

- D. CONSENT AGENDA (continued)
 - D-4) APPROVE JOB DESCRIPTION AND SALARY RANGE FOR MAINTENANCE WORKER
[RECOMMEND APPROVAL]
 - D-5) DECLARE OLD UTILITY DEPARTMENT DUMP TRUCK SURPLUS AND AUTHORIZE
SALE [RECOMMEND APPROVAL]
 - D-6) AUTHORIZE EMPLOYMENT OF SUMMER INTERNS FOR UTILITY SYSTEM WORK
[RECOMMEND APPROVAL]
 - D-7) ADOPT RESOLUTION AUTHORIZING CREATION OF ADDITIONAL BANK ACCOUNT AT
MID STATE BANK FOR INVESTMENT OF REMAINING PROCEEDS FROM 2003
CERTIFICATES OF PARTICIPATION EFFECTIVE JULY 3, 2006
[RECOMMEND APPROVAL]

- E. ADMINISTRATIVE ITEMS
(THE FOLLOWING MAY BE DISCUSSED AND ACTION MAY BE TAKEN BY THE BOARD.)
 - E-1) PUBLIC HEARING AND ADOPTION OF FY 06-07 NCSD BUDGET
[RECOMMEND APPROVAL]
 - 1. RESOLUTION ADOPTING FY 06-07 BUDGET,
 - 2. RESOLUTION DETERMINING APPROPRIATIONS LIMITATION
 - E-2) BLACKLAKE STREET LIGHTING ANNUAL ASSESSMENT PUBLIC HEARING
[RECOMMEND APPROVAL]
 - E-3) STREET LANDSCAPE MAINTENANCE DISTRICT PUBLIC HEARING
[RECOMMEND APPROVAL]
 - E-4) CONSIDER AUTHORIZING EXECUTION OF AGREEMENT WITH BOYLE ENGINEERING
TO PERFORM PRE-DESIGN SERVICES FOR WATERLINE INTERTIE PROJECT
[RECOMMEND APPROVAL]
 - E-5) CONSIDER APPROVING SOUTHLAND WASTEWATER TREATMENT FACILITY ACTION
PLAN AND AUTHORIZE SUBMITTAL OF PLAN TO REGIONAL WATER QUALITY
CONTROL BOARD [RECOMMEND APPROVAL]
 - E-6) CONSIDER RECOMMENDATION FOR RALPH ANDERSEN & ASSOCIATES TO REVISE
POTENTIAL SALARY RANGE FOR GENERAL MANAGER POSITION
[RECOMMEND APPROVAL]

- G. MANAGER'S REPORT
- H. COMMITTEE REPORTS
- I. DIRECTOR'S COMMENTS

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

J. CLOSED SESSION ANNOUNCEMENTS

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
3. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9
CITIZENS AGAINST NON-NOTIFICATION (CANN) VS. NCSD, CASE NO.
CV 051002
4. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GOVT. CODE
§54956.9 – COASTKEEPER V. NCSD CV060349.
5. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GOVT. CODE
§54956.9 – JESSE HILL (IN PRO PER) V. NCSD CV 060325 AND RELATED
LIABILITY CLAIM PURSUANT TO GOVT. CODE §54961.

K. PUBLIC COMMENT ON CLOSED SESSION ITEMS

L. ADJOURN TO CLOSED SESSION

M. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN

➤ **THE NEXT REGULAR BOARD MEETING IS JUNE 28, 2006.**

TENTATIVELY SCHEDULED ITEMS INCLUDE:

- * **WATER CONSERVATION PROGRAM/POLICY**
- * **CONTRACTOR PROCUREMENT PROCESS**
- * **AUTHORIZE WATERLINE INTERTIE CONSTRUCTION MANAGEMENT RFP**
- * **APPOINT DIRECTORS TO AD HOC CITY OF SANTA MARIA NEGOTIATIONS COMMITTEE**

* A SPECIAL MEETING OF THE FULL BOARD IS SCHEDULED FROM 2 P.M. TO 5 P.M. ON JUNE 21, 2006, AT THE DISTRICT OFFICES, TO REVIEW THE WATER INTERTIE PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

TO: BOARD OF DIRECTORS
FROM: ED KREINS
DATE: JUNE 9, 2006



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 brackets.

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
MAY 24, 2006 REGULAR MEETING
- D-3) RECEIVE UPDATE ON STATE SANITARY SEWER OVERFLOW GENERAL WASTE
DISCHARGE REQUIREMENTS ADOPTED BY THE STATE WATER RESOURCES
CONTROL BOARD ON MAY 2, 2006 [RECEIVE AND ACCEPT REPORT]
- D-4) APPROVE JOB DESCRIPTION AND SALARY RANGE FOR MAINTENANCE WORKER
[RECOMMEND APPROVAL]
- D-5) DECLARE OLD UTILITY DEPARTMENT DUMP TRUCK SURPLUS AND AUTHORIZE
SALE [RECOMMEND APPROVAL]
- D-6) AUTHORIZE EMPLOYMENT OF SUMMER INTERNS FOR UTILITY SYSTEM WORK
[RECOMMEND APPROVAL]
- D-7) ADOPT RESOLUTION AUTHORIZING CREATION OF ADDITIONAL BANK ACCOUNT
AT MID STATE BANK FOR INVESTMENT OF REMAINING PROCEEDS FROM 2003
CERTIFICATES OF PARTICIPATION EFFECTIVE JULY 3, 2006
[RECOMMEND APPROVAL]

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2006\CONSENT 6-14-06.DOC

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JUNE 9, 2006**

**AGENDA ITEM
D-1
JUNE 14, 2006**

HAND WRITTEN CHECKS

18885	05-22-06	L VIERHEILIG	50.00
18886	05-22-06	M WINN	50.00
18887	05-26-06	S GERMAN	99.90
18888	05-26-06	HORNET FOUNDATION	51.20
18889	05-31-06	CWEA TRI COUNTIES	25.00

**TOTAL COMPUTER
CHECKS
\$ 233,100.84**

VOIDED CHECKS

NONE

COMPUTER GENERATED CHECKS

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
12145	06/02/06	EMP01	EMPLOYMENT DEVELOP DEPT	664.20	.00	664.20	A60530	STATE INCOME TAX
12146	06/02/06	MID01	MIDSTATE BANK-PR TAX DEP	2721.40	.00	2721.40	A60530	FEDERAL INCOME TAX
				425.56	.00	425.56	1A60530	FICA
				749.44	.00	749.44	2A60530	MEDICARE (FICA)
			Check Total.....:	3896.40	.00	3896.40		
12147	06/02/06	MID02	MIDSTATE BANK - DIRECT DP	22090.98	.00	22090.98	A60530	NET PAY DEDUCTION
12148	06/02/06	PER01	PERS RETIREMENT	6454.84	.00	6454.84	A60530	PERS PAYROLL REMITTANCE
12149	06/02/06	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A60530	WAGE ASSIGNMENT
12150	06/02/06	STA01	STATE STREET GLOBAL	1230.00	.00	1230.00	A60530	457 DEFERRED COMP
012151	06/06/06	ADV01	ADVANTAGE ANSWERING PLUS	92.95	.00	92.95	76793	ANSWERING SERVICE
012152	06/06/06	AME02	AMERICAN INDUSTRIAL SUPPL	165.81	.00	165.81	159898	SUPPLIES
012153	06/06/06	AME03	AMERI PRIDE	64.74	.00	64.74	F683365	UNIFORMS ETC
				57.49	.00	57.49	F689307	UNIFORMS ETC
			Check Total.....:	122.23	.00	122.23		
012154	06/06/06	AQU01	AQUA-METRIC SALES CO.	1281.47	.00	1281.47	13128	METERS
012155	06/06/06	BUE01	BUEL, BRUCE	20.00	.00	20.00	052306	CONFERENCE
				37.82	.00	37.82	053106	MILEAGE
			Check Total.....:	57.82	.00	57.82		
012156	06/06/06	CEN06	CENTRAL COAST ELECTRIC	416.29	.00	416.29	1150	TOWN WWTP AERATOR MOTOR M
012157	06/06/06	COR01	CORBIN WILLITS SYSTEMS	702.70	.00	702.70	A605151	COMPUTER PROGRAM MAINT
012158	06/06/06	CRE01	CREEK ENVIRONMENTAL LABS	24.00	.00	24.00	N2718	BL WWTP LAB
				24.00	.00	24.00	N2747	BL WWTP LAB
				24.00	.00	24.00	N2774	BL WWTP LAB
				24.00	.00	24.00	N2794	BL WWTP LAB
				80.00	.00	80.00	N2795	TOWN WATER SYSTEM SAMPLES
				24.00	.00	24.00	N2836	BL WWTP LAB
				24.00	.00	24.00	N2869	BL WWTP LAB
				24.00	.00	24.00	N2918	BL WWTP LAB
				24.00	.00	24.00	N2942	BL WWTP LAB
				120.00	.00	120.00	N2945	LAB
				24.00	.00	24.00	N2968	BL WWTP LAB
				20.00	.00	20.00	N2969	LAB NEW MAIN EASY ST
				24.00	.00	24.00	N3007	BL WWTP LAB
				24.00	.00	24.00	N3022	BL WWTP LAB
			Check Total.....:	484.00	.00	484.00		
012159	06/06/06	CUE01	CUESTA EQUIPMENT	22.50	.00	22.50	158800	SUPPLIES
012160	06/06/06	CUL02	CULLIGAN WATER CONDITION	27.46	.00	27.46	053106	DELIVERY
012161	06/06/06	DEW01	J B DEWAR INC	206.19	.00	206.19	359205	OIL FOR WELLS
012162	06/06/06	DGJ01	DG JOHNSON CONSTRUCTION	1744.33	.00	1744.33	1097	REPAIR LEAK DIVISION & FR
012163	06/06/06	ENV01	ENVIRONMENTAL EQUIP ENG	9272.00	.00	9272.00	3537	FLOATING AERATORS
012164	06/06/06	ENV03	ENVIRONMENTAL SEED PROD	420.23	.00	420.23	35586	SEED PACKETS FOR BOOTH GI
012165	06/06/06	FAR01	FARM SUPPLY COMPANY	179.50	.00	179.50	2028	SUPPLIES
012166	06/06/06	FED01	FED EX	23.04	.00	23.04	01861924	DELIVERY

