

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

- E. ADMINISTRATIVE ITEMS (The following may be discussed and action may be taken by the Board.)
 - E-1) CONSIDER PROPOSED WATER CONSERVATION PROGRAM, POLICY, AND BUDGET [RECOMMEND APPROVAL]
 - E-2) AUTHORIZE EXTENSION OF TERM OF THE FRANCHISE AGREEMENT WITH SOUTH COUNTY SANITARY THROUGH JUNE 19, 2008 TO COINCIDE WITH TERMS OF AGREEMENT WITH COUNTY (NO RATE INCREASE) [RECOMMEND APPROVAL]
 - E-3) DETERMINE CLOSURE DATE FOR RECEIPT OF COMMENTS ON WATERLINE INTERTIE PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT [RECOMMEND APPROVAL]
 - E-4) CREATE STANDING COMMITTEE TO TRACK PREPARATION OF WATERLINE INTERTIE PROJECT PRE-DESIGN [RECOMMEND APPROVAL]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORTS
- H. DIRECTOR'S COMMENTS
- I. CLOSED SESSION ANNOUNCEMENTS
 - 1. CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9 SMWCD VS NCSO SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
 - 2. CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9 MARIA VISTA VS. NCSO CASE NO. CV 040877
 - 3. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GOVT. CODE §54956.9 – JESSE HILL (IN PRO PER) V. NCSO CV 060325 AND RELATED LIABILITY CLAIM PURSUANT TO GOVT. CODE §54961.
 - 4. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GOVT. CODE §54956.9 - NCSO V. SO. CALIFORNIA GAS CO. ET AL. LC066128
 - 5. CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9 NCSO vs. COUNTY OF SAN LUIS OBISPO (SUMMIT STATION LAND USE ORDINANCE AND ENVIRONMENTAL IMPACT REPORT)
- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS
- K. ADJOURN TO CLOSED SESSION
- L. OPEN SESSION
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION
ADJOURN

➤ **THE NEXT REGULAR BOARD MEETING IS JULY 12, 2006.
TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- NCSO Public Finance Corporation Annual Meeting
- Water Quality Testing Laboratory Selection

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2006-Ernie**

**A RESOLUTION OF COMMENDATION TO
ERNEST THOMPSON
AS HE RETIRES FROM 16 YEARS OF SERVICES TO
NIPOMO COMMUNITY SERVICES DISTRICT**

WHEREAS, Ernest Thompson was employed by the Nipomo Community Services District in the Utility Department on January 6, 1989; and

WHEREAS, some sixteen years later, Ernie has chosen to retire; and

WHEREAS, Ernie is a well-known and well-respected customer service representative for the Nipomo Community Services District; and

WHEREAS, over the past sixteen years, Ernie has diligently served the District and its customers well; and

WHEREAS, he affirmed the District's commitment to safety by taking the lead in conducting the monthly safety meetings; and

WHEREAS, his dedication to service was above and beyond the call of duty; and

WHEREAS, his meticulous attention to details has detected problems before they became large ones; and

WHEREAS, Ernie's thoughtfulness, wit, and humor will be missed by all; and

WHEREAS, the District wishes to offer sincere appreciation for a job well done.

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

***THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
EXTEND TO
ERNEST THOMPSON
AN EXPRESSION OF ESTEEM AND GRATITUDE FOR
SERVING THE DISTRICT FOR THE PAST SIXTEEN (16) YEARS
AND WISH HIM WELL IN HIS RETIREMENT YEARS.***

The Board unanimously adopted the foregoing resolution on June 28, 2006.

Lawrence Vierheilig, President

Clifford Trotter, Director

Michael Winn, Vice President

Judith Wirsing, Director

Ed Eby, Director

TO: BOARD OF DIRECTORS
FROM: ED KREINS
DATE: JUNE 23, 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]
APPROVE MINUTES OF JUNE 14, 2006, REGULAR MEETING.
- D-3) NOTICE OF APPOINTMENT DIRECTOR WINN TO SERVE ON AD HOC CITY OF
SANTA MARIA NEGOTIATIONS COMMITTEE [NO ACTION]
- D-4) ADOPT RESOLUTION ESTABLISHING PROCEDURES FOR RETENTION OF
CONTRACTORS FOR SMALL PROJECTS BY STANDARD AGREEMENT AND TASK
ORDER [RECOMMEND APPROVAL]
- D-5) AUTHORIZE SUBMITTAL OF VOTE FOR DIRECTOR EBY TO FILL OPEN LAFCo
ALTERNATE SEAT [RECOMMEND APPROVAL]

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2006\CONSENT 6-28-06.DOC

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JUNE 23, 2006**

**AGENDA ITEM
D-1
JUNE 28, 2006**

HAND WRITTEN CHECKS

NONE

**TOTAL COMPUTER
CHECKS
\$ 136,258.81**

VOIDED CHECKS

NONE

COMPUTER GENERATED CHECKS

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
12227	06/16/06	EMP01	EMPLOYMENT DEVELOP DEPT	657.30	.00	657.30	A60612	STATE INCOME TAX
12228	06/16/06	MID01	MIDSTATE BANK-PR TAX DEP	2761.10 352.16 756.52	.00 .00 .00	2761.10 352.16 756.52	A60612 1A60612 2A60612	FEDERAL INCOME TAX FICA MEDICARE (FICA)
Check Total.....:				3869.78	.00	3869.78		
12229	06/16/06	MID02	MIDSTATE BANK - DIRECT DP	22335.56	.00	22335.56	A60612	NET PAY DEDUCTION
12230	06/16/06	PER01	PERS RETIREMENT	6454.84	.00	6454.84	A60612	PERS PAYROLL REMITTANCE
12231	06/16/06	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A60612	WAGE ASSIGNMENT
12232	06/16/06	STA01	STATE STREET GLOBAL	1230.00	.00	1230.00	A60612	457 DEFERRED COMP
12233	06/16/06	EMP01	EMPLOYMENT DEVELOP DEPT	5.27 36.50	.00 .00	5.27 36.50	1A60612 2A60612	STATE INCOME TAX STATE INCOME TAX
Check Total.....:				41.77	.00	41.77		
12234	06/16/06	MID01	MIDSTATE BANK-PR TAX DEP	132.40 18.32 285.50 50.32	.00 .00 .00 .00	132.40 18.32 285.50 50.32	2A60612A 3A60612 4A60612 5A60612	FEDERAL INCOME TAX MEDICARE (FICA) FEDERAL INCOME TAX MEDICARE (FICA)
Check Total.....:				486.54	.00	486.54		
12235	06/16/06	MID02	MIDSTATE BANK - DIRECT DP	484.90 1388.25	.00 .00	484.90 1388.25	1A60612 2A60612	NET PAY DEDUCTION NET PAY DEDUCTION
Check Total.....:				1873.15	.00	1873.15		
012236	06/21/06	EBY01	EBY, ED	100.00	.00	100.00	062106	EIR STUDY SESSION 6/21/06
012237	06/21/06	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	062106	EIR STUDY SESSION 6/21/06
012238	06/21/06	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	062106	EIR STUDY SESSION 6/21/06
012239	06/21/06	WIN01	WINN, MICHAEL	100.00	.00	100.00	062106	EIR STUDY SESSION 6/12/06
012240	06/21/06	WIR02	WIRSING, JUDY	100.00	.00	100.00	062106	EIR STUDY SESSION 6/21/06
012241	06/28/06	AME03	AMERI PRIDE	60.24 64.74	.00 .00	60.24 64.74	F701119 F706849	UNIFORMS ETC UNIFORMS ETC
Check Total.....:				124.98	.00	124.98		
012242	06/28/06	AQU02	AQUA CONSERVE	60.13	.00	60.13	3696	EASY GUAGES
012243	06/28/06	AWW02	AMERICAN WATER WORKS ASSO	87.50	.00	87.50	30048	BOOK
012244	06/28/06	BOG01	BOGNUDA, LISA	41.78 30.71	.00 .00	41.78 30.71	061306 061506	REIMB FOR SUPPLIES REIMB FOR COPIES
Check Total.....:				72.49	.00	72.49		
012245	06/28/06	COM01	COMPUTER NETWORK SERVICES	1437.16	.00	1437.16	NCSd-065a	COMPUTER SUPPORT

