

## D. CONSENT AGENDA

Staff has circulated a revised set of draft minutes.

Director Eby asked about an item on the Warrants list – Mach Security. Bruce Buel, General Manager and Peter Sevcik, District Engineer, described the locks purchased from Mach.

## D-1) APPROVE WARRANTS

## D-2) APPROVE BOARD MEETING MINUTES

Approve Minutes of 8/13/08 Regular Meeting

## D-3) ADOPT RESOLUTION ADDING POLICY REGARDING LATERAL TRANSFERS TO PERSONNEL POLICY

**RESOLUTION NO. 2008-1099**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
AMENDING THE DISTRICT PERSONNEL POLICY, SECTION 3030, TO  
ADD POLICY REGARDING LATERAL TRANSFERS**

## D-4) REQUEST SLO COUNTY NOT TO HOLD 11/4/08 NCSD ELECTION

**RESOLUTION NO. 2008-1100**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
REQUESTING THE BOARD OF SUPERVISORS OF  
THE COUNTY OF SAN LUIS OBISPO TO NOT INCLUDE NCSD IN THE  
GENERAL DISTRICT ELECTION TO BE HELD ON NOVEMBER 4, 2008**

## D-5) RATIFY EXECUTION OF TASK ORDER FOR CANNON TO PERFORM PHASE 1 WILLOW ROAD DESIGN SERVICES

Nipomo Community Services District  
REGULAR MEETING  
Minutes

D. CONSENT AGENDA (CONTINUED)

D-6) DIRECT STAFF TO INCLUDE A FISCAL STATEMENT TO ALL SUBSEQUENT ADMINISTRATIVE ITEM BOARD LETTERS

Upon motion by Director Harrison and seconded by Director Eby, the Board unanimously approved the Consent Agenda with the revised Minutes, as presented. Vote 4-0, with Director Vierheilg being absent.

YES VOTES	NO VOTES	ABSENT
Directors Harrison, Eby, Trotter, and Winn	None	Director Vierheilg

The Board took a break at 10:09 a.m. to allow Mr. McEwen to set up his display. The Board reconvened at 10:19 a.m.

Recording started over in the middle of Mr. McEwen's presentation. 00:00:00

C-4) MALCOLM McEWEN OF BOYLE ENGINEERING  
Presentation re: Town & Blacklake Water and Sewer Replacement Study

Bruce Buel, General Manager, introduced the presentation of the draft Town & Blacklake Water and Sewer Replacement Study. The study was commissioned in 2007. The Finance Committee wanted the results of the study to be presented when the rates were considered. Director Trotter asked if the study would modify the depreciation schedule. Mr. Buel stated that the study will modify funding and give the District the mechanism to gather funds to replace assets as they fail.

Malcolm McEwen, Boyle Engineering Project Manager, stated that the purpose of this study is to determine how much money the District should stash away to cover expenses, as assets wear out. He presented slides showing budgeted replacement funding alternatives. He explained that Boyle Engineer's Scope of Work included the following:

- Analyze useful and remaining life of system components
- Estimate replacement costs for water and wastewater component
- Develop replacement schedule
- Develop alternatives plans for funding
- Provide recommendations for the District

He provided funding alternatives including:

- Model 1: 20 year savings program  
Spread costs and save 20 years in advance
- Model 2: Service Life Savings Program  
Costs not "spread" and save over service life
- Model 3: Pay-as-you-go Set-Aside Program  
Set aside estimated "spread" replacement costs

Mike Nunley, Boyle Engineering Manager, answered questions from the Board.

Director Eby asked if the items in the study would be replaced at the end of the "life expectancy" or when the items actually fail.

Mr. McEwen answered that if the assets do not need to be replaced as often, the amount put in the Replacement Fund would be modified.

Nipomo Community Services District  
REGULAR MEETING  
Minutes

C-4) MALCOLM McEWEN OF BOYLE ENGINEERING (CONTINUED)

Mr. Buel stated that the report will be brought back to the September 10, 2008 meeting. Model 2 will probably be recommended.

The following member of the public spoke:

Bill Nelson, NCS D resident, stated that homeowners associations have faced similar problems for years. If money is put aside while customers are using the assets, they pay for the use of the assets rather than having the new customers pay for what the older customers have used up. He suggested that the Board look at that system.