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JUNE 9, 2006**

**AGENDA ITEM
D-1
JUNE 14, 2006
PAGE TWO**

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information				
							Invoice #	Description			
012167	06/06/06	FGL01	FGL ENVIRONMENTAL	176.00	.00	176.00	604555A	TOWN WWTP LAB			
				52.00	.00	52.00	604556A	BL WWTP LAB			
				52.00	.00	52.00	604845A	BL WWTP LAB			
				176.00	.00	176.00	604846A	TOWN WWTP LAB			
				Check Total.....:			456.00	.00	456.00		
012168	06/06/06	GIL01	GLM, INC.	300.00	.00	300.00	052906A	LANDSCAPE MAINT OFFICE			
				100.00	.00	100.00	052906B	LANDSCAPE MAINT BL			
				Check Total.....:			400.00	.00	400.00		
012169	06/06/06	GOV01	GOVERNMENT FINANCE OFFICE	145.00	.00	145.00	25001-06	MEMBERSHIP RENEWAL			
012170	06/06/06	GRO01	GROENIGER & CO	211.82	.00	211.82	559024SM	OPERATING SUPPLIES			
				7496.13	.00	7496.13	559026SM	REPLACEMENT HYDRANTS			
				1258.20	.00	1258.20	559028SM	HYDRANT SUPPLIES			
				891.89	.00	891.89	559031SM	WATER SAMPLING STATIONS			
				403.47	.00	403.47	560581SM	HYDRANT SUPPLIES			
				195.37	.00	195.37	562717SM	CONDUIT PIPE			
				195.37	.00	195.37	563949SM	CONDUIT PIPE			
				14.94	.00	14.94	563950SM	SUPPLIES			
				4045.37	.00	4045.37	563951SM	SAMPLING STATIONS			
				Check Total.....:			14712.56	.00	14712.56		
				012171	06/06/06	GWA01	GWA INC	25.00	.00	25.00	60500618
012172	06/06/06	KOE01	KOEHLER PLUMBING, INC	75.00	.00	75.00	236	BACKFLOW TEST BL WATER			
012173	06/06/06	LAC01	LA CHEMICAL	377.29	.00	377.29	65204	CHLORINE			
				650.89	.00	650.89	65205	CHLORINE			
				Check Total.....:			1028.18	.00	1028.18		
012174	06/06/06	MUL01	MULLAHEY FORD	27543.83	.00	27543.83	69754	FORD F350			
012175	06/06/06	NEX01	NEXTEL COMMUNICATIONS	321.26	.00	321.26	809087314	CELL PHONES			
012176	06/06/06	NIP01	NIPOMO ACE HARDWARE INC	536.37	.00	536.37	572942+	SUPPLIES FOR MAINT			
012177	06/06/06	NIP06	NIPOMO AUTO PARTS	103.13	.00	103.13	121597	VEHICLE PARTS			
012178	06/06/06	NIP09	NIPOMO MARKET PLACE	2332.78	.00	2332.78	0235	GASOLINE			
012179	06/06/06	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	56560	PEST CONTROL			
				49.00	.00	49.00	56705	PEST CONTROL			
				Check Total.....:			314.00	.00	314.00		
012180	06/06/06	ONE01	1-800-CONFERENCE	60.24	.00	60.24	380273	PHONE CONFERENCE			
012181	06/06/06	PER05	PERFORMANCE METER, INC	235.95	.00	235.95	10826	HYDRANT LOCK			
012182	06/06/06	PRE01	PRECISION JANITORIAL	275.00	.00	275.00	150	JANITORIAL SERVICE			
012183	06/06/06	PUB02	PUBLIC SERVICE SKILLS, IN	500.00	.00	500.00	1557	INTERIM GM PLACEMENT			
012184	06/06/06	PWM01	PW MANN ELECTRIC INC	1809.36	.00	1809.36	6037	ELECTRICAL MAINT FOR TOWN			
				1873.21	.00	1873.21	6038	ELECTRICAL MAINT FOR TOWN			
				1808.77	.00	1808.77	6039	TOWN WWTP MAINT			
				3072.27	.00	3072.27	6040	TOWN WWTP MAINT			
				Check Total.....:			8563.61	.00	8563.61		
012185	06/06/06	QUI03	QUINN RENTAL SERVICES	585.10	.00	585.10	2072278+	OPERATING SUPPLIES			
012186	06/06/06	SAN11	SAN LUIS PAPER CO.	70.64	.00	70.64	487698	CLEANING SUPPLIES			
012187	06/06/06	SOF01	SOFTWARE SOLUTIONS TEAM	1955.00	.00	1955.00	06-4327	DATABASE DEVELOPMENT/INTE			
012188	06/06/06	SOU01	SOUTH COUNTY SANITARY	35.28	.00	35.28	1445065	TRASH COLLECTION			
012188	06/06/06	SOU01	SOUTH COUNTY SANITARY	164.50	.00	164.50	1449056	TRASH COLLECTION			
				Check Total.....:			199.78	.00	199.78		
012189	06/06/06	STA09	STANDARD INSURANCE	880.32	.00	880.32	060106	INSURANCE			
012190	06/06/06	THE01	THE GAS COMPANY	66.91	.00	66.91	051906	HEAT FOR OFFICE 06235160			
				783.01	.00	783.01	052406	SOUTHLAND GAS ENGINE 1109			
				Check Total.....:			849.92	.00	849.92		
012191	06/06/06	TRI03	THE TRIBUNE	38.88	.00	38.88	6383497	BL STREETLIGHTING PUBLIC			
012192	06/06/06	UND01	UNDERGROUND SERVICE ALERT	154.50	.00	154.50	60050034	UNDERGROUND NOTIFICATION			
012193	06/06/06	VAL01	VALLEY SEPTIC SERVICE	109.30	.00	109.30	296443169	JETTING			

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JUNE 9, 2006**

**AGENDA ITEM
D-1
JUNE 14, 2006
PAGE THREE**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
012194	06/06/06	VER01	VERIZON	29.66 29.50	.00 .00	29.66 29.50	051906A 051906B	BL PHONE 3432397 BL PHONE 3436061
			Check Total.....:	59.16	.00	59.16		
012195	06/06/06	XER01	XEROX CORPORATION	82.68	.00	82.68	17666017	COPIER MAINT
012196	06/06/06	\D003	DOCKERY, TARYN	.99	.00	.99	000A60601	MQ CUSTOMER REFUND
012197	06/06/06	\H003	MUND, TRACY	102.59	.00	102.59	000A60601	MQ CUSTOMER REFUND
012198	06/06/06	\H006	HORVATH-EVERT, SUSANNE	87.03	.00	87.03	000A60601	MQ CUSTOMER REFUND
012199	06/06/06	\N010	GREG NESTER CONSTRUCTION,	365.00	.00	365.00	000A60601	MQ CUSTOMER REFUND
012200	06/06/06	\O001	OSMOND, LUCIA	95.00	.00	95.00	000A60601	MQ CUSTOMER REFUND
012201	06/06/06	\S004	SORENSEN, KURT	129.57	.00	129.57	000A60601	MQ CUSTOMER REFUND
012202	06/14/06	AME03	AMERI PRIDE	64.74	.00	64.74	F695196	UNIFORMS ETC
012203	06/14/06	BAN01	THE BANK OF NEW YORK	2480.40	.00	2480.40	0978322	CERT OF PARTICIPATION PIP
012204	06/14/06	BOY01	BOYLE ENGINEERING CORP	5856.84 385.56 810.00 607.50 135.00 2071.30 10405.80	.00 .00 .00 .00 .00 .00 .00	5856.84 385.56 810.00 607.50 135.00 2071.30 10405.80	032971 032972 032973 032974 032975 033015 033016	BL BOOSTER STN UPGRADE CO 04 0186 PCI CO 04 0342 PCI TR 2690 PCI CHESTNUT VILLAS TR 2688 P STANDARD SPECS SOUTHLAND WWTF UPGRADE ST
			Check Total.....:	20272.00	.00	20272.00		
012205	06/14/06	CAL08	CALIFORNIA RURAL WATER A	22.50	.00	22.50	071106	WATER TRAINING SEMINAR
012206	06/14/06	CAN01	CA-NV SECTION AWWA	25.00	.00	25.00	09411-06	WATER DIST RENEWAL - MOTL
012207	06/14/06	CSD02	CALIFORNIA SPECIALTY DIST	284.83	.00	284.83	137648	SUPPLIES
012208	06/14/06	DUN01	DUNBAR, MADONNA	134.84 205.59	.00 .00	134.84 205.59	060706A 060706B	MILEAGE REIMB FOR SUPPLIES
			Check Total.....:	340.43	.00	340.43		
012209	06/14/06	EBY01	EBY, ED	100.00	.00	100.00	061406	REG BD MEETING 061406
012210	06/14/06	FAR02	FAR WEST EXPRESS	39.25	.00	39.25	E69546	DELIVERY
012211	06/14/06	FGL01	FGL ENVIRONMENTAL	176.00 52.00	.00 .00	176.00 52.00	605073A 605075A	TOWN WWTP LAB BL WWTP LAB
			Check Total.....:	228.00	.00	228.00		
012212	06/14/06	GAR01	GARING TAYLOR & ASSOC	951.56 262.50	.00 .00	951.56 262.50	6282 6283	PCI MARIA VISTA SOUTHLAND WWTP EXP
			Check Total.....:	1214.06	.00	1214.06		
012213	06/14/06	GMA01	GMAC COMMERCIAL MORTGAGE	11650.00	.00	11650.00	052206	EUREKA DEBT SERVICE 01-02
012214	06/14/06	IND01	INDUSTRIAL MEDICAL GROUP	70.00	.00	70.00	KREED000	DRUG SCREEN
012215	06/14/06	PAC01	SBC/MCI	1.27 36.60 145.96 114.18	.00 .00 .00 .00	1.27 36.60 145.96 114.18	T5015944 T5089355 T5089357 T5089358	PHONE PHONE 9290161 PHONE 9291133 PHONE 9291341
			Check Total.....:	298.01	.00	298.01		
012216	06/14/06	PGE01	P G & E	27203.45	.00	27203.45	053006	ELECTRICITY 4449664603-3
012217	06/14/06	RIC01	RICHARDS, WATSON, GERSHON	19094.20	.00	19094.20	146071	WATER RIGHTS ADJUDICATION
012218	06/14/06	SAN09	SAN LUIS MAILING SERVICE	33.84 166.14	.00 .00	33.84 166.14	30457A 30457B	MAILING SECOND NOTICES POSTAGE FOR BILLS
			Check Total.....:	199.98	.00	199.98		
012219	06/14/06	SHI01	SHIPSEY & SEITZ, INC	14584.30	.00	14584.30	051506	LEGAL FEES
012220	06/14/06	THE01	THE GAS COMPANY	9019.58	.00	9019.58	053106	GAS ENGINE SUNDALE
012221	06/14/06	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	061406	REG BD MEETING 061406
012222	06/14/06	TRO02	CLIFF TROTTER	59.79	.00	59.79	053006	REIMB FOR SUPPLIES
012223	06/14/06	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	061406	REG BD MEETING 061406
012224	06/14/06	WIN01	WINN, MICHAEL	100.00	.00	100.00	061406	REG BD MEETING 061406
012225	06/14/06	WIR02	WIRSING, JUDY	100.00	.00	100.00	061406	REG BD MEETING 061406
012226	06/14/06	WOO01	DOUGLAS WOOD & ASSOCIATES	10676.01	.00	10676.01	15	DRAFT EIR FOR WATERLINE I

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 41 - Years of Service 1965 - 2006

MINUTES

MAY 24, 2006 9:00 A. M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

LARRY VIERHEILIG, **PRESIDENT**
MICHAEL WINN, **VICE PRESIDENT**
JUDITH WIRSING, **DIRECTOR**
CLIFFORD TROTTER, **DIRECTOR**
ED EBY, **DIRECTOR**

PRINCIPAL STAFF

EDWARD KREINS, **INTERIM GEN. MANAGER**
LISA BOGNUDA, **ASSIST. ADMINISTRATOR**
DONNA JOHNSON, **BOARD SECRETARY**
JON SEITZ, **GENERAL COUNSEL**
BRUCE BUEL, **PROJECTS ASSISTANT**

Mission Statement: The Nipomo Community Services District's mission is to provide the citizens of the District with quality, innovative, and cost-effective services through responsive and responsible local government to meet the changing needs of the community.