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JUNE 23, 2006**

**AGENDA ITEM
D-1
JUNE 28, 2006
PAGE TWO**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
012267	06/28/06	NIC01	NICKSON'S MACHINE SHOP	403.33	.00	403.33	72527	SUNDALE MOTOR MAINT
				764.25	.00	764.25	72543	SUNDALE MAINT
			Check Total.....:	1167.58	.00	1167.58		
012268	06/28/06	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	56971	PEST CONTROL
				49.00	.00	49.00	56972	PEST CONTROL
			Check Total.....:	314.00	.00	314.00		
012269	06/28/06	OFF01	OFFICE DEPOT	157.08	.00	157.08	340854768	SUPPLIES
012270	06/28/06	PAD02	PADRE ASSOCIATES, INC	967.50	.00	967.50	2006-856	DRAFT INITIAL STUDY - HET
012271	06/28/06	POS01	POSTMASTER	19.00	.00	19.00	063006	POST OFFICE BOX FEE
012272	06/28/06	PUL01	PULITZER CENTRAL COAST NP	62.10	.00	62.10	063006	SUBSCRIPTION TO SM TIMES
012273	06/28/06	PWM01	PW MANN ELECTRIC INC	8389.77	.00	8389.77	6045	WIRING FOR AERATION EQUIP
				5767.39	.00	5767.39	6046	TOWN WWTP ELECT MAIN
			Check Total.....:	14157.16	.00	14157.16		
012274	06/28/06	QUI03	QUINN RENTAL SERVICES	430.07	.00	430.07	2073112	SUPPLIES
				102.01	.00	102.01	2073379	SUPPLIES
			Check Total.....:	532.08	.00	532.08		
012275	06/28/06	RAL01	RALPH ANDERSEN & ASSOC	7938.10	.00	7938.10	17795	RECRUITMENT OF GM
012276	06/28/06	REL01	RELIABLE	64.65	.00	64.65	99800	OFFICE SUPPLIES
012277	06/28/06	RIC01	RICHARDS, WATSON, GERSHON	3483.00	.00	3483.00	146599	COASTKEEPER VS NCSD
				32143.82	.00	32143.82	146624	GROUNDWATER ADJUDICATION
			Check Total.....:	35626.82	.00	35626.82		
012278	06/28/06	SAN01	SANTA MARIA TIRE INC	583.35	.00	583.35	436997	04 F150 VEHICLE MAINT
				39.77	.00	39.77	437036	04 VEHICLE MAINT
				53.33	.00	53.33	437057	99 VEHICLE MAINT
				36.88	.00	36.88	437060	COROLLA MAINT
				36.88	.00	36.88	437064	02 VEHICLE MAINT
			Check Total.....:	750.21	.00	750.21		
012279	06/28/06	SAN09	SAN LUIS MAILING SERVICE	63.15	.00	63.15	30483	MAILING BILLS
				358.76	.00	358.76	30483B	POSTAGE FOR BILLS
				49.93	.00	49.93	30490A	MAILING BILLS
				216.66	.00	216.66	30490B	POSTAGE FOR MAILING BILLS
			Check Total.....:	688.50	.00	688.50		
012280	06/28/06	SNY01	SNYDER LANDSCAPE MAINT CO	553.00	.00	553.00	173	LLANDSCAPE MAINT MAY
012281	06/28/06	SPE03	SPECIALTY CRANE & RIGGING	1103.99	.00	1103.99	29775	TOWN WWTP PUMP REMOVAL
				837.62	.00	837.62	29803	TOWN WWTP MAINT
			Check Total.....:	1941.61	.00	1941.61		
012282	06/28/06	STA03	STATEWIDE SAFETY & SIGNS	51.84	.00	51.84	44564	MARKING STICKS
				51.84	.00	51.84	48864	SUPPLIES
			Check Total.....:	103.68	.00	103.68		
012283	06/28/06	SUN01	SUNBELT RENTALS	10015.09	.00	10015.09	6641072	TOWN & BL WWTP TRANSFER P
012284	06/28/06	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	062806	REG BD MEETING 062806
012285	06/28/06	VAL01	VALLEY SEPTIC SERVICE	1243.80	.00	1243.80	3182	JETTING SEWER LINES
				400.00	.00	400.00	3225	JETTING MANHOLES IN BL
			Check Total.....:	1643.80	.00	1643.80		
012286	06/28/06	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	062806	REG BD MEETING 062806
012287	06/28/06	WIG01	WIGHTON'S INC.	987.00	.00	987.00	368289	AIR CONDITIONER REPAIR
012288	06/28/06	WIN01	WINN, MICHAEL	100.00	.00	100.00	062806	REG BD MEETING 062806
012289	06/28/06	WIR02	WIRSING, JUDY	100.00	.00	100.00	062806	REG BD MEETING 062806