Director Harrison suggested that Model 2 seems to be what Mr. Nelson was referring to and is the best method to save for replacements.

Director Winn stated that he realized that the Town Division as well as the Blacklake Division is also behind the curve in replacement reserves.

Director Trotter asked if the longstanding depreciation schedule used by the District will be altered by this study. Bruce Buel, General Manager, said that it would.

D. ADMINISTRATIVE ITEMS

00:12:56

E-1) APPROVE PHASING OF SOUTHLAND WWTF UPGRADE PROJECT AND AMEND AGREEMENT WITH BOYLE ENGINEERING TO COMPARE WASTEWATER DISPOSAL OPTIONS

Bruce Buel, General Manager, explained that the District is trying to find a suitable disposal option to augment the capacity available at the existing percolation ponds south of the Southland Wastewater Treatment Facility. The Central Coast RWQCB is anxious for the District to complete the upgrades to the collection system and the treatment works so that the District's discharge satisfies the requirements of the District's existing discharge order. Staff's proposal is to phase the WWTF upgrade project so that the funded collection system and treatment upgrades proceed immediately and the disposal options follow in a second phase.

The Board asked questions concerning the disposal alternatives listed on the spread sheet provided in the packet. The first phase will cost \$12 million.

The following member of the public spoke:

John Snyder, Nipomo resident, stated that there are two options that are not on the list in the packet. There could be a pond in the coastal zone. Consider energy costs. There is a downhill slope toward the ocean and transport costs may be less. Piping through ag lands could be less than through asphalt. Also, the refinery may need to be paid for taking the water rather than the District being paid for the water. Look at Laguna Sanitation as an example. Also, look at the quality of the water leaving the basin as well as the water that is leaving the Mesa.

Mr. Buel explained that anytime water is being pumped over a long distance, it takes considerable energy. The Board discussed looking into a disposal site west of Highway 1 to the beach area. The cost of the length of the pipeline may rule out the option. Other agencies in California are disposing of their effluent in a similar manner.

Upon motion by Director Harrison and seconded by Director Eby, the Board unanimously agreed to splitting the project of the disposal from the collection and treatment into two phases, and move forward with the wastewater treatment facility. Vote 4-0.

YES VOTES	NO VOTES	ABSENT
Directors Harrison, Eby, Trotter, and Winn	None	Director Vierheilig

Nipomo Community Services District  
REGULAR MEETING  
Minutes

- E-1) APPROVE PHASING OF SOUTHLAND WWTF UPGRADE PROJECT AND AMEND AGREEMENT WITH BOYLE ENGINEERING TO COMPARE WASTEWATER DISPOSAL OPTIONS (CONTINUED)

Upon motion by Director Harrison and seconded by Director Eby, the Board authorized the General Manager to execute an agreement with Boyle Engineering for up to \$52,400 for the Scope of Work presented in the Board letter, as edited by adding the new alternative to evaluate potential Southland Wastewater Treatment Facility disposal options. Vote 4-0, with Director Vierheilg absent.

YES VOTES	NO VOTES	ABSENT
Directors Harrison, Eby, Trotter, and Winn	None	Director Vierheilg

00:37:40

- E-2) DISCUSS POTENTIAL REVISIONS TO NCSD CODE AND STANDARD SPECIFICATIONS REGARDING NEW COUNTY REQUIREMENTS FOR FIRE SPRINKLERS IN NEW DEVELOPMENT

Peter Sevcik, District Engineer, stated that Rick Swan from Cal Fire brought the item to the attention of the District. He explained that the County adopted new regulations for fire sprinklers that require the installation of fire sprinklers in single-family residential units with a floor area greater than 1000 square feet. Staff is proposing an update of the District's code to include the new regulations.

Director asked who checks the plans and makes sure the developer is installing the backflow correctly.

Rick Swan, Fire Marshall for CAL FIRE, San Luis Obispo County Fire Department, stated that the County building inspectors will do the rough-end inspections for residential and Cal Fire does the final inspections. For commercial units, Cal Fire does the in-ground inspections.