- 00:00:00 A. CALL TO ORDER AND FLAG SALUTE
President Vierheilig called the meeting to order at 9:00 a.m. and led the flag salute.
- 00:00:33 B. ROLL CALL
At Roll Call, all Board members were present.
- 00:00:50 C. PUBLIC COMMENT PERIOD
PUBLIC COMMENT
President Vierheilig recognized audience members George Billinger and Bill Nelson from Blacklake Village, and Mark Wampler from Oceano with his video camera to record the meeting.
Judith Wirsing, NCS D customer and Director on NCS D Board of Directors – made a statement that she will not step down from this [NCS D] Board. She stated that she will fight and not stop her campaign for 4th District Supervisor. The newspaper that illegally released a sealed confidential document would not allow paid for rebuttal space. It seems they have influenced a rival paper to not allow her paid rebuttal to be printed again. She stated that she had been threatened by the newspaper that released the document. She stated that this is a travesty in democracy and freedom of speech in this country.
Mark Wampler, Oceano resident – stated that in Oceano meetings are held in the evening and perhaps Nipomo should consider holding their meetings in the evening.
Joy Evans, Nipomo resident – asked the Board to consider sending out ballots again about times to hold the NCS D Board meetings. She stated that she is behind Director Wirsing and does not wish to see Ms. Wirsing resign from the NCS D Board.
- 00:06:39 D. CONSENT AGENDA
Interim General Manager, Ed Kreins announced that there was one correction in D-5. The CO # should have been 04-0342 rather than 04-0345.
Director Wirsing asked to have Item D-4 pulled for separate consideration.
- D-1) WARRANTS
- D-2) BOARD MEETING MINUTES
Approve minutes of May 8, 2006, Special meeting.
Approve minutes of May 10, 2006, Regular meeting.
- D-3) CONSOLIDATION OF NOVEMBER ELECTION
RESOLUTION NO. 2006-979
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 CONSOLIDATE A GENERAL DISTRICT ELECTION TO BE HELD ON NOVEMBER 7, 2006, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTION CODE

MINUTES SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

D. CONSENT AGENDA (CONTINUED)

D-5) ACCEPT EASEMENT OFFER OF DEDICATION Newdoll Construction, CO 04-0342

RESOLUTION NO. 2006-980
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE SEWER EASEMENT FOR CO-04-0342 (Story Street Estates)

Upon motion of Director Eby and seconded by Director Winn, the Board unanimously approved Items D-1, D-2, D-3, and D-5, as amended in the Minutes. (Lt. Neumann rather than Lt. Commander Neumann, additional information about abandoned vehicles, and removal of future Board meeting items.) Vote 5-0.

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

00:11:20

D-4) STREET SWEEPING BID AWARD

Bruce Buel, Projects Manager reviewed the bids received from two bidders for periodic sweeping of paved streets inside the District. The Board discussed the issues. The County is not willing to give the level of street sweeping that is proposed by this bid. Mr. Buel explained that the proposed contract allows for minor changes in the locations of the sweeping. It might be possible to use the solid waste funds for weed abatement. The District does not presently have authority for weed abatement but may be able to obtain it from LAFCo. The Board directed staff to research the legal aspects of weed abatement.

The following members of the public spoke:

Mark Wampler, Oceano resident – asked about funds spent for the sweeping when some of the County taxes go for sweeping. ANS: The County will continue sweeping on their infrequent schedule and it is possible there may be an overlap of service.

The Board discussed that a portion of the county taxes might be allocated for sweeping. NCSD staff can investigate what portion is used for street sweeping.

Joy Evans, Nipomo resident – stated that she would like to know if a portion of our taxes covers sweeping because if NCSD spends less money on street sweeping, there may be a way to lower the trash bill.

Upon motion of Director Winn and seconded by Director Trotter, the Board unanimously agreed to instruct staff to execute a contract with SP Maintenance Services, the lowest bidder. Vote 5-0

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

E. ADMINISTRATIVE ITEMS

00:35:33

E-1) RECEIVE WATERLINE INTERTIE PROJECT DRAFT EIR

Bruce Buel, Projects Manager, reviewed the receipt of the Draft EIR for the NCSD/Santa Maria Waterline Intertie Project (supplemental water).

Douglas Wood of Douglas Wood Associates discussed the review process.

There was no public comment.

Director Winn made a motion to accept the receipt of the EIR document and to work with the President, staff, and Mr. Wood to set up a time for a public workshop. Director Eby seconded the motion. Vote 5-0.

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

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

00:51:29

E-2) WATERLINE INTERTIE PROJECT DESIGN CONSULTANT SELECTION
 Bruce Buel, Projects Manager, reviewed the process of selecting an engineering firm to design NCSD/Santa Maria Waterline Intertie Project (supplemental water).
Mark Wampler, Oceano resident – asked if the proposed waterline will be used for only Santa Maria water supply or is there an agreement for it to be used for other water supplies.
Bruce Buel, Projects Manager answered that the pipeline will be NCSD's and can use it as the District sees fit. This District would assure the City of Santa Maria that any other source of water, such as water added from a desalination plant, would not interrupt the flow dynamics of the water in the City's system.
 Upon motion of Director Eby and seconded by Director Trotter, the Board unanimously agreed to select Boyle Engineering to design the Waterline Intertie Project and direct staff to negotiate a scope of services and budget for the pre-design services described above for consideration by the Board at its June 14, 2006 Meeting. Vote 5-0.

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

The Board took a break at 10:02 a.m. and reconvened at 10:15 a.m.

01:02:06

E-3) AMEND DISTRICT ANNEXATION POLICY
Jon Seitz, District Legal Counsel, reviewed the staff report considering revisions to District's Annexation Policy, as directed at the Special Meeting of May 8, 2006, related to supplemental water and other requirements. He explained that the annexation process is a multi-agency process. The District does not annex property. The Local Agency Formation Commission (LAFCo) is actually are the lead agency and the conducting authority. Annexation is a complex two-step process. LAFCo sets up a Sphere of Influence (SOI). Every LAFCo annexation requires an environmental review. The District's SOI was approved by LAFCo in May 2004. If property is within the District's SOI and the property owners have fulfilled all the requirements, it is annexed into the District and able to receive all the benefits and responsibilities of other land within the District. LAFCo established certain conditions before annexations could occur. He also reviewed a letter from Dennis Law of Buttery Law Offices concerning the Craig Annexation.
 The following members of the public spoke:
Carl Holloway, Nipomo resident – asked if the changes in the annexation policy would affect their previous annexation agreement.
Jesse Hill, attorney for the Holloway's – spoke about the previous Holloway agreement and the SAIC report from Mr. Beeby concerning sufficient water to serve properties.
Carol Florence, representative for the Craig Family Trust and principal planner for Oasis Associates - thanked Mr. Seitz for introducing the letter from Mr. Law. This is a fairness issue. She asked that if the annexation policy is amended that the Craig Annexation be exempt from the new policy.
 There was much Board discussion with the understanding that annexations previously approved would be exempted.
 Upon motion of Director Eby and seconded by Director Winn, the Board unanimously approved Resolution 2006-981, as amended. Vote 5-0

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

Nipomo Community Services District
REGULAR MEETING
MINUTES

E-3) AMEND DISTRICT ANNEXATION POLICY (continued)

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2006-981
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING AND RESTATING THE DISTRICT'S ANNEXATION POLICY

02:27:52

E-4) RECEIVE WATERLINE INTERTIE PROJECT FUNDING RECOMMENDATIONS FROM SUPPLEMENTAL WATER PROJECT COMMITTEE

Bruce Buel, Projects Manager, reviewed the recommendations from the Supplemental Water Project Committee (Chairman Eby and member Winn) regarding funding options to construct project and revenue sources to pay project debt service and operations costs. Board discussion ensued.

Upon motion of Director Eby and seconded by Director Winn, the Board unanimously agreed to adopt the recommendations proposed as follows: Vote 5-0

FUNDING OPTIONS:

- Set the Initial Project capital target at \$10 million with the understanding that the target will be adjusted as more information becomes available.
- Dedicate the pipeline portion of already collected Capacity Fees and the pipeline portion of new Capacity Fees, Capacity Fees collected as a result of annexations, and any in-lieu Fees passed through by San Luis Obispo (SLO) County through Mid Point of Construction (estimated to be December 2007) to the project.
- Track pending Proposition 50 Grant Applications and pursue additional grant opportunities as they become available.
- Authorize the creation and submission of a Pre-Application to borrow \$2 million from the California Infrastructure and Economic Development Bank (CIEDB) following Board adoption of the FY05-06 Audit and Direct staff to report on the results.
- Direct staff to expedite negotiations with the Woodlands, Golden State Water Company and Rural Water Company to determine the feasibility of each purveyor paying their respective share of the pipeline capital cost during construction.
- Continue discussions with potential third party contributors to determine their willingness to pre-pay the pipeline portion of Capacity Fees.
- Wait to make determinations on the use of Property Tax Reserves and the issuance of COPs until more information is available.

REVENUE SOURCES TO REPAY DEBT SERVICE STRATEGY:

- Agree to prepare an update to the 2005 Rate Study for the Pipeline portion of the capacity fee once the design team provides a revised capital cost estimate.
- Dedicate the pipeline portion of Capacity Fees, Capacity Fees collected as a result of annexations, and any in-lieu Fees passed through by SLO County collected after Mid Point of Construction (estimated to be December 2007) to the project debt service.
- Wait to make determinations on the use of purveyor contributions, property taxes, and user fees until more information is available.

REVENUE SOURCES TO PAY FOR WATER PURCHASES AND OPERATIONS COST STRATEGY:

- Dedicate the water purchase portion of Capacity Fees, Capacity Fees collected as a result of annexations, and any in-lieu Fees passed through by SLO County to the costs of purchasing water.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

E-4) RECEIVE WATERLINE INTERTIE PROJECT FUNDING RECOMMENDATIONS FROM SUPPLEMENTAL WATER PROJECT COMMITTEE (continued)

- Expedite negotiations with purveyors to detail the respective obligations of each purveyor to pay for the costs of purchasing water and to pay for operations costs.
- Wait to make determinations on the use of property taxes and user fees to pay for the costs of purchasing water and to pay for operations costs until more information is available.

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

02:43:08

At 11:55 a.m. Jon Seitz, District Legal Counsel, announced the following items to be discussed in Closed Session.