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JUNE 23, 2006**

**AGENDA ITEM
D-1
JUNE 28, 2006
PAGE THREE**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice # Description
012246	06/28/06	CRE01	CREEK ENVIRONMENTAL LABS	80.00	.00	80.00	N3052 WATER SAMPLES
				24.00	.00	24.00	N3053 BL WWTP LAB
				24.00	.00	24.00	N3083 BL WWTP LAB
				24.00	.00	24.00	N3114 BL WWTP LAB
				24.00	.00	24.00	N3145 BL WWTP LAB
				24.00	.00	24.00	N3167 BL WWTP LAB
				80.00	.00	80.00	N3188 WATER SYSTEM SAMPLES
				24.00	.00	24.00	N3189 BL WWTP LAB
				24.00	.00	24.00	N3228 BL WWTP LAB
				24.00	.00	24.00	N3271 BL WWTP LAB
				24.00	.00	24.00	N3295 BL WWTP LAB
				24.00	.00	24.00	N3325 BL WWTP LAB
				24.00	.00	24.00	N3354 BL WWTP LAB
				80.00	.00	80.00	N3355 WATER SAMPLES
				20.00	.00	20.00	N3356 WATER SAMPLES
				24.00	.00	24.00	N3395 BL WWTP LAB
				24.00	.00	24.00	N3439 BL WWTP LAB
			Check Total.....:	572.00	.00	572.00	
012247	06/28/06	CUE01	CUESTA EQUIPMENT	250.77	.00	250.77	158984 SUPPLIES FOR TOWN WWTP
				184.66	.00	184.66	159096 SUPPLIES FOR NEW TRUCK
			Check Total.....:	435.43	.00	435.43	
012248	06/28/06	DEW01	J B DEWAR INC	24.67	.00	24.67	359443 SUPPLIES
012249	06/28/06	DGJ01	DG JOHNSON CONSTRUCTION	311.00	.00	311.00	1111 RESTORE SERVICE
012250	06/28/06	DOC01	DOCTORS MEDPLUS MEDICAL	10.00	.00	10.00	042706 CO PAY FOR HEPATITIS INJE
012251	06/28/06	DUN01	DUNBAR, MADONNA	239.71	.00	239.71	061206 REIMB FOR BANNERS
012252	06/28/06	EBY01	EBY, ED	100.00	.00	100.00	062806 REG BD MEETING 062806
012253	06/28/06	FAR01	FARM SUPPLY COMPANY	94.82	.00	94.82	32584 SUPPLIES
012253	06/28/06	FAR01	FARM SUPPLY COMPANY	41.06	.00	41.06	38674 SUPPLIES
			Check Total.....:	135.88	.00	135.88	
012254	06/28/06	FAR02	FAR WEST EXPRESS	46.50	.00	46.50	72153+ DELIVER BILL TO SL MAILIN
012255	06/28/06	FER01	FERGUSON ENTERPRISES INC	1238.74	.00	1238.74	1091713 SUPPLIES
012256	06/28/06	FGL01	FGL ENVIRONMENTAL	228.00	.00	228.00	605253A WATER MONITORING - SEMI A
				201.00	.00	201.00	605259A TONW WWTP LAB
				52.00	.00	52.00	605260A BL WWTP LAB
				52.00	.00	52.00	605530A BL WWTP LAB
				201.00	.00	201.00	605531A TOWN WWTP LAB
				201.00	.00	201.00	605834A TOWN WWTP LAB
			Check Total.....:	935.00	.00	935.00	
012257	06/28/06	IMP02	IMPAC GOVERNMENT SERVICES	250.00	.00	250.00	052206A DUES RURAL WATER ASSOC
				259.18	.00	259.18	052206B SUPPLIES
			Check Total.....:	509.18	.00	509.18	
012258	06/28/06	IND02	INDEPENDENT ELEC SUPPLY	49.24	.00	49.24	12953-01 SUPPLIES
012259	06/28/06	JOH01	JOHNSON, DONNA	50.00	.00	50.00	060606 CLOSE BLDG PRIMARY ELECTI
				18.20	.00	18.20	062106 REIMB FOR SUPPLIES
			Check Total.....:	68.20	.00	68.20	
012260	06/28/06	JUS01	JUSTIFACTS CREDENTIAL	68.90	.00	68.90	119731 PRE EMP BACKGROUND CHECK
012261	06/28/06	KAM01	KAMAN INDUSTRIAL TECH	96.53	.00	96.53	W364646 SUPPLIES
012262	06/28/06	LAC01	LA CHEMICAL	498.89	.00	498.89	68721 CHLORINE
				346.90	.00	346.90	68722 CHLORINE
			Check Total.....:	845.79	.00	845.79	
012263	06/28/06	MCD01	McDONOUGH HOLLAND & ALLEN	12484.15	.00	12484.15	176685 LEGAL SERVICES
012264	06/28/06	MID05	MID STATE BANK PETTY CASH	44.70	.00	44.70	EIR POSTAGE FOR EIR
				37.55	.00	37.55	6-21-06 MISC SUPPLIES
			Check Total.....:	82.25	.00	82.25	
012265	06/28/06	MUL01	MULLAHEY FORD	184.80	.00	184.80	168735 PICKUP REPAIRS
012266	06/28/06	NEX01	NEXTEL COMMUNICATIONS	350.68	.00	350.68	87314-055 CELL PHONES

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 41 - Years of Service 1965 - 2006

MINUTES

JUNE 14, 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, **GENERAL 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.
- 00:01:00 B. ROLL CALL
At Roll Call, all Board members were present.
- 00:01:31 C. PUBLIC COMMENT PERIOD
PUBLIC COMMENT
- C-1) COMMANDER MARTIN BASTI OF SOUTH COUNTY SHERIFF STATION
Sgt. Kenitz presented information concerning sheriff activities in the Nipomo area.
Torch Run June 13, 2006, was successful.
There will be extra staffing for the 4th of July.
There has been a rash of vehicle break-ins.
There was an attempted homicide at the end of May.
The Board thanked him for his report.
- 00:04:03 C-2) DAN ANDERSON, CDF BATTALION CHIEF, CALIFORNIA DEPARTMENT OF FORESTRY (CDF)
CDF Battalion Chief Dan Anderson presented information concerning CDF activities in the Nipomo area.
The Chipping Program has had a record number of sign-ups. There is still one area remaining. Grant funding from the Air Pollution Control District has made the Chipping Program possible.
There were 508 calls in the greater Nipomo area and 251 calls from Station #22.
John Burns was awarded the Firefighter of the Year.
Fire Season opened June 5th.
Signs are being put up warning that fireworks are illegal in Nipomo.
When asked why 3 trucks and an ambulance responded to a medical emergency, Chief Anderson explained that there needs to be certain technicians for certain emergency calls, such as a cardiac problem.
The Board thanked him for his report.
- 00:07:48 D. CONSENT AGENDA
- D-1) WARRANTS
- D-2) BOARD MEETING MINUTES
MAY 24, 2006 REGULAR MEETING