Upon motion by Director Harrison and seconded by Director Eby, the Board unanimously agreed to authorize staff to develop the draft ordinance revisions and draft standard specification revisions necessary to implement any policy changes. Vote 4-0, with Director Vierheilg absent.

YES VOTES	NO VOTES	ABSENT
Directors Harrison, Eby, Trotter, and Winn	None	Director Vierheilg

01:04:50

- E-3) PUBLIC HEARING – ADOPTION OF REIMBURSEMENT AGREEMENT FOR INSTALLATION OF HONEY GROVE WATER AND SEWER IMPROVEMENTS

A Public Hearing was opened for this item.

Peter Sevcik, District Engineer, explained that Mr. Robert Newdoll developed a project on Honey Grove Lane, CO 03-0089, Lots 107 through 116. In order to develop the project, Mr. Newdoll was required to construct extensions of the public water and sanitary sewer pipelines on Honey Grove Lane. The public service extensions were accepted by the District on June 27, 2007, and may serve adjacent landowners, as provided in the Rules and Regulations of the District. Mr. Newdoll provided all the documentation necessary for the District to determine the apportioned amount for reimbursement of a portion of the costs of the public service extensions. The District has received no written protests to the apportionment of costs.

Nipomo Community Services District  
REGULAR MEETING  
Minutes

E-3) PUBLIC HEARING – ADOPTION OF REIMBURSEMENT AGREEMENT FOR INSTALLATION OF HONEY GROVE WATER AND SEWER IMPROVEMENTS (CONT)

The Board asked when the property owner was required to pay the reimbursement amount. Mr. Sevcik stated that the fees would be collected at the time a property is developed, if the property is developed within ten years.

There was no public comment.

The Public Hearing portion of this item was closed.

Upon motion by Director Harrison and seconded by Director Trotter, the Board unanimously adopted Resolution 2008-1101, approving the reimbursement amounts for Honey Grove Lane Improvements. Vote 4-0, with Director Vierheilg absent.

**RESOLUTION NO. 2008-1101  
A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
APPROVING THE REIMBURSEMENT AMOUNTS  
FOR HONEY GROVE LANE IMPROVEMENTS (NEWDOLL)**

YES VOTES	NO VOTES	ABSENT
Directors Harrison, Trotter, Eby, and Winn	None	Director Vierheilg

01:10:01

E-4) AUTHORIZE EXECUTION OF AGREEMENT WITH MNS ENGINEERS FOR PHASE 1 OF WATERLINE INTERTIE PROJECT CONSTRUCTION MANAGEMENT SERVICES

Bruce Buel, General Manager, reviewed the process taken to receive proposals for construction management services for Phase 1 of the Waterline Intertie Project. MNS Engineers was the top-ranking firm of the five that responded with proposals.

The Board discussed the peer review and constructability analysis proposed for \$22,280. The amount of \$31,420 is proposed for bid service activities that are not part of Boyle's Design Scope of Work.

Dean Russu and Kim Lindberry from MNS Engineers introduced themselves and answered questions from the Board.

There was no public comment.

Upon motion by Director Trotter and seconded by Director Eby, the Board unanimously agreed to

1. Award bid to MNS Engineers as the Waterline Intertie Project Construction Management Firm, including the peer review and constructability analysis;
2. Authorize the President to execute a Phase 1 agreement with MNS Engineers at a not-to-exceed amount of \$53,700;
3. Authorize staff to negotiate a Phase II proposal.

Vote 4-0, with Director Vierheilg absent.

YES VOTES	NO VOTES	ABSENT
Directors Trotter, Eby, Harrison, and Winn	None	Director Vierheilg

The Board chose to consider Closed Session next.

01:23:50

I. CLOSED SESSION ANNOUNCEMENTS

Jon Seitz, District Legal Counsel, announced the following to be discussed in Closed Session.

1. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES).
2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSD (CASE NO. CV 040877), MARIA VISTA VS. NCSD (CASE NO. CV 061079), AND MARIA VISTA VS. LINDA VISTA FARMS, NCSD ET AL. (CASE NO. CV 040150);
3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; MARIA VISTA ESTATES VS. NCSD ET AL. (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHERN DIVISION)
4. INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9C (1 CASE)
5. PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957 – GENERAL MANAGER ANNUAL REVIEW

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 12:06 p.m.