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9 SMWCD 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
3. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GOVT. CODE §54956.9 – JESSE HILL (IN PRO PER) V. NCSD CV 060325 AND RELATED LIABILITY CLAIM PURSUANT TO GOVT. CODE §54961.
4. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GOVT. CODE §54956.9 - NCSD V. SO. CALIFORNIA GAS CO. ET AL. LC066128

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

02:43:50

K. ADJOURN TO CLOSED SESSION

The Board adjourned for Closed Session.

02:43:50

M. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 12:50 p.m.

Jon Seitz, District Legal Counsel, announced that the Board heard an update from legal counsel on the Closed Session items. There was no reportable action.

02:45:34

E. ADMINISTRATIVE ITEMS (continued)

E-5) NOMINATE DIRECTOR FOR ALTERNATE TO LAFCO SPECIAL DISTRICT SEAT

There was no public left in the audience.

The Board discussed the election of an alternate Special District member. Director Wirsing nominated Director Eby. The Board unanimously agreed. The form will be completed and forwarded to LAFCo.

Nipomo Community Services District
REGULAR MEETING
MINUTES

02:52:20 E-6) RELOCATION EXPENSES AND HOUSING INCENTIVES FOR GENERAL MANAGER CANDIDATES

The Board discussed the report from the Personnel Committee (Directors Wirsing and Vierheilig) on relocation expenses and housing incentives for recruiting new General Manager. There was no public comment. There was no action.


03:00:50 F. MANAGER'S REPORT
Ed Kreins, Interim General Manager, reviewed his report to the Board.
Bruce Buel, Projects Manager, reviewed his report to the Board.

03:05:20 G. COMMITTEE REPORTS
G-1) Receive Draft Minutes from May 10, 2006 Supplemental Water Committee Meeting
G-2) Receive General Manager recruitment brochure.
The Board discussed changes for the brochure. Director Trotter would like to have the recruitment brochure discuss maintenance of District facilities as part of the operation and preventative maintenance program.

The Conservation Sub-Committee (Directors Winn and Vierheilig) met with Ms. Madonna Dunbar. They are pleased with the work being done and the projects planned.

03:11:20 H. DIRECTOR'S COMMENTS
Director Eby stated that negotiations with the City Santa Maria on the Memorandum of Understanding for the next step of the waterline project needs to be started soon. The SLO County Board of Supervisors adopted the Planning Area Standards at the May 23rd meeting. He would like to have a future agenda item to consider changing the meeting time.
Director Winn – stated that the SCAC meeting held Monday, May 22, 2006, chaired by Director Eby, was run well.
May 24, 2006, 4:00 p.m. - Ribbon cutting for the Dorthea Lange School.
May 31, 2006, 1:30 p.m. – WRAC meeting
May 31, 2006, 12:00 – 1:00 p.m. Chamber of Commerce meeting in the Blacklake Community Room

03:22:29 ADJOURN
President Vierheilig adjourned the meeting at 1:29 p.m.

TO: BOARD OF DIRECTORS
FROM: MADONNA DUNBAR
EDWARD KREINS 
DATE: June 7, 2006

AGENDA ITEM
D-3
JUNE 14, 2006

**STATE WATER RESOURCES CONTROL BOARD: ADOPTION OF STATEWIDE
GENERAL DISCHARGE REQUIREMENTS ON MAY 2, 2006 FOR WASTEWATER
COLLECTION SYSTEMS.**

ITEM

Regarding the adoption of statewide regulations for the reduction of Sanitary Sewer Overflows by the State Water Resources Control Board:

BACKGROUND

The State Water Resources Control Board (State Water Board) adopted a Statewide General Waste Discharge Requirement (WDR) for Wastewater Collection System Agencies on May 2, 2006. The State Water Board has, over the past 14 months, worked with a diverse group of stakeholders to develop a regulatory mechanism to provide a consistent statewide approach for reducing Sanitary Sewer Overflows (SSOs). The WDR requires the District to develop of system specific Sewer System Management Plan(s) consisting of provisions for proper and efficient management, operation and maintenance of the sanitary sewer systems, as well as a spill response plan. In addition, regular system reports by District staff will be required through the Monitoring and Reporting Program (MRP).

STAFF ACTIONS

- Formation of a SSO committee (Madonna Dunbar, Chair; Bruce Buel, Dan Migliazzo) to track these regulations and develop an implementation package for required actions and reporting protocol.

RECOMMENDATIONS

No action by the board recommended at this time.

ATTACHMENTS:

- 1) State Water Resources Control Board Monitoring and Reporting Program No.2006-0003 Statewide Waste Discharge requirements for Sanitary Sewer Systems (dated 5/2/06) (20 pages)
- 2) State Water Resources Control Board Monitoring and Reporting Program No.2006-0003 Statewide Waste Discharge requirements for Sanitary Sewer Systems (5 pages)
- 3) WDR Tentative Implementation Schedule

Waste Discharge Requirements (WDR) Schedule

Tentative as of June 1, 2006 / Baseline Date: May 2, 2006 – WDR Adoption

Deadline:	Action:
July 11, 2006	Staff sub-committee meeting to discuss application
Sept. 13, 2006	BOD agenda: representative designation
October 2, 2006	Application for Permit Coverage <i>Section C</i> Collection System Questionnaire
November 2, 2006	Final Filing date: Application for Permit Coverage and Collection System Questionnaire <i>Section C</i> Reporting Program start date <i>Section G</i>
May 2, 2007	SSMP Development Plan and Schedule Goals and Organizational Structure <i>Section D 13 (i) & (ii)</i>
November 2, 2008	Overflow Emergency Response Program <i>Section D 13 (vi)</i> Legal Authority <i>Section D 13 (iii)</i> Operation and Maintenance Program <i>Section D 13 (iv)</i> Grease Control Program / <i>Section D 13 (vii)</i>
August 2, 2009	Design and Performance / <i>Section D 13 (v)</i> System Evaluation and Capacity Assurance Plan <i>Section D 13 (vii)</i> Final SSMP, incorporating all SSMP requirements
Annual reporting: (anniversary of application)	Collection System Questionnaire
(Aug 2, 2014) 5 year annual	SSMP update every 5 years

STATE WATER RESOURCES CONTROL BOARD

MONITORING AND REPORTING PROGRAM NO. 2006-0003 STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

This Monitoring and Reporting Program (MRP) establishes monitoring, record keeping, reporting and public notification requirements for Order No. 2006-2003, "Statewide General Waste Discharge Requirements for Sanitary Sewer Systems." Revisions to this MRP may be made at any time by the Executive Director, and may include a reduction or increase in the monitoring and reporting.

A. SANITARY SEWER OVERFLOW REPORTING

SSO Categories

1. Category 1 - All discharges of sewage resulting from a failure in the Enrollee's sanitary sewer system that:
 - A. Equal or exceed 1000 gallons, or
 - B. Result in a discharge to a drainage channel and/or surface water; or
 - C. Discharge to a storm drainpipe that was not fully captured and returned to the sanitary sewer system.
2. Category 2 – All other discharges of sewage resulting from a failure in the Enrollee's sanitary sewer system.
3. Private Lateral Sewage Discharges – Sewage discharges that are caused by blockages or other problems within a privately owned lateral.

SSO Reporting Timeframes

4. Category 1 SSOs – All SSOs that meet the above criteria for Category 1 SSOs must be reported as soon as: (1) the Enrollee has knowledge of the discharge, (2) reporting is possible, and (3) reporting can be provided without substantially impeding cleanup or other emergency measures. Initial reporting of Category 1 SSOs must be reported to the Online SSO System as soon as possible but no later than 3 business days after the Enrollee is made aware of the SSO. Minimum information that must be contained in the 3-day report must include all information identified in section 9 below, except for item 9.K. A final certified report must be completed through the Online SSO System, within 15 calendar days of the conclusion of SSO response and remediation. Additional information may be added to the certified report, in the form of an attachment, at any time.

The above reporting requirements do not preclude other emergency notification requirements and timeframes mandated by other regulatory agencies (local

County Health Officers, local Director of Environmental Health, Regional Water Boards, or Office of Emergency Services (OES)) or State law.

5. Category 2 SSOs – All SSOs that meet the above criteria for Category 2 SSOs must be reported to the Online SSO Database within 30 days after the end of the calendar month in which the SSO occurs (e.g. all SSOs occurring in the month of January must be entered into the database by March 1st).
6. Private Lateral Sewage Discharges – All sewage discharges that meet the above criteria for Private Lateral sewage discharges may be reported to the Online SSO Database based upon the Enrollee's discretion. If a Private Lateral sewage discharge is recorded in the SSO Database, the Enrollee must identify the sewage discharge as occurring and caused by a private lateral, and a responsible party (other than the Enrollee) should be identified, if known.
7. If there are no SSOs during the calendar month, the Enrollee will provide, within 30 days after the end of each calendar month, a statement through the Online SSO Database certifying that there were no SSOs for the designated month.
8. In the event that the SSO Online Database is not available, the enrollee must fax all required information to the appropriate Regional Water Board office in accordance with the time schedules identified above. In such event, the Enrollee must also enter all required information into the Online SSO Database as soon as practical.

Mandatory Information to be Included in SSO Online Reporting

All Enrollees must obtain SSO Database accounts and receive a "Username" and "Password" by registering through the California Integrated Water Quality System (CIWQS). These accounts will allow controlled and secure entry into the SSO Database. Additionally, within thirty (30) days of receiving an account and prior to recording SSOs into the SSO Database, all Enrollees must complete the "Collection System Questionnaire", which collects pertinent information regarding an Enrollee's collection system. The "Collection System Questionnaire" must be updated at least every 12 months.

At a minimum, the following mandatory information must be included prior to finalizing and certifying an SSO report for each category of SSO:

9. Category 2 SSOs:
 - A. Location of SSO by entering GPS coordinates;
 - B. Applicable Regional Water Board, i.e. identify the region in which the SSO occurred;
 - C. County where SSO occurred;
 - D. Whether or not the SSO entered a drainage channel and/or surface water;
 - E. Whether or not the SSO was discharged to a storm drain pipe that was not fully captured and returned to the sanitary sewer system;

- F. Estimated SSO volume in gallons;
- G. SSO source (manhole, cleanout, etc.);
- H. SSO cause (mainline blockage, roots, etc.);
- I. Time of SSO notification or discovery;
- J. Estimated operator arrival time;
- K. SSO destination;
- L. Estimated SSO end time; and
- M. SSO Certification. Upon SSO Certification, the SSO Database will issue a Final SSO Identification (ID) Number.

10. Private Lateral Sewage Discharges:

- A. All information listed above (if applicable and known), as well as;
- B. Identification of sewage discharge as a private lateral sewage discharge; and
- C. Responsible party contact information (if known).