MINUTES SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

- 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
- D-4) APPROVE JOB DESCRIPTION AND SALARY RANGE FOR MAINTENANCE WORKER
- D-5) DECLARE OLD UTILITY DEPARTMENT DUMP TRUCK SURPLUS AND AUTHORIZE SALE
- D-6) AUTHORIZE EMPLOYMENT OF SUMMER INTERNS FOR UTILITY SYSTEM WORK
- 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

Upon motion of Director Winn and seconded by Director Eby, the Board unanimously approved the Consent, as amended in the Minutes. Vote 5-0

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

RESOLUTION 2006-982
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

E. ADMINISTRATIVE ITEMS

00:17:54

- E-1) PUBLIC HEARING AND ADOPTION OF FY 06-07 NCSD BUDGET
 - 1. RESOLUTION ADOPTING FY 06-07 BUDGET,
 - 2. RESOLUTION DETERMINING APPROPRIATIONS LIMITATION

Lisa Bognuda, Assistant Administrator, reviewed the process in approval of the budget. The Finance Committee met and discussed the budget. Directors were asked to comment and the comments were incorporated into the budget. President Vierheilig had a question about the calculations in the second resolution proposed. The Board asked that the percentage be recalculated and brought back at a later time.

The following members of the public spoke:

Bill Nelson, Blacklake resident – wished everyone a Happy Flag Day. He complimented staff in the preparation of the budget this year. He questioned the discrepancy of the Blacklake Sewer Fund with the projections in the Reed Report. He also asked that a fact sheet be prepared explaining the rationale of Blacklake residents needing to help fund the supplemental water project.

Mr. Bruce Buel agreed with Mr. Nelson. The expenditures for the Blacklake Wastewater Treatment Facility were greater than projected in the Reed Study. The District is waiting for the California Infrastructure and Economic Development Bank to possibly ask the District to do an update of the Reed Study report. Director Trotter stated that one of the major problems of the sewer fund depletion was the sewer liner project.

Director Wirsing asked about the lack of a name for a District Engineer noted on Page 13 of the budget. Mr. Buel explained that at this time there is no designated District Engineer and as such the Board asked that the District Engineer position be removed from the Organizational Chart.

MINUTES SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

E-1) PUBLIC HEARING AND ADOPTION OF FY 06-07 NCSD BUDGET (continued)

Upon motion of Director Eby and seconded by Director Winn, the Board unanimously approved Resolution 2006-983. Vote 5-0.

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

RESOLUTION 2006-983
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING THE 2006-2007 FISCAL YEAR BUDGET

The Board discussed the calculations for the Appropriations Limitation Resolution and asked Mrs. Bognuda to recheck the figures. After the break, Mrs. Bognuda explained that the calculations were correctly made and there was no error. The formula used for the calculation is provided by the California Department of Finance. The Board then reviewed the Resolution. Upon motion of Director Eby and seconded by Director Trotter, the Board unanimously approved Resolution 2006-984. Vote 5-0.

RESOLUTION NO. 2006-984
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
DETERMINING THE APPROPRIATION LIMITATION FOR THE 2006-2007 FISCAL YEAR

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

00:41:12

E-2) BLACKLAKE STREET LIGHTING ANNUAL ASSESSMENT PUBLIC HEARING

Lisa Bognuda, Assistant Administrator, reviewed the Blacklake Street Lighting charges for Fiscal Year 2006-2007. There will be no change in the charges of \$34.00 per year per parcel. There was no public comment. Upon motion of Director Trotter and seconded by Director Wirsing, the Board unanimously approved Resolution 2006-985. Vote 5-0. Mr. Buel informed the Board that the painting of the street lights will be starting today.

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

RESOLUTION NO. 2006-985
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
PROVIDING FOR THE COLLECTION OF STREET LIGHT CHARGES ON
THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE AND
OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE BLACKLAKE VILLAGE

00:44:31

E-3) STREET LANDSCAPE MAINTENANCE DISTRICT PUBLIC HEARING

Lisa Bognuda, Assistant Administrator, reviewed the levy and collection of assessments for the Street Landscape Maintenance District No. 1 for Fiscal Year 2006-2007. Upon motion of Director Winn and seconded by Director Eby, the Board unanimously approved Resolution 2006-986. There was no public comment. Vote 5-0.

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

RESOLUTION NO. 2006-986
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE NIPOMO COMMUNITY SERVICES

MINUTES SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

DISTRICT STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2006-2007

00:46:44

- E-4) CONSIDER AUTHORIZING EXECUTION OF AGREEMENT WITH BOYLE ENGINEERING TO PERFORM PRE-DESIGN SERVICES FOR WATERLINE INTERTIE PROJECT

Bruce Buel, Projects Manager, reviewed the proposed agreement with Boyle Engineering to perform pre-design services for the Waterline Intertie Project.

Jon Seitz, District Legal Counsel, reviewed discussions with Boyle and noted some modifications in the agreement.

Mike Nunley of Boyle Engineering answered questions from the Board about the project. There was no public comment.

Upon motion of Director Eby and seconded by Director Winn, the Board unanimously authorized the President to execute the agreement, as amended. Vote 5-0

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

The Board took a break at 10:18 a.m. and reconvened at 10:30 a.m.

01:17:59

- E-5) CONSIDER APPROVING SOUTHLAND WASTEWATER TREATMENT FACILITY ACTION PLAN AND AUTHORIZE SUBMITTAL OF PLAN TO REGIONAL WATER QUALITY CONTROL BOARD

Bruce Buel, Projects Manager, introduced Mike Nunley of Boyle Engineering to explain the proposed Action Plan in response to the Notice of Violation from the Regional Water Quality Control Board for the Southland Wastewater Treatment Facility.

Mr. Mike Nunley reviewed the proposed plan. The Board discussed the matter with Mr. Nunley. There was no public comment.

Upon motion of Director Trotter and seconded by Director Eby, the Board unanimously approved the Action Plan and authorized staff to submit it to the Regional Water Quality Control Board. Vote5-0

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

01:43:23

- E-6) CONSIDER RECOMMENDATION FOR RALPH ANDERSEN & ASSOCIATES TO REVISE POTENTIAL SALARY RANGE FOR GENERAL MANAGER POSITION

Bruce Buel, Projects Manager, stepped down for this item and left the board room.