00:00:00

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

Recording started over

The Board came back into Open Session at 1:42 p.m. Jon Seitz, District Legal Counsel, announced that the Board heard an update on Items 1 through 4, listed above but took no reportable action.

*Item 5*

Mr. Seitz stated that the Board found that the General Manager's performance met or exceeded expectations.

00:02:30

E-5) AUTHORIZE EXECUTION OF 15-YEAR SOLID WASTE DISPOSAL FRANCHISE AGREEMENT WITH SOUTH COUNTY SANITARY SERVICE

Bruce Buel, General Manager, explained that solid waste services are performed by South County Sanitary Service (SCSS) through a franchise agreement with the District. The original agreement expired July 2007. The Board extended the agreement one year. SCSS has requested a 15-year extension on the term of their agreement.

Jon Seitz, District Legal Counsel, stated that a 15-year agreement is not unique. The cities of Pismo Beach, San Luis Obispo and Cambria also have 15-year agreements.

The Board discussed the agreement with Mr. Tom Martin. Director Trotter asked if SCSS is buying into Cold Canyon.

Tom Martin, SCSS General Manager, stated that yes they are and the banks need to know that there will be a continuous revenue stream for funding of the upgrades to the landfill. Waste Connections, Inc. holds the deed.



Nipomo Community Services District  
REGULAR MEETING  
Minutes

E-5) AUTHORIZE EXECUTION OF 15-YEAR SOLID WASTE DISPOSAL FRANCHISE AGREEMENT WITH SOUTH COUNTY SANITARY SERVICE (CONTINUED)

When asked about recyclable materials, Mr. Martin stated that #6 styrofoam, waxed cardboard boxes, or wax paper cannot be recycled at their facility. #6 clear plastic, pizza boxes and other cardboard can be recycled. Check the Pacific Bell Yellow Pages for complete information on recycling. Also, there is information on the blue bin. Handouts will be made available to the District for the October Festival.

Director Eby stated that the customers need to be informed that the District is saving them money. Mr. Buel state that information will be in the next newsletter.

Upon motion by Director Harrison and seconded by Director Trotter, the Board unanimously agreed to authorize the President to execute the agreement with South County Sanitary Service. There was no public comment.

Vote 4-0, with Director Vierheilg absent.

YES VOTES	NO VOTES	ABSENT
Directors Harrison, Trotter, Eby, and Winn	None	Director Vierheilg

00:18:30

E-6) DISCUSS NEGATIVE FUND BALANCE IN BLACKLAKE SEWER FUND AND AUTHORIZE DEVELOPMENT OF INTERFUND LOAN PROCESS

Bruce Buel, General Manager, described the situation with the Blacklake Sewer Fund from July 2007 through June 2008. As detailed on the printout provided in the Board letter, the fund balance became negative in September 2007 and it has been negative ever since. NCSD covered this deficit with funds from the Blacklake Water Fund, but the Blacklake Water Fund was deprived of the interest that it could otherwise have earned had the funds been available. The lost interest totaled \$4,162 assuming that the funds were deposited in LAIF. The Blacklake Sewer Fund will experience negative fund balances until the next rate increase reverses the trend. The soonest that a Blacklake Sewer Fund rate increase could become effective would be January 1, 2009, and this assumes that there is no majority protest. Board discussion ensued.

The following member of the public spoke:

Bill Nelson, NCSD resident, stated his understanding that the interest is lost to the Blacklake Water Fund before the Reed report goes into effect. This is money that would have accrued in the water fund if the sewer fund had not taken the money away.

Upon motion by Director Eby and seconded by Director Harrison, the Board unanimously agreed to authorize staff to prepare a resolution and to develop a protocol for tracking the accumulated simple compounded interest. Vote 4-0, with Director Vierheilg absent.