11. Category 1 SSOs:

- A. All information listed for Category 2 SSOs, as well as;
- B. Estimated SSO volume that reached surface water, drainage channel, or not recovered from a storm drain;
- C. Estimated SSO amount recovered;
- D. Response and corrective action taken;
- E. If samples were taken, identify which regulatory agencies received sample results (if applicable). If no samples were taken, NA must be selected.
- F. Parameters that samples were analyzed for (if applicable);
- G. Identification of whether or not health warnings were posted;
- H. Beaches impacted (if applicable). If no beach was impacted, NA must be selected;
- I. Whether or not there is an ongoing investigation;
- J. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;
- K. OES control number (if applicable);
- L. Date OES was called (if applicable);
- M. Time OES was called (if applicable);
- N. Identification of whether or not County Health Officers were called;
- O. Date County Health Officer was called (if applicable); and
- P. Time County Health Officer was called (if applicable).

Reporting to Other Regulatory Agencies

These reporting requirements do not preclude an Enrollee from reporting SSOs to other regulatory agencies pursuant to California state law. These reporting requirements do not replace other Regional Water Board telephone reporting requirements for SSOs.

1. The Enrollee shall report SSOs to OES, in accordance with California Water Code Section 13271.

Office of Emergency Services
Phone (800) 852-7550

2. The Enrollee shall report SSOs to County Health officials in accordance with California Health and Safety Code Section 5410 et seq.
3. The SSO database will automatically generate an e-mail notification with customized information about the SSO upon initial reporting of the SSO and final certification for all Category 1 SSOs. E-mails will be sent to the appropriate County Health Officer and/or Environmental Health Department if the county desires this information, and the appropriate Regional Water Board.

B. Record Keeping

1. Individual SSO records shall be maintained by the Enrollee for a minimum of five years from the date of the SSO. This period may be extended when requested by a Regional Water Board Executive Officer.
3. All records shall be made available for review upon State or Regional Water Board staff's request.
4. All monitoring instruments and devices that are used by the Enrollee to fulfill the prescribed monitoring and reporting program shall be properly maintained and calibrated as necessary to ensure their continued accuracy;
5. The Enrollee shall retain records of all SSOs, such as, but not limited to and when applicable:
 - a. Record of Certified report, as submitted to the online SSO database;
 - b. All original recordings for continuous monitoring instrumentation;
 - c. Service call records and complaint logs of calls received by the Enrollee;
 - d. SSO calls;
 - e. SSO records;
 - f. Steps that have been and will be taken to prevent the SSO from recurring and a schedule to implement those steps.
 - g. Work orders, work completed, and any other maintenance records from the previous 5 years which are associated with responses and investigations of system problems related to SSOs;
 - h. A list and description of complaints from customers or others from the previous 5 years; and
 - i. Documentation of performance and implementation measures for the previous 5 years.
6. If water quality samples are required by an environmental or health regulatory agency or State law, or if voluntary monitoring is conducted by the Enrollee or its agent(s), as a result of any SSO, records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical technique or method used; and,
- f. The results of such analyses.

C. Certification

1. All final reports must be certified by an authorized person as required by Provision J of the Order.
2. Registration of authorized individuals, who may certify reports, will be in accordance with the CIWQS' protocols for reporting.

Monitoring and Reporting Program No. 2006-0003 will become effective on the date of adoption by the State Water Board.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on May 2, 2006.



Song Her
Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
ORDER NO. 2006-0003**

**STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS
FOR
SANITARY SEWER SYSTEMS**

The State Water Resources Control Board, hereinafter referred to as "State Water Board", finds that:

1. All federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California are required to comply with the terms of this Order. Such entities are hereinafter referred to as "Enrollees".
2. Sanitary sewer overflows (SSOs) are overflows from sanitary sewer systems of domestic wastewater, as well as industrial and commercial wastewater, depending on the pattern of land uses in the area served by the sanitary sewer system. SSOs often contain high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease and other pollutants. SSOs may cause a public nuisance, particularly when raw untreated wastewater is discharged to areas with high public exposure, such as streets or surface waters used for drinking, fishing, or body contact recreation. SSOs may pollute surface or ground waters, threaten public health, adversely affect aquatic life, and impair the recreational use and aesthetic enjoyment of surface waters.
3. Sanitary sewer systems experience periodic failures resulting in discharges that may affect waters of the state. There are many factors (including factors related to geology, design, construction methods and materials, age of the system, population growth, and system operation and maintenance), which affect the likelihood of an SSO. A proactive approach that requires Enrollees to ensure a system-wide operation, maintenance, and management plan is in place will reduce the number and frequency of SSOs within the state. This approach will in turn decrease the risk to human health and the environment caused by SSOs.
4. Major causes of SSOs include: grease blockages, root blockages, sewer line flood damage, manhole structure failures, vandalism, pump station mechanical failures, power outages, excessive storm or ground water inflow/infiltration, debris blockages, sanitary sewer system age and construction material failures, lack of proper operation and maintenance, insufficient capacity and contractor-caused damages. Many SSOs are preventable with adequate and appropriate facilities, source control measures and operation and maintenance of the sanitary sewer system.

SEWER SYSTEM MANAGEMENT PLANS

5. To facilitate proper funding and management of sanitary sewer systems, each Enrollee must develop and implement a system-specific Sewer System Management Plan (SSMP). To be effective, SSMPs must include provisions to provide proper and efficient management, operation, and maintenance of sanitary sewer systems, while taking into consideration risk management and cost benefit analysis. Additionally, an SSMP must contain a spill response plan that establishes standard procedures for immediate response to an SSO in a manner designed to minimize water quality impacts and potential nuisance conditions.
6. Many local public agencies in California have already developed SSMPs and implemented measures to reduce SSOs. These entities can build upon their existing efforts to establish a comprehensive SSMP consistent with this Order. Others, however, still require technical assistance and, in some cases, funding to improve sanitary sewer system operation and maintenance in order to reduce SSOs.
7. SSMP certification by technically qualified and experienced persons can provide a useful and cost-effective means for ensuring that SSMPs are developed and implemented appropriately.
8. It is the State Water Board's intent to gather additional information on the causes and sources of SSOs to augment existing information and to determine the full extent of SSOs and consequent public health and/or environmental impacts occurring in the State.
9. Both uniform SSO reporting and a centralized statewide electronic database are needed to collect information to allow the State Water Board and Regional Water Quality Control Boards (Regional Water Boards) to effectively analyze the extent of SSOs statewide and their potential impacts on beneficial uses and public health. The monitoring and reporting program required by this Order and the attached **Monitoring and Reporting Program No. 2006-0003**, are necessary to assure compliance with these waste discharge requirements (WDRs).
10. Information regarding SSOs must be provided to Regional Water Boards and other regulatory agencies in a timely manner and be made available to the public in a complete, concise, and timely fashion.
11. Some Regional Water Boards have issued WDRs or WDRs that serve as National Pollution Discharge Elimination System (NPDES) permits to sanitary sewer system owners/operators within their jurisdictions. This Order establishes minimum requirements to prevent SSOs. Although it is the State Water Board's intent that this Order be the primary regulatory mechanism for sanitary sewer systems statewide, Regional Water Boards may issue more stringent or more

prescriptive WDRs for sanitary sewer systems. Upon issuance or reissuance of a Regional Water Board's WDRs for a system subject to this Order, the Regional Water Board shall coordinate its requirements with stated requirements within this Order, to identify requirements that are more stringent, to remove requirements that are less stringent than this Order, and to provide consistency in reporting.

REGULATORY CONSIDERATIONS

12. California Water Code section 13263 provides that the State Water Board may prescribe general WDRs for a category of discharges if the State Water Board finds or determines that:

- The discharges are produced by the same or similar operations;
- The discharges involve the same or similar types of waste;
- The discharges require the same or similar treatment standards; and
- The discharges are more appropriately regulated under general discharge requirements than individual discharge requirements.

This Order establishes requirements for a class of operations, facilities, and discharges that are similar throughout the state.

13. The issuance of general WDRs to the Enrollees will:

- a) Reduce the administrative burden of issuing individual WDRs to each Enrollee;
- b) Provide for a unified statewide approach for the reporting and database tracking of SSOs;
- c) Establish consistent and uniform requirements for SSMP development and implementation;
- d) Provide statewide consistency in reporting; and
- e) Facilitate consistent enforcement for violations.

14. The beneficial uses of surface waters that can be impaired by SSOs include, but are not limited to, aquatic life, drinking water supply, body contact and non-contact recreation, and aesthetics. The beneficial uses of ground water that can be impaired include, but are not limited to, drinking water and agricultural supply. Surface and ground waters throughout the state support these uses to varying degrees.

15. The implementation of requirements set forth in this Order will ensure the reasonable protection of past, present, and probable future beneficial uses of water and the prevention of nuisance. The requirements implement the water quality control plans (Basin Plans) for each region and take into account the environmental characteristics of hydrographic units within the state. Additionally, the State Water Board has considered water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect

water quality in the area, costs associated with compliance with these requirements, the need for developing housing within California, and the need to develop and use recycled water.

16. The Federal Clean Water Act largely prohibits any discharge of pollutants from a point source to waters of the United States except as authorized under an NPDES permit. In general, any point source discharge of sewage effluent to waters of the United States must comply with technology-based, secondary treatment standards, at a minimum, and any more stringent requirements necessary to meet applicable water quality standards and other requirements. Hence, the unpermitted discharge of wastewater from a sanitary sewer system to waters of the United States is illegal under the Clean Water Act. In addition, many Basin Plans adopted by the Regional Water Boards contain discharge prohibitions that apply to the discharge of untreated or partially treated wastewater. Finally, the California Water Code generally prohibits the discharge of waste to land prior to the filing of any required report of waste discharge and the subsequent issuance of either WDRs or a waiver of WDRs.
17. California Water Code section 13263 requires a water board to, after any necessary hearing, prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. The requirements shall, among other things, take into consideration the need to prevent nuisance.
18. California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:
 - a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
 - b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
 - c. Occurs during, or as a result of, the treatment or disposal of wastes.
19. This Order is consistent with State Water Board Resolution No. 68-16 (Statement of Policy with Respect to Maintaining High Quality of Waters in California) in that the Order imposes conditions to prevent impacts to water quality, does not allow the degradation of water quality, will not unreasonably affect beneficial uses of water, and will not result in water quality less than prescribed in State Water Board or Regional Water Board plans and policies.
20. The action to adopt this General Order is exempt from the California Environmental Quality Act (Public Resources Code §21000 et seq.) because it is an action taken by a regulatory agency to assure the protection of the environment and the regulatory process involves procedures for protection of the environment. (Cal. Code Regs., tit. 14, §15308). In addition, the action to adopt

this Order is exempt from CEQA pursuant to Cal.Code Regs., title 14, §15301 to the extent that it applies to existing sanitary sewer collection systems that constitute "existing facilities" as that term is used in Section 15301, and §15302, to the extent that it results in the repair or replacement of existing systems involving negligible or no expansion of capacity.

21. The Fact Sheet, which is incorporated by reference in the Order, contains supplemental information that was also considered in establishing these requirements.
22. The State Water Board has notified all affected public agencies and all known interested persons of the intent to prescribe general WDRs that require Enrollees to develop SSMPs and to report all SSOs.
23. The State Water Board conducted a public hearing on February 8, 2006, to receive oral and written comments on the draft order. The State Water Board received and considered, at its May 2, 2006, meeting, additional public comments on substantial changes made to the proposed general WDRs following the February 8, 2006, public hearing. The State Water Board has considered all comments pertaining to the proposed general WDRs.