President Vierheilig explained that the original proposal for the General Manager position stated the salary range as starting at \$85,000 to \$100,000. After some Board discussion, Director Winn made a motion to increase the starting salary range to \$90,000 to 110,000, as recommended by Mr. Kreins, NCSD Interim General Manager. Director Eby seconded the motion. Vote 5-0

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

The Board reopened Agenda Item E-1 and approved Resolution 2006-984. (See E-1)

MINUTES SUBJECT TO BOARD APPROVAL

02:00:24 G. MANAGER'S REPORT

Bruce Buel, Projects Manager, reviewed the Manager's Report as presented in the Board Packet. The Board discussed the report with Mr. Buel. There was no public comment.

02:20:35 H. COMMITTEE REPORTS

There were no Committee Reports.

02:20:50 I. DIRECTOR'S COMMENTSDirector Wirsing

The fire hydrants need to be weeded around them. *Answer:* The position for summer intern will be covering the task along with other tasks.

She asked if there is a landscaping service for this building. *Answer:* Yes

Director Eby

Sunday, July 23rd fundraiser for the Dana Adobe. Tickets for two dinners and chance to win prizes costs \$100.00.

Saturday, June 17th- 1:30 to 3:30 p.m.— Save the Mesa meeting in NCSD Board room. Bruce Buel will be speaking about the supplemental water project.

Saturday, June 17th – 9:00 to 11:00 a.m. - Landscape Irrigation Workshop in NCSD Board room.

Director Winn

Wednesday, June 21st – Chamber luncheon 12:00 at Blacklake

Saturday, June 24th – 10:00 a.m. to 3:00 p.m. - Summer Festival at the Nipomo Park

Monday, June 26th – 6:30 p.m. - SCAC meets in the NCSD Board room. He encourages attendance.

There will be no WRAC meeting in July or August.

President Vierheilig

Thursday, June 15th – 9:00 a.m. – LAFCo meeting. Holloway Annexation will be heard for approval.

Friday, June 23rd – Meeting with Supervisor Achadjian concerning "in-lieu fees"

Wednesday, June 21st – 2:00 p.m. - EIR Workshop

Wednesday, June 21st – 7:00 p.m. – Nipomo Native Garden Board Meeting at the Vierheilig home.

Information received – half the farms in the nations largest irrigation district (Westlands) will be taken out of production.

MINUTES SUBJECT TO BOARD APPROVAL

02:29:14 J. CLOSED SESSION ANNOUNCEMENTS

At 11:40 a.m. Jon Seitz, District Legal Counsel, announced the following items to be discussed in Closed Session.

1. CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9
SMVWCD VS NCSA SANTA CLARA COUNTY CASE NO. CV 770214 AND
ALL CONSOLIDATED CASES.
2. CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9
MARIA VISTA VS. NCSA CASE NO. CV 040877
- ~~3. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9
CITIZENS AGAINST NON-NOTIFICATION (CANN) VS. NCSA, CASE NO. CV
051002~~
4. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GOVT. CODE
§54956.9 – COASTKEEPER V. NCSA CV060349.
5. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GOVT. CODE
§54956.9 – JESSE HILL (IN PRO PER) V. NCSA CV 060325 AND RELATED
LIABILITY CLAIM PURSUANT TO GOVT. CODE §54961.

K. PUBLIC COMMENT ON CLOSED SESSION ITEMS
There was no public present to comment.**02:30:03** L. ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session.

02:30:03 M. OPEN SESSION
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 1:25 p.m.
Jon Seitz, District Legal Counsel, announced that the Board heard an update on the items above.
There was no reportable action.

ADJOURN

President Vierheilg adjourned the meeting at 1:26 p.m.

MINUTES SUBJECT TO BOARD APPROVAL

TO: BOARD OF DIRECTORS
FROM: EDWARD KREINS *EK*
DATE: JUNE 23, 2006

**AGENDA ITEM
D-3
JUNE 28, 2006**

NOTICE OF APPOINTMENT OF DIRECTOR WINN TO AD HOC NEGOTIATIONS
COMMITTEE

ITEM

Receive notice of appointment of Director Winn to serve on Ad Hoc Negotiations Committee with the City of Santa Maria.

BACKGROUND

President Vierheilig has appointed Director Winn to represent NCSD on the Ad Hoc City of Santa Maria Negotiations Committee.

RECOMMENDATION

No action is required. This item is for the Board's information.

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TO: BOARD OF DIRECTORS
FROM: EDWARD KREINS *EK*
DATE: JUNE 23, 2006

**AGENDA ITEM
D-4
JUNE 28, 2006**

SMALL PROJECT WORKS AGREEMENT AND RESOLUTION

ITEM

Adopt Resolution establishing procedures for retention of contractors for small projects by standard agreement and task order.

BACKGROUND

In 2005, the Board adopted Resolution No. 2005-932 to establish policies and procedures for executing task orders for engineering services. In April, the Board adopted Resolution No. 2006-974 to establish policies and procedures for execution task orders for environmental services. The General Manager and District Counsel have developed a similar procedure which provides the General Manager flexibility in obtaining contractor services for small projects under the State set limit of \$25,000 for formal bidding. The procedure relies on a standardized agreement drafted by District Counsel and a Resolution defining the General Manager's authority.

The agreement is crafted to limit the District's exposure to the extent practicable. The Resolution defines the General Manager's authority -- the General Manager is limited to authorization of amounts up to \$25,000.00 for retention of contractors for small District works projects such as paving, excavation, painting, etc. that are funded under the adopted budget. Works that exceed \$25,000.00 will be subject to a formal "Bid" process.

The attached Work Order Contract Agreement will become the District's standard agreement for contractors to perform small project works. In non-emergency situations, staff would seek quotes from at least three of the contractors on the then current pre-qualified contractors list and award the work to the lowest bidder. In emergency situations, staff would have the authority to secure one quote and execute a work order with that contractor for the work required to resolve the emergency. Staff would report all such awards to the Board in the Manager's Report.

RECOMMENDATION

Adopt the attached Resolution and Work Order Contract Agreement.

ATTACHMENT

Draft Resolution
Draft Work Order Contract Agreement

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**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2006– Small Project Task Orders**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING THE POLICIES AND PROCEDURES FOR EXECUTING TASK ORDERS
FOR RETENTION OF CONTRACTORS TO CONSTRUCT SMALL PROJECT WORKS**

WHEREAS, the Nipomo Community Services District (“District”) desires to establish policy guidelines for approval of “task orders” for retention of contractors to construct small project works for budgeted projects pursuant to District approved Work Order Contract Agreements attached hereto and incorporated by reference herein; and

WHEREAS, the District has used an open competitive process to secure Statements of Qualifications from competent contractors to identify those firms that are willing to perform said services in 2006 and the District intends to annually circulate a Request for Statement of Qualifications to ensure that the listing of available firms remains current; and

WHEREAS, the District annually adopts budgets that itemize capital, operation and maintenance expenses (herein “Budgeted Projects”) for the budget year;

WHEREAS, for non-emergency situations the District will solicit quotes for small project construction from at least three firms on the then current list of contractors qualified to construct the proposed work before executing a task order with the firm whose quote offers the best value for completion of the proposed Small Project Works; and

WHEREAS, for emergency situations, the District will solicit at least one quote from the then current list of qualified contractors to perform the work needed to resolve that emergency and award that specific work to the firm whose quote offers the best value for that work.