YES VOTES	NO VOTES	ABSENT
Directors Harrison, Trotter, Eby, and Winn	None	Director Vierheilg

00:34:50

E-7) LIMIT PRODUCTION OF BLACKLAKE WELLS #3 AND #4 TO CORRESPOND TO BLACKLAKE WATER DIVISION DEMANDS

Bruce Buel, General Manager, explained that there were allegations that the Town Water System was importing water from the Blacklake Water Division. Prior to October 2006, the Blacklake system had a hydro-pneumatic system and was designed to only permit water to be transferred from the Town Division into the Blacklake Division, when it was needed for peaking. Blacklake Wells #3 and #4 produced 624.44 acre feet of water from October 2006 to June 2008; whereas Blacklake consumption was 688.53 acre feet.

**Nipomo Community Services District**  
**REGULAR MEETING**  
**Minutes**

E-7) LIMIT PRODUCTION OF BLACKLAKE WELLS #3 AND #4 TO CORRESPOND TO BLACKLAKE WATER DIVISION DEMANDS (CONTINUED)

The Town Division actually contributed 64.09 acre feet of water to the Blacklake Division, during this period of time. In other words, the Blacklake Division did not export water to the Town Division. Some customers claim that Blacklake owns 29% of the Sundale Well. The developers paid 29% of the development cost of the Sundale Well in exchange for the District providing up to 200 gallons per minute flow in peaking circumstances. Blacklake has not participated in the costs of maintaining Sundale Well.

Jon Seitz, District Legal Counsel, stated that this is a Title 22 pressure issue. Also, Blacklake did not contribute to the purchase of the Sundale Well property.

The Board directed staff to report water use at six month intervals, rather than monthly.

The following member of the public spoke:

Bill Nelson, NCS D resident, stated his understanding that back when Sundale Well was constructed, there was a 4" intertie constructed that could only put water into the tank at Blacklake. The water in the tank was then put through the hydro-pneumatic system because there was not always enough water in the tank to meet some fire flow requirements. After the second intertie was put in, Wells 3 & 4 pump into the tank and pump into the Town system.

Director Winn stated if the merger should be rejected, the piping arrangement would need to be restored to its 1999 configuration.

00:51:35

F. MANAGER'S REPORT

Bruce Buel, General Manager, added some information to the report in the Board packet. The County will probably hold a series of workshops concerning the Willow Road funding. The County would probably present information to the NCS D Board, if our Board chooses. On the County's Consent Calendar, retrofit requirements were approved. Capacity charge hearing has been set for September 10. Blacklake sewer financial plan will be discussed at the next Board meeting. The District newsletter was sent out to customers.

Director Eby asked about funding for the Willow Road Extension. What happens if the County cannot get the funding? He stated that Supervisor Achadjian suggested that funds are probably available to take the extension from Willow Road up to the freeway, and build a new frontage road up to Los Berros Rd. How would that affect the work the District is doing on Willow Road? Mr. Buel said it would not affect it whatsoever. The District's concept is to take the waterline in Willow, send it to the freeway, then south along Frontage to Sandydale, under the freeway at Sandydale, and up Melschau to Foothill Rd. The District would not be affected whether or not the County builds the interchange.

00:56:09

G. COMMITTEE REPORT

1. 8/8/08 Finance and Audit Committee Meeting
2. 8/11/08 Supplemental Water Project Committee Meeting

Bruce Buel, General Manager, presented the minutes to the two meetings listed above. The Supplemental Water Design Committee will meet September 8, 2008. The Ad Hoc Blacklake Sewer Committee will probably meet next week. Director Winn stated that the Conservation Committee meeting will be announced soon.

Nipomo Community Services District  
REGULAR MEETING  
Minutes

00:57:03

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby

Groundwater storage readings – when will the District receive the next report?  
Mr. Buel stated it probably would be in January 2009, or late December, 2008.

Director Trotter

He asked if the District would consider purchasing fax machines as a loan to those directors who do not have one.

Director Winn

Water Resources Advisory Committee will be meeting Wednesday, Sept 3, 2008  
First meeting of the California Special District Association next month.

ADJOURN

President Winn adjourned the meeting at 2:43 p.m.

- **THE NEXT REGULAR BOARD MEETING IS SEPT. 10, 2008.**  
**TENTATIVELY SCHEDULED ITEMS INCLUDE:**
- Revisions to Town Capacity Charges
  - Set Blacklake Sewer User Fee Increase Protest Hearing
  - Comment on County Water Fixture Retrofit Proposals