IT IS HEREBY ORDERED, that pursuant to California Water Code section 13263, the Enrollees, their agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted hereunder, shall comply with the following:

A. DEFINITIONS

1. **Sanitary sewer overflow (SSO)** - Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system. SSOs include:
 - (i) Overflows or releases of untreated or partially treated wastewater that reach waters of the United States;
 - (ii) Overflows or releases of untreated or partially treated wastewater that do not reach waters of the United States; and
 - (iii) Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.
2. **Sanitary sewer system** – Any system of pipes, pump stations, sewer lines, or other conveyances, upstream of a wastewater treatment plant headworks used to collect and convey wastewater to the publicly owned treatment facility. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundments, tanks, etc.) are considered to be part of the sanitary sewer system, and discharges into these temporary storage facilities are not considered to be SSOs.

For purposes of this Order, sanitary sewer systems include only those systems owned by public agencies that are comprised of more than one mile of pipes or sewer lines.

3. **Enrollee** - A federal or state agency, municipality, county, district, and other public entity that owns or operates a sanitary sewer system, as defined in the general WDRs, and that has submitted a complete and approved application for coverage under this Order.
4. **SSO Reporting System** – Online spill reporting system that is hosted, controlled, and maintained by the State Water Board. The web address for this site is <http://ciwqs.waterboards.ca.gov>. This online database is maintained on a secure site and is controlled by unique usernames and passwords.
5. **Untreated or partially treated wastewater** – Any volume of waste discharged from the sanitary sewer system upstream of a wastewater treatment plant headworks.
6. **Satellite collection system** – The portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility to which the sanitary sewer system is tributary.
7. **Nuisance** - California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:
 - a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
 - b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
 - c. Occurs during, or as a result of, the treatment or disposal of wastes.

B. APPLICATION REQUIREMENTS

1. **Deadlines for Application** – All public agencies that currently own or operate sanitary sewer systems within the State of California must apply for coverage under the general WDRs within six (6) months of the date of adoption of the general WDRs. Additionally, public agencies that acquire or assume responsibility for operating sanitary sewer systems after the date of adoption of this Order must apply for coverage under the general WDRs at least three (3) months prior to operation of those facilities.
2. **Applications under the general WDRs** – In order to apply for coverage pursuant to the general WDRs, a legally authorized representative for each agency must submit a complete application package. Within sixty (60) days of adoption of the general WDRs, State Water Board staff will send specific instructions on how to

apply for coverage under the general WDRs to all known public agencies that own sanitary sewer systems. Agencies that do not receive notice may obtain applications and instructions online on the Water Board's website.

3. Coverage under the general WDRs – Permit coverage will be in effect once a complete application package has been submitted and approved by the State Water Board's Division of Water Quality.

C. PROHIBITIONS

1. Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited.
2. Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in California Water Code Section 13050(m) is prohibited.

D. PROVISIONS

1. The Enrollee must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for enforcement action.
2. It is the intent of the State Water Board that sanitary sewer systems be regulated in a manner consistent with the general WDRs. Nothing in the general WDRs shall be:
 - (i) Interpreted or applied in a manner inconsistent with the Federal Clean Water Act, or supersede a more specific or more stringent state or federal requirement in an existing permit, regulation, or administrative/judicial order or Consent Decree;
 - (ii) Interpreted or applied to authorize an SSO that is illegal under either the Clean Water Act, an applicable Basin Plan prohibition or water quality standard, or the California Water Code;
 - (iii) Interpreted or applied to prohibit a Regional Water Board from issuing an individual NPDES permit or WDR, superseding this general WDR, for a sanitary sewer system, authorized under the Clean Water Act or California Water Code; or
 - (iv) Interpreted or applied to supersede any more specific or more stringent WDRs or enforcement order issued by a Regional Water Board.
3. The Enrollee shall take all feasible steps to eliminate SSOs. In the event that an SSO does occur, the Enrollee shall take all feasible steps to contain and mitigate the impacts of an SSO.
4. In the event of an SSO, the Enrollee shall take all feasible steps to prevent untreated or partially treated wastewater from discharging from storm drains into

flood control channels or waters of the United States by blocking the storm drainage system and by removing the wastewater from the storm drains.

5. All SSOs must be reported in accordance with Section G of the general WDRs.
6. In any enforcement action, the State and/or Regional Water Boards will consider the appropriate factors under the duly adopted State Water Board Enforcement Policy. And, consistent with the Enforcement Policy, the State and/or Regional Water Boards must consider the Enrollee's efforts to contain, control, and mitigate SSOs when considering the California Water Code Section 13327 factors. In assessing these factors, the State and/or Regional Water Boards will also consider whether:
 - (i) The Enrollee has complied with the requirements of this Order, including requirements for reporting and developing and implementing a SSMP;
 - (ii) The Enrollee can identify the cause or likely cause of the discharge event;
 - (iii) There were no feasible alternatives to the discharge, such as temporary storage or retention of untreated wastewater, reduction of inflow and infiltration, use of adequate backup equipment, collecting and hauling of untreated wastewater to a treatment facility, or an increase in the capacity of the system as necessary to contain the design storm event identified in the SSMP. It is inappropriate to consider the lack of feasible alternatives, if the Enrollee does not implement a periodic or continuing process to identify and correct problems.
 - (iv) The discharge was exceptional, unintentional, temporary, and caused by factors beyond the reasonable control of the Enrollee;
 - (v) The discharge could have been prevented by the exercise of reasonable control described in a certified SSMP for:
 - Proper management, operation and maintenance;
 - Adequate treatment facilities, sanitary sewer system facilities, and/or components with an appropriate design capacity, to reasonably prevent SSOs (e.g., adequately enlarging treatment or collection facilities to accommodate growth, infiltration and inflow (I/I), etc.);
 - Preventive maintenance (including cleaning and fats, oils, and grease (FOG) control);
 - Installation of adequate backup equipment; and
 - Inflow and infiltration prevention and control to the extent practicable.
 - (vi) The sanitary sewer system design capacity is appropriate to reasonably prevent SSOs.

- (vii) The Enrollee took all reasonable steps to stop and mitigate the impact of the discharge as soon as possible.
7. When a sanitary sewer overflow occurs, the Enrollee shall take all feasible steps and necessary remedial actions to 1) control or limit the volume of untreated or partially treated wastewater discharged, 2) terminate the discharge, and 3) recover as much of the wastewater discharged as possible for proper disposal, including any wash down water.

The Enrollee shall implement all remedial actions to the extent they may be applicable to the discharge and not inconsistent with an emergency response plan, including the following:

- (i) Interception and rerouting of untreated or partially treated wastewater flows around the wastewater line failure;
 - (ii) Vacuum truck recovery of sanitary sewer overflows and wash down water;
 - (iii) Cleanup of debris at the overflow site;
 - (iv) System modifications to prevent another SSO at the same location;
 - (v) Adequate sampling to determine the nature and impact of the release; and
 - (vi) Adequate public notification to protect the public from exposure to the SSO.
8. The Enrollee shall properly, manage, operate, and maintain all parts of the sanitary sewer system owned or operated by the Enrollee, and shall ensure that the system operators (including employees, contractors, or other agents) are adequately trained and possess adequate knowledge, skills, and abilities.
9. The Enrollee shall allocate adequate resources for the operation, maintenance, and repair of its sanitary sewer system, by establishing a proper rate structure, accounting mechanisms, and auditing procedures to ensure an adequate measure of revenues and expenditures. These procedures must be in compliance with applicable laws and regulations and comply with generally acceptable accounting practices.
10. The Enrollee shall provide adequate capacity to convey base flows and peak flows, including flows related to wet weather events. Capacity shall meet or exceed the design criteria as defined in the Enrollee's System Evaluation and Capacity Assurance Plan for all parts of the sanitary sewer system owned or operated by the Enrollee.
11. The Enrollee shall develop and implement a written Sewer System Management Plan (SSMP) and make it available to the State and/or Regional Water Board upon request. A copy of this document must be publicly available at the Enrollee's office and/or available on the Internet. This SSMP must be approved by the Enrollee's governing board at a public meeting.

12. In accordance with the California Business and Professions Code sections 6735, 7835, and 7835.1, all engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. Specific elements of the SSMP that require professional evaluation and judgments shall be prepared by or under the direction of appropriately qualified professionals, and shall bear the professional(s)' signature and stamp.
13. The mandatory elements of the SSMP are specified below. However, if the Enrollee believes that any element of this section is not appropriate or applicable to the Enrollee's sanitary sewer system, the SSMP program does not need to address that element. The Enrollee must justify why that element is not applicable. The SSMP must be approved by the deadlines listed in the SSMP Time Schedule below.

Sewer System Management Plan (SSMP)

- (i) **Goal:** The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent SSOs, as well as mitigate any SSOs that do occur.
- (ii) **Organization:** The SSMP must identify:
 - (a) The name of the responsible or authorized representative as described in Section J of this Order.
 - (b) The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP program. The SSMP must identify lines of authority through an organization chart or similar document with a narrative explanation; and
 - (c) The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES)).
- (iii) **Legal Authority:** Each Enrollee must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:
 - (a) Prevent illicit discharges into its sanitary sewer system (examples may include I/I, stormwater, chemical dumping, unauthorized debris and cut roots, etc.);

- (b) Require that sewers and connections be properly designed and constructed;
 - (c) Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the Public Agency;
 - (d) Limit the discharge of fats, oils, and grease and other debris that may cause blockages, and
 - (e) Enforce any violation of its sewer ordinances.
- (iv) **Operation and Maintenance Program.** The SSMP must include those elements listed below that are appropriate and applicable to the Enrollee's system:
- (a) Maintain an up-to-date map of the sanitary sewer system, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater conveyance facilities;
 - (b) Describe routine preventive operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The Preventative Maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders;
 - (c) Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. The program should include regular visual and TV inspections of manholes and sewer pipes, and a system for ranking the condition of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should include a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short- and long-term plans plus a schedule for developing the funds needed for the capital improvement plan;
 - (d) Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained; and

- (e) Provide equipment and replacement part inventories, including identification of critical replacement parts.

(v) **Design and Performance Provisions:**

- (a) Design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems; and
- (b) Procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and for rehabilitation and repair projects.