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

1. The following Policies and Procedures shall apply to the General Manager authority to issue Task Orders for Small Project Works for budgeted projects:

- A. The General Manager shall maintain a current NCSD listing of Contractors that are available to perform Small Project Works of budgeted projects;
- B. Where the General Manager determines that a budgeted project is ready for construction, the General Manager shall solicit quotes from at least three firms on the then current NCSD listing;
- C. The General Manager shall determine if the firm whose quote provides the best value for the District is \$25,000 or less then the General Manager is authorized to execute a standard Work Order Contract Agreement with that firm and to issue a Task Order, without subsequent Board approval, up to an amount of twenty five thousand dollars (\$25,000) for that specific Budgeted Project.
- D. In emergency situations, the General Manager is authorized to execute a standard Work Order with a pre-qualified contractor for the

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2006-Contractor Task Orders

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING THE POLICIES AND PROCEDURES FOR EXECUTING TASK ORDERS
FOR CONSTRUCTION OF SMALL PROJECT WORKS BY CONTRACTORS

work needed to resolve the emergency up to an amount of twenty five thousand dollars (\$25,000).

2. Budgeted Works Projects exceeding twenty-five thousand dollars (\$25,000) will only be awarded on the basis of Bids that are approved by the Board.

3. Task Orders issued pursuant to Section 1, above, shall be reported in the General Manager's bi-monthly report to the District Board of Directors.

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

AYES:
NOES:
ABSENT:
CONFLICTS:

the foregoing resolution is hereby adopted this _____ day of June, 2006.

Lawrence Vierheilig
President, Board of Directors
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
District Legal Counsel

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**Nipomo Community Services District
P.O. Box 326
Nipomo, California 93444**

**WORK ORDER CONTRACTOR AGREEMENT
NIPOMO COMMUNITY SERVICES DISTRICT
AND
(to be completed)**

**Exhibit "A" - Description of the Work to be completed ("Work Order")
Exhibit "B" - Contractor Information Sheet**

THIS AGREEMENT, is made this ____ day of _____, 200_, in San Luis Obispo County, California, by and between the Nipomo Community Services District, hereinafter referred to as "District", and _____, hereinafter referred to as "Contractor" with reference to the following recitals.

A. NCS D desires to retain Contractor on an on-call, as needed, basis to perform services as identified in Exhibit "A" ("Work Orders") and/or as instructed by verbal authorization in emergency situations.

B. Contractor has completed the Contractor's Information Sheet attached hereto as Exhibit "B".

C. NCS D desires to engage Contractor to provide Work by reason of its qualifications and experience in performing such Work, and Contractor has offered to provide services through individual Work Orders or verbal authorizations in the event of an emergency as determined by District, on the terms and in the manner set forth herein.

NOW, THEREFORE, in consideration of their mutual covenants, the parties hereto agree as follows:

1. Contract Coordination.

A. District. _____ shall be the Contract Manager of the District. (Phone # _____, Fax # _____, Email _____).
Nipomo Community Services District, P.O. Box 326, Nipomo, CA 93444.

B. Contractor. _____ shall have the responsibility for the progress and execution of this Agreement for Contractor.
(Phone # _____, Fax # _____, Email _____).

Insert Address for Notices.

2. Duties of Contractor.

A. Work to be Furnished. Contractor shall provide the labor and materials to perform the Work as identified in individual Work Orders and/or verbal authorizations issued by the District and accepted by the Contractor in accordance with this Agreement.

B. Clean Work Area. Contractor shall clean up the work area on a daily basis to the satisfaction of the District's Contract Manager.

C. Laws to be Observed. Contractor shall:

1. Procure all permits and licenses, pay all charges and fees, and give all notices which may be necessary and incidental to the due and lawful prosecution of the work to be performed by Contractor pursuant to this Agreement.

2. At all times observe and comply with, and cause all of its employees to observe and comply with, all of said laws, ordinances, regulations, orders, and decrees which may affect the work performed by Contractor pursuant to this Agreement. Without limiting the generality of this Section, such obligations include:

- Trench safety and compliance with Labor Code §6705
- Providing for the safety of traffic and the public at the work site until Work is accepted by the District
- Compliance with the prevailing wage requirements established by the Director of the Department of Industrial Relations established by Labor Code Section 1773 (see Section 19).

D. Certificates. Provide the District with the following prior to District issuing the first Work Order or verbal authorization to provide services/work:

1. Proof of appropriate Contractor's License.

2. Proof of Worker's Compensation Insurance.

3. Proof of comprehensive general liability insurance, with limits of \$1,000,000.00 (including automobile), on an "occurrence basis" satisfactory to the District's Contract Manager. Said insurance policy shall include the following endorsements:

a. The District, its officers, directors, employees and agents shall be named as Additional Insureds under ISO Form CG 2010 11/85 or its equivalent; and,

b. The coverage afforded the District shall be primary and non-contributing with any other insurance maintained by District.

c. If not covered separately under a business automobile liability policy, the general liability policy shall also be endorsed to include non-owned and hired automobile liability.

3. Compensation

A. The Contractor agrees to provide the necessary labor and materials

1. to perform the Work described in Individual Work Orders at the compensation fixed in the Work Orders as follows:

a. Fifty percent (50%), within ten (10) days of written notice from Contractor describing the Work completed and that the Work described in the Work Order is fifty percent (50%) complete.

b. The balance within ten (10) days of District's acceptance of the Work.

2. To perform Work pursuant to verbal authorization on a time and material basis to be paid within ten (10) days of District's acceptance.

B. Payment to Contractor shall be full compensation for all personnel, materials, supplies, and equipment used in carrying out the Work.

C. Payment by District shall not constitute acceptance of defective Work or materials, and District's failure to discover or object to any unsatisfactory Work or billing prior to payment will not constitute a waiver of District's right to:

1. Require Contractor to correct such Work or billing; or

2. Seek any other legal remedy.

D. District may withhold, or on account of subsequently discovered evidence nullify, the whole or a part of any payment to such extent as may be necessary to protect District from loss, including costs and attorneys' fees, on account of (1) defective or deficient Work product not remedied; (2) subsequently discovered errors in invoices previously paid; (3) claims filed or reasonable evidence indicating probable filing of a claim or claims; (4) failure of Contractor to make payments properly to its employees or sub-Contractors; or (5) Contractor's failure to adhere to the Schedules or to achieve sufficient progress with the Work such that Contractor is unlikely to achieve timely completion.

4. Conditions to Acceptance.

The District shall not provide a written notice of acceptance of the Work until the Work has been completed and the following have occurred:

A. Final inspection and approval by District and Contractor provides one of the following:

1. An Engineer's Certification that the Work is constructed in substantial conformance with the plans and specifications (if required) or the Work described in individual Work Orders; or

2. A Contractor's Certification that the Work is constructed in substantial conformance with the plans and specifications (if required), the Work described in individual Work Orders or a verbal authorization.

B. An Affidavit from Contractor that all subcontractors have been paid.

C. The District's inspections and acceptance of the Work are for administrative purposes only and shall not be grounds for a Claim of Waiver and or the District's negligence (active or passive).

5. Familiarity with Work to be Performed:

A. By executing this Agreement and individual Work Orders, Contractor represents that Contractor (a) has thoroughly investigated and considered the Work referenced in Work Orders to be performed; (b) has carefully considered how the Work is to be performed; (c) fully understands the difficulties and restrictions attending performance of the Work under this Agreement; and (d) that the "not to exceed amount" is adequate for the Work to be performed by Contractor.

B. Section A does not apply to emergency work performed by verbal authorization.

6. Extra Work and Work Changes

No extra or change order work shall be performed without prior written authorization of District. Any change-order forms are to be incorporated in, and become a part of the Work Order. Unless otherwise agreed to in writing, all change order work shall be paid after acceptance in accordance with Section 3 of this Agreement.

7. Qualifications of Contractor.

A. Contractor represents that it is qualified to furnish the Work described under this Agreement and that the Work will be performed in a good and workmanlike manner.

B. All Work which has been rejected shall be remediated, or removed from the site and replaced by the Contractor in an acceptable manner and no compensation will be allowed for such removal, replacement or remedial work.

8. Work Schedule.

A. Contractor shall commence and complete the Work as specified in individual Work Orders and/or verbal authorizations.

B. Time extension may be allowed for delays caused by District, other governmental agencies, or factors not directly brought about by the negligence or lack of due diligence on the part of the Contractor.

9. Termination.

A. If Contractor at any time refuses or neglects to perform the Work in a timely fashion in accordance with the Work Order Schedules, or is adjudicated a bankrupt, or commits any act of insolvency, or makes an assignment for the benefit of creditors, or fail to make prompt payment to persons furnishing labor, equipment, or materials, or fails in any respect to properly and diligently prosecute the Work, or otherwise fails to perform fully any and all of the terms and conditions contained herein, Contractor shall be in default.

B. If Contractor fails to cure the default within four (4) days after written notice thereof, District may, (a) provide any such Work, labor, or materials as may be necessary to overcome the default and deduct the cost thereof from any money then due or thereafter to become due to Contractor under this Agreement; or (b) terminate Contractor's right to proceed with the Work..

C. In the case of such default termination, Contractor shall not be entitled to receive any further payment under this Agreement until the Work is completely and accepted by the District. At that time, if the unpaid balance of the amount to be paid under this Agreement exceeds the expenses incurred by District in completing the Work, such excess shall be paid by District to Contractor, but, if such expense shall exceed such unpaid balance, then Contractor shall promptly pay to District the amount by which the expenses exceeds the unpaid balance. The expense referred to in the last sentence shall include expenses incurred by District in obtaining the labor and materials from others, for attorneys'

fees, and for any damages sustained by District by reason of Contractor's default or defective Work.

D. The District has the right to terminate the Work authorized by the Agreement without cause ("Terminate for Convenience"). Termination for Convenience shall be upon District providing 72-hours' written notice to Contractor. In the event of Termination for Convenience, Contractor shall be entitled to payment in an amount not to exceed the contract price which shall be calculated as follows:

(1) Payment for any Work then satisfactorily completed and accepted by District, plus
(2) Reimbursable Costs actually incurred by Contractor; plus (3) reasonable termination costs incurred by Contractor solely on account of the Termination for Convenience. There shall be deducted from such sums as provided in this section the amount of any payment made to Contractor prior to the date of termination of the Work. Contractor shall not be entitled to any claim or lien against District or the proposed Work for any additional compensation or damages in the event of such termination and payment.

10. Personnel.

The Contractor represents that it has, or will, secure, at its own expense, all personnel required in performing the services under this Agreement. All of the Work required hereunder will be performed by the Contractor or under Contractor's supervision, and all personnel engaged in the work shall be qualified to perform such services.

11. Status of Contractor.

A. Contractor is and shall at all times remain a wholly independent contractor and not an officer, employee or agent of District. Contractor shall have no authority to bind District in any manner, nor to incur any obligation, debt or liability of any kind on behalf of or against District, whether by contract or otherwise.

B. The personnel performing the Work under the Agreement on behalf of Contractor shall at all times be under Contractor's exclusive direction and control. Neither District, nor any elected or appointed boards, officers, officials, employees or agents of District, shall have control over the conduct of Contractor or any of Contractor's officers, employees or agents, except as set forth in the Agreement. Contractor shall not at any time or in any manner represent that Contractor or any of Contractor's officers, employees, subcontractors, or agents are in any manner officials, officers, employees or agents of District.

12. Warranty.

Contractor guarantees and warrants that the Work will be constructed in a good and workman-like manner, in accordance with accepted construction practices, and Contractor guarantees such Work against defects in workmanship and materials for a period of two (2) years from the date of the Work's acceptance. Warranty work shall be completed within thirty (30) days from the date of receipt of written request from District.

13. Ownership of Materials.

All original drawings, construction documents, plans, specifications, videotapes, and other materials, prepared by or in possession of Contractor pursuant to this Agreement shall become the permanent property of District and shall be delivered to District upon demand.

14. Assignment.

This Agreement is for the performance of Work of the Contractor and is not assignable by the Contractor without the prior consent of the District.

15. Indemnification and Hold Harmless.

A. To the fullest extent allowed by law, the Contractor shall defend, indemnify, and hold harmless the District, its elected and appointed officials, agents, and employees and its subconsultants, officers, directors, and employees (collectively, the Indemnified Parties), from all liability, penalties, costs, losses, damages, expenses, caused of action, claims, and judgments, including attorney's fees and other defense costs, resulting from injury to or death sustained by any person (including Contractor's employees), or damage to property of any kind, or any other damage whatsoever, which injury, death, or damage arises out of or related to the performance of this Agreement and or individual Work Orders or verbal authorizations, including any of the same resulting from the alleged or actual negligent act or omission of the Indemnified Parties, except the obligation to indemnify shall not be applicable to injury, death, or damage to property arising from the sole or active negligence or willful misconduct of the Indemnified Parties. This indemnification shall extend to all claims asserted after termination of this Agreement for whatever reason.