(vi) **Overflow Emergency Response Plan** - Each Enrollee shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan must include the following:

- (a) Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;
- (b) A program to ensure an appropriate response to all overflows;
- (c) Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g. health agencies, Regional Water Boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach the waters of the State in accordance with the MRP. All SSOs shall be reported in accordance with this MRP, the California Water Code, other State Law, and other applicable Regional Water Board WDRs or NPDES permit requirements. The SSMP should identify the officials who will receive immediate notification;
- (d) Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained;
- (e) Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and
- (f) A program to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

- (vii) **FOG Control Program:** Each Enrollee shall evaluate its service area to determine whether a FOG control program is needed. If an Enrollee determines that a FOG program is not needed, the Enrollee must provide justification for why it is not needed. If FOG is found to be a problem, the Enrollee must prepare and implement a FOG source control program to reduce the amount of these substances discharged to the sanitary sewer system. This plan shall include the following as appropriate:
- (a) An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;
 - (b) A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area;
 - (c) The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG;
 - (d) Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements;
 - (e) Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the FOG ordinance;
 - (f) An identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section; and
 - (g) Development and implementation of source control measures for all sources of FOG discharged to the sanitary sewer system for each section identified in (f) above.
- (viii) **System Evaluation and Capacity Assurance Plan:** The Enrollee shall prepare and implement a capital improvement plan (CIP) that will provide hydraulic capacity of key sanitary sewer system elements for dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. At a minimum, the plan must include:
- (a) **Evaluation:** Actions needed to evaluate those portions of the sanitary sewer system that are experiencing or contributing to an SSO discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from SSOs

that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events;

- (b) **Design Criteria:** Where design criteria do not exist or are deficient, undertake the evaluation identified in (a) above to establish appropriate design criteria; and
 - (c) **Capacity Enhancement Measures:** The steps needed to establish a short- and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I/I reduction programs, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.
 - (d) **Schedule:** The Enrollee shall develop a schedule of completion dates for all portions of the capital improvement program developed in (a)-(c) above. This schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in Section D. 14.
- (ix) **Monitoring, Measurement, and Program Modifications:** The Enrollee shall:
- (a) Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities;
 - (b) Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP;
 - (c) Assess the success of the preventative maintenance program;
 - (d) Update program elements, as appropriate, based on monitoring or performance evaluations; and
 - (e) Identify and illustrate SSO trends, including: frequency, location, and volume.
- (x) **SSMP Program Audits** - As part of the SSMP, the Enrollee shall conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be prepared and kept on file. This audit shall focus on evaluating the effectiveness of the SSMP and the

Enrollee's compliance with the SSMP requirements identified in this subsection (D.13), including identification of any deficiencies in the SSMP and steps to correct them.

- (xi) **Communication Program** – The Enrollee shall communicate on a regular basis with the public on the development, implementation, and performance of its SSMP. The communication system shall provide the public the opportunity to provide input to the Enrollee as the program is developed and implemented.

The Enrollee shall also create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system.

14. Both the SSMP and the Enrollee's program to implement the SSMP must be certified by the Enrollee to be in compliance with the requirements set forth above and must be presented to the Enrollee's governing board for approval at a public meeting. The Enrollee shall certify that the SSMP, and subparts thereof, are in compliance with the general WDRs within the time frames identified in the time schedule provided in subsection D.15, below.

In order to complete this certification, the Enrollee's authorized representative must complete the certification portion in the Online SSO Database Questionnaire by checking the appropriate milestone box, printing and signing the automated form, and sending the form to:

State Water Resources Control Board
Division of Water Quality
Attn: SSO Program Manager
P.O. Box 100
Sacramento, CA 95812

The SSMP must be updated every five (5) years, and must include any significant program changes. Re-certification by the governing board of the Enrollee is required in accordance with D.14 when significant updates to the SSMP are made. To complete the re-certification process, the Enrollee shall enter the data in the Online SSO Database and mail the form to the State Water Board, as described above.

15. The Enrollee shall comply with these requirements according to the following schedule. This time schedule does not supersede existing requirements or time schedules associated with other permits or regulatory requirements.

Sewer System Management Plan Time Schedule

<u>Task and Associated Section</u>	Completion Date			
	Population > 100,000	Population between 100,000 and 10,000	Population between 10,000 and 2,500	Population < 2,500
Application for Permit Coverage Section C	6 months after WDRs Adoption			
Reporting Program Section G	6 months after WDRs Adoption ¹			
SSMP Development Plan and Schedule No specific Section	9 months after WDRs Adoption ²	12 months after WDRs Adoption ²	15 months after WDRs Adoption ²	18 months after WDRs Adoption ²
Goals and Organization Structure Section D 13 (i) & (ii)	12 months after WDRs Adoption ²		18 months after WDRs Adoption ²	
Overflow Emergency Response Program Section D 13 (vi)	24 months after WDRs Adoption ²	30 months after WDRs Adoption ²	36 months after WDRs Adoption ²	39 months after WDRs Adoption ²
Legal Authority Section D 13 (iii)				
Operation and Maintenance Program Section D 13 (iv)				
Grease Control Program Section D 13 (vii)				
Design and Performance Section D 13 (v)	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption
System Evaluation and Capacity Assurance Plan Section D 13 (viii)				
Final SSMP, incorporating all of the SSMP requirements Section D 13				

1. In the event that by July 1, 2006 the Executive Director is able to execute a memorandum of agreement (MOA) with the California Water Environment Association (CWEA) or discharger representatives outlining a strategy and time schedule for CWEA or another entity to provide statewide training on the adopted monitoring program, SSO database electronic reporting, and SSMP development, consistent with this Order, then the schedule of Reporting Program Section G shall be replaced with the following schedule:

Reporting Program Section G	
Regional Boards 4, 8, and 9	8 months after WDRs Adoption
Regional Boards 1, 2, and 3	12 months after WDRs Adoption
Regional Boards 5, 6, and 7	16 months after WDRs Adoption

If this MOU is not executed by July 1, 2006, the reporting program time schedule will remain six (6) months for all regions and agency size categories.

2. In the event that the Executive Director executes the MOA identified in note 1 by July 1, 2006, then the deadline for this task shall be extended by six (6) months. The time schedule identified in the MOA must be consistent with the extended time schedule provided by this note. If the MOA is not executed by July 1, 2006, the six (6) month time extension will not be granted.

E. WDRs and SSMP AVAILABILITY

1. A copy of the general WDRs and the certified SSMP shall be maintained at appropriate locations (such as the Enrollee's offices, facilities, and/or Internet homepage) and shall be available to sanitary sewer system operating and maintenance personnel at all times.

F. ENTRY AND INSPECTION

1. The Enrollee shall allow the State or Regional Water Boards or their authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the Enrollee's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- d. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.

G. GENERAL MONITORING AND REPORTING REQUIREMENTS

1. The Enrollee shall furnish to the State or Regional Water Board, within a reasonable time, any information that the State or Regional Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Enrollee shall also furnish to the Executive Director of the State Water Board or Executive Officer of the applicable Regional Water Board, upon request, copies of records required to be kept by this Order.
2. The Enrollee shall comply with the attached Monitoring and Reporting Program No. 2006-0003 and future revisions thereto, as specified by the Executive Director. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. 2006-0003. Unless superseded by a specific enforcement Order for a specific Enrollee, these reporting requirements are intended to replace other mandatory routine written reports associated with SSOs.
3. All Enrollees must obtain SSO Database accounts and receive a "Username" and "Password" by registering through the California Integrated Water Quality System (CIWQS). These accounts will allow controlled and secure entry into the SSO Database. Additionally, within 30days of receiving an account and prior to recording spills into the SSO Database, all Enrollees must complete the "Collection System Questionnaire", which collects pertinent information regarding a Enrollee's collection system. The "Collection System Questionnaire" must be updated at least every 12 months.
4. Pursuant to Health and Safety Code section 5411.5, any person who, without regard to intent or negligence, causes or permits any untreated wastewater or other waste to be discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State, as soon as that person has knowledge of the discharge, shall immediately notify the local health officer of the discharge. Discharges of untreated or partially treated wastewater to storm drains and drainage channels, whether man-made or natural or concrete-lined, shall be reported as required above.

Any SSO greater than 1,000 gallons discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State shall also be reported to the Office of Emergency Services pursuant to California Water Code section 13271.

H. CHANGE IN OWNERSHIP

1. This Order is not transferable to any person or party, except after notice to the Executive Director. The Enrollee shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new Enrollee containing a specific date for the transfer of this Order's responsibility and coverage between the existing Enrollee and the new Enrollee. This agreement shall include an acknowledgement that the existing Enrollee is liable for violations up to the transfer date and that the new Enrollee is liable from the transfer date forward.

I. INCOMPLETE REPORTS

1. If an Enrollee becomes aware that it failed to submit any relevant facts in any report required under this Order, the Enrollee shall promptly submit such facts or information by formally amending the report in the Online SSO Database.

J. REPORT DECLARATION

1. All applications, reports, or information shall be signed and certified as follows:
 - (i) All reports required by this Order and other information required by the State or Regional Water Board shall be signed and certified by a person designated, for a municipality, state, federal or other public agency, as either a principal executive officer or ranking elected official, or by a duly authorized representative of that person, as described in paragraph (ii) of this provision. (For purposes of electronic reporting, an electronic signature and accompanying certification, which is in compliance with the Online SSO database procedures, meet this certification requirement.)
 - (ii) An individual is a duly authorized representative only if:
 - (a) The authorization is made in writing by a person described in paragraph (i) of this provision; and
 - (b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.

K. CIVIL MONETARY REMEDIES FOR DISCHARGE VIOLATIONS

1. The California Water Code provides various enforcement options, including civil monetary remedies, for violations of this Order.
2. The California Water Code also provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or

falsifying any information provided in the technical or monitoring reports is subject to civil monetary penalties.

L. SEVERABILITY

1. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
2. This order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Enrollee from liability under federal, state or local laws, nor create a vested right for the Enrollee to continue the waste discharge.

CERTIFICATION

The undersigned Clerk to the State Water Board does hereby certify that the foregoing is a full, true, and correct copy of general WDRs duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 2, 2006.

AYE: Tam M. Doduc
Gerald D. Secundy

NO: Arthur G. Baggett

ABSENT: None

ABSTAIN: None



Song Her
Clerk to the Board



NIPOMO COMMUNITY SERVICES DISTRICT

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www.nipomocsd.com

MEMORANDUM – Manager’s Report

TO: ED KREINS, INTERIM GENERAL MANAGER
FROM: MADONNA DUNBAR, CONSERVATION SPECIALIST
DATE: JUNE 8, 2006
RE: CONSERVATION PROGRAM ACTIVITIES – May / June 2006

PROGRAM ACTIVITIES:

- 1) The NCSD Water Conservation Program Outline is being finalized for submitted to the Board of Directors Committee.
- 2) Issued bi-weekly press releases regarding water quality, water consumption, and water awareness month.
- 3) Prepared a comprehensive Recycling and Re-Use Guide for residents. Additional production of new outreach literature in water conservation, water quality. (See attached). Continued expansion of education section of NCSD website.
- 4) Ongoing preparation and publicity of the gardening workshop series for June, July, and Aug. with presenters in the areas of: residential irrigation basics, low water use landscape design and low toxicity gardening.
- 5) Ongoing preparation for booth / events outreach for May - Oct 2006.
- 6) Established SSO committee; tracking State Water Board Sanitary Sewer Overflow regulation legislation, implementation procedures.
- 8) On-going cross training; general front office procedures. Beginning transfer of duties to myself, from retiring Safety Office, Ernie Thompson.

PROFESSIONAL DEVELOPMENT / TRAINING:

No formal training this month.

KEY MEETINGS:

Ongoing networking with local agencies, in environmental education, water conservation, water quality, Nipomo civic organizations.

- ◆ 5/9/06 - Partners in Water Conservation meeting: PIWC is forming a partnership focusing on outdoor water conservation, with the California Landscaping Contractors Association.
- ◆ 5/17/06 – Attended SLO Green Building Association Presentation on Low Water Use Landscaping Design.
- ◆ 5/18/06 – Met with Nipomo High School Progressive Club students, and faculty member Lori Dixon, to discuss future collaboration on environmental education at Nipomo High School.
- ◆ 5/19/06 – met with Partners in Water Quality: Nipomo Storm Drain Marking event will be held in late August / early September. Creek Clean Up day confirmed (countywide) for Sat. Sept. 30, 2006.
- ◆ 5/19/06 – met with BOD Conservation sub-committee to review formal program development.
- ◆ 5/26/06 – met with organizing committee for the SLO County 2007 Water Festival. This group, a subcommittee of partners in Water Quality, is beginning the planning of a Water Education festival scheduled for May 2007.
- ◆ 6/4/06 – met with Nipomo Native Garden Group for additional community networking.
- ◆ 6/6/06 – Tour of Cold Canyon Landfill. Discussion with John Ryan, operations manager of ways to assist residents in keeping up to date with proper solid waste disposal and diversion.
- ◆ 6/6/06 – Met with Clyde Cruise, Nipomo Chamber of Commerce, to assist in recycling/waste management at Here Comes Summer Festival.
- ◆ 6/8/06 – Met with Dave Herma and Dick Weitzl of Black Lake Village Association to discuss option for reducing landscaping water use on BLV common areas.

TO: BOARD OF DIRECTORS
FROM: EDWARD KREINS *Ek*
DATE: JUNE 9, 2006



APPROVAL OF JOB DESCRIPTION AND SALARY RANGE FOR MAINTENANCE WORKER

ITEM

Approval of job description and salary range for Maintenance Worker

BACKGROUND

The District currently has three employees in the Utility Worker classification. This classification requires the employee to obtain a Water Distribution 1 Operator certification. As of June 30, 2006, one of these employees is retiring from the District. In the 2006-2007 Budget, it was proposed that a new classification (Maintenance Worker) be created and filled in lieu of replacing an employee in the Utility Worker classification.

Also, included in the 2006-2007 Budget is the Master Plan Update. Included in the Master Plan Update, staff proposes to have the consultant evaluate the complement of field crew to develop recommendations with regard to the appropriate staffing level and organization.

Staff is confident that regardless of the outcome of the recommendations of the Master Plan Update, the District will be in need of a Maintenance Worker. Attached is the draft job description for review. The primary duties will include general labor work in the repair and maintenance of District facilities.

RECOMMENDATION

Approval of job description and salary range for Maintenance Worker and authorize Staff to proceed with filling the position.

ATTACHMENT

Proposed Job Description and Salary Range for Maintenance Worker

1. DEFINITION

Under general supervision, performs general labor work in the maintenance and repair of District facilities, performs duties related to the meter reading, meter setting and meter replacement program, completes work orders, and other related work as required.

2. CLASS CHARACTERISTICS

Under general supervision, be competent to operate and maintain a variety of equipment, be customer service oriented, be informed of District policies and procedures. Work independently and be a self-starter.

3. EXAMPLES OF DUTIES (Illustrative Only)

- A. Paints, lubes, exercise and maintain fire hydrants and valves and assists in flushing program
- B. Operates small and medium-sized construction equipment in the course of the work; drives a variety of motor vehicles
- C. Reads water meters to determine customer usage; investigates and resolves customer complaints regarding high billings and/or water quality; turns services on and off as required, hang door hangers, etc.
- D. Set water meters, change out meters, inspect meter boxes.
- E. Performs maintenance painting of and minor modifications to equipment and facilities; maintains landscaped areas and green space around District facilities; controls animal, insect and vegetation pests as required;
- F. Complete work orders, pick up and deliver mail and bank, deliver office generated materials as required
- G. Assist District personnel in the on-going repair and maintenance of all District facilities
- H. Maintains all District facilities in a clean and orderly condition.
- I. Maintain maintenance records and input data into computer programs.
- J. May learn semi-skilled maintenance, repair and construction work in an assigned work area.

4. EMPLOYMENT STANDARDS

Knowledge of:

- A. The operations, servicing and minor maintenance of a variety of vehicles and mobile equipment
- B. Tools and equipment required for the work
- C. Safety equipment and practices related to work
- D. Applicable laws, codes and regulations
- E. Computer applications related to the work

Skill in:

- A. Using and maintaining the tools and equipment of the work skillfully and safely
- B. Maintaining accurate records related to work performed
- C. Working independently within established procedural guidelines
- D. Identifying customer problems and resolving them in an effective manner
- E. Establishing and maintaining effective working relationships with those contacted in the course of the work

Physical Characteristics:

- A. Vision to read gauges, meters, computer screens, instruction manuals and to operate a motor vehicle
- B. Hearing to interact in person, on the telephone and over a radio
- C. Strength to lift and move equipment and tools weighing up to 80 pounds with proper equipment
- D. Stamina to do heavy physical work
- E. Mobility to inspect various work sites and climb ladders

Working Conditions:

- A. Must work out of doors in all weather conditions

License and Certification:

- A. Must possess a valid California Class C driver's license and have a satisfactory driving record.
- B. Must be bondable by District's fidelity bond insurer.

Education and Experience:

Graduation from high school or equivalent.

PROPOSED SALARY RANGE

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
2,222	2,333	2,450	2,573	2,702

TO: BOARD OF DIRECTORS
FROM: EDWARD KREINS *EK*
DATE: JUNE 9, 2006

**AGENDA ITEM
D-5
JUNE 14, 2006**

DECLARE OLD UTILITY DEPARTMENT DUMP TRUCK SURPLUS AND AUTHORIZE SALE

ITEM

Authorization to surplus District Vehicle.

BACKGROUND

Government agencies that wish to dispose of obsolete equipment and other items need to declare that these items are surplus by the governing board prior to deposition of these items. Staff believes that the 1972 Ford 2 Ton Dump Truck is no longer serviceable and requests that your Honorable Board declare that it is surplus and authorize disposal by sale or other means.

RECOMMENDATION

It is recommended that your Honorable Board declare the 1972 Ford 2 Ton Dump Truck as surplus and authorize staff to dispose of the items through sale.

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TO: BOARD OF DIRECTORS
FROM: EDWARD KREINS *EK*
DATE: JUNE 9, 2006

**AGENDA ITEM
D-6
JUNE 14, 2006**

EMPLOYMENT OF SUMMER INTERNS

ITEM

Receive report and authorize staff to employ two student interns for approximately two months for routine maintenance programs.

BACKGROUND

Upon employment with the District and after discussion with Dan Migliazzo and Lisa Bognuda, I felt that the District could benefit from student interns during the summer months. I was concerned about the maintenance of District facilities, and feel that students interns, properly supervised, can cut weeds, paint, assist in sludge removal, and other maintenance jobs.

I would propose to employ two students from June 19, 2006 until school starts August 16, 2006. Lisa estimates the total cost to be about \$7500, including salary at \$10 per hour, Social Security, and Workers Compensation Insurance.

A summer employment contract, similar to Leon, who is performing data services on a part-time basis, will be utilized. Requirements will be an interview to screen candidates, a Valid California Drivers License, a background check, and a drug screening test.


Salary saved from the retirement of Ernie Thompson will cover the cost of the students.

RECOMMENDATION

Approve employment of Interns as proposed...

ATTACHMENTS

No Attachment

TO: BOARD OF DIRECTORS
FROM: EDWARD KREINS 
DATE: JUNE 9, 2006



ADOPT RESOLUTION AUTHORIZING CREATION OF ADDITIONAL
BANK ACCOUNT AT MID STATE BANK FOR INVESTMENT
OF REMAINING PROCEEDS FROM 2003 CERTIFICATES OF PARTICIPATION
EFFECTIVE JULY 3, 2006

ITEM

Adopt resolution authorizing creation of additional bank account at Mid State Bank for investment of remaining proceeds from 2003 Certificates of Participation effective July 3, 2006.

BACKGROUND

On May 14, 2003, the District together with the Nipomo Community Services District Public Facilities Corporation issued \$4 million in Certificates of Participation (COPs) of which \$3,471,366.40 was available for fund construction of the "2003 Project Fund". On May 10, 2006, the Board of Directors adopted Resolution 2006-978 encumbering and consolidating the remaining proceeds from the COPs issued in 2003.

The remaining acquisition funds are currently held in trust by Bank of New York via LAIF. LAIF interest rate as of March 31, 2006, was 4.03% and indications are the rate of return is on the increase. In order to maintain the tax exempt status of the COP issue, the District cannot earn interest on the funds in excess of 4.65%. Interest earnings in excess of 4.65% for this COP issue are known as arbitrage. It is anticipated that if the funds remain in trust at Bank of New York, the interest earnings may exceed 4.65%. In order for the District to monitor the interest earnings, Mid State Bank will allow NCSD to open a Certificate of Deposit at a set interest rate of 4.5% (just under the arbitrage limit).

The District has selected the opening date of this account to be July 3, 2006, which is the first business day of the new fiscal year. This will allow for a clean cut off at fiscal year end (June 30) for accounting purposes.

Pursuant to the COP agreement, the Reserve Fund will remain in trust with Bank of New York.

RECOMMENDATION

It is recommended that Your Honorable Board adopt the attached resolution.

ATTACHMENT

Resolution 2006-MSB

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2006-midstate bank**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING THE CREATION OF AN ADDITIONAL BANK ACCOUNT
AT MID-STATE BANK AND TRUST**

WHEREAS, the Nipomo Community Services District (herein "District") Board of Directors (herein "Board") is a local governmental agency formed and authorized to provide services within its jurisdiction, pursuant to Section 61000 et seq. of the California Government Code; and

WHEREAS, on May 10, 2006, the Board adopted Resolution 2006-978 encumbering and consolidating the remaining proceeds from the Certificates of Participation issued in 2003; and

WHEREAS, the District desires to deposit the remaining proceeds of the acquisition portion of the Certificates of Participation into a Certificate of Deposit at Mid State Bank and such interest earned on the account will be automatically deposited into the Certificate of Deposit on a monthly basis.

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

1. The Nipomo Community Services District Board of Directors authorizes the creation of a Certificate of Deposit account at Mid State Bank and the transfer of funds from Bank of New York to Mid State Bank.
2. The following persons and their successors are authorized to endorse checks and orders for payment of money from this Certificate of Deposit:

Lawrence Vierheilg, President	Michael Winn, Vice President
Judith Wirsing, Director	Clifford Trotter, Director
Ed Eby, Director	Donna Johnson, Board Secretary

3. All checks shall require the signature of two authorized persons designated in Section 2.

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

AYES:

NOES:

the foregoing resolution is hereby passed and adopted this 14th day of June, 2006.

LAWRENCE VIERHEILIG
President of the Board

ATTEST:

APPROVED:

DONNA K. JOHNSON
Secretary to the Board

JON S. SEITZ
District Legal Counsel