B. Without limiting the generality of the foregoing indemnity, such indemnity obligation expressly extends to and includes any and all claims, demands, damages, costs, expenses, fines, penalties, or liability occasioned as a result of:

1. Damages to adjacent property related to the construction of the Work;

2. The violation by the Contractor, the Contractor's agents, employees, or independent contractors or subcontractors, or any provisions of federal, state, or local law, including applicable administrative regulations;
3. Injury to or death of any person, or any damage to property owned by any person, while on or about the Site or as a result of the Work, whether such persons are on or about the Site by right or not, whenever the Work is alleged to have been a contributing cause in any degree whatsoever.
4. The alleged failure of Contractor to comply with any provisions of California Labor Code, Division 2, Part 7, Chapter 1, (Section 1720-1861) in connection with the Work.

C. The Contractor shall reimburse the District for all costs and expenses, (including but not limited to fees and charges of engineers, architects, attorneys, and other professionals and court costs including all costs of appeals) incurred by said District in enforcing the provisions of this Paragraph 14.

D. Nothing contained in the foregoing indemnity provisions shall be construed to require Contractor to indemnify against any responsibility or liability in contravention of Civil Code §2782.

E. The indemnification obligation under this Paragraph 14 shall not be limited in any way by any limitation on the amount or type of insurance carried by Contractor or by the amount or type of damages, compensation, or benefits payable by or for the Contractor or any Subcontractor or other person or organization under workers' compensation acts, disability benefit acts, or other employee benefit acts.

F. The indemnification obligation of this Paragraph shall survive the District's acceptance of the Work and/or termination of this Agreement.

16. Waivers.

The waiver by either party of any breach or violation of any term, covenant, or condition of this Agreement or of any provision, ordinance, or law shall not be deemed to be a waiver of any subsequent breach or violation of the same or of any other term, covenant, condition, ordinance, or law. The subsequent acceptance by either party of any fee or other money which may become due hereunder shall not be deemed to be a waiver of any preceding breach or violation by the other party of any term, covenant, or condition of this Agreement or of any applicable law or ordinance.

17. Unauthorized Aliens.

Contractor hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act, 8 U.S.C.A. §§ 1101, et seq., as amended, and in connection therewith, shall not employ unauthorized aliens as defined therein. Should Contractor so employ such unauthorized aliens for the performance of Work covered by the Agreement, and should the any liability or sanctions be imposed against District for such use of unauthorized aliens, Contractor hereby agrees to and shall reimburse District for the cost of all such liabilities or sanctions imposed, together with any and all costs, including attorneys' fees, incurred by District. Contractor shall comply with all the provisions of the Federal Immigration and Nationality Act, 8 U.S.C.A. §§ 1101, et seq., as amended, and in connection therewith, shall not employ unauthorized aliens as defined therein.

18. Discrimination.

Contractor shall not discriminate in the employment of persons under this Agreement because of the race, color, national origin, ancestry, religion or sex of such person. Contractor shall comply with the provisions of Government Code Section 12990 et seq.

If Contractor is found in violation of the nondiscrimination laws of the State of California or similar provisions of federal law, it shall thereby be found in material breach of this Agreement.

19. Prevailing Wage.

Contractor shall keep informed and take all measures necessary to ensure compliance with Labor Code requirements, including, but not limited to Section 1720 et seq. of the Labor Code regarding public works, limitations on use of volunteer labor (Labor Code Section 1720.4) and payment of prevailing wages to workers and professionals for Work done under the Agreement, as determined by the Director of Industrial Relations of the State of California pursuant to California Labor Code Part 7, Chapter 1, Article 2. Copies of prevailing wage determinations are on file at District offices or otherwise available on the Web at www.cslp.ca.gov.

20. Notice.

All notices, statements, reports, approvals, requests, bills or other communications that are required either expressly or by implication to be given by either party to the other under this Agreement shall be in writing and signed for each party by such officers as each may, from time to time, be authorized in writing to so act. All such notices shall be deemed to have been received on the date of delivery if delivered personally or three (3) days after

mailing if enclosed in a properly addressed and stamped envelope and deposited in a United States Post Office for delivery. Unless and until formally notified otherwise, all notices shall be addressed to the parties at their addresses as shown in paragraph 1, above.

21. Agreement Contains all Understandings.

This document (including all exhibits and Work Orders referred to above and attached hereto) represents the entire and integrated agreement between District and Contractor and supersedes all prior negotiations, representations, or agreements, either written or oral. This document may be amended only by written instrument, signed by both District and Contractor. All provisions of this Agreement are expressly made conditions. This Agreement shall be governed by the laws of the State of California.

22. Venue.

This Agreement shall be governed by the laws of the State of California. The parties agree that in the event legal action is taken to enforce/interpret any provisions of this Agreement, said action shall be filed in the court of proper jurisdiction within the County of San Luis Obispo, California.

23. Non-Liability of District Officers and Employees.

No officer or employee of District will be personally liable to Contractor, in the event of any default or breach by the District or for any amount that may become due to Contractor.

24. Dispute Resolution.

A. The parties agree in good faith to attempt to resolve amicably, without litigation, any dispute arising out of or relating to this Agreement. In the event that any dispute cannot be resolved through direct discussions, the parties agree to endeavor to settle the dispute by mediation. Either party may make a written demand for mediation, which demand shall specify the facts of the dispute. The matter shall be submitted to a mediator who shall hear the matter and provide an informal nonbinding opinion and advice in order to help resolve the dispute. The mediator's fee shall be shared equally by the parties. If the dispute is not resolved through mediation, the matter may be submitted to the judicial system, in which event all litigation and collection expenses, witness fees, court costs and attorneys' fees shall be paid to the prevailing party.

25. Attorney's Fees.

In the event that any litigation or other proceeding of any nature between the District and Contractor becomes necessary to enforce or interpret all or any portion of

this Agreement, it is mutually agreed that the prevailing party therein shall receive from the other, in addition to such sums as may be awarded, an amount sufficient to reimburse such prevailing party for reasonable attorney's fees and costs paid or owing as a result of such proceeding.

26. Severability.

If any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions hereof, and such invalidity, illegality or unenforceability shall not affect any other provision hereof, and the Agreement shall be construed as if such invalid, illegal or unenforceable provision had not been contained herein.

27. Conflict of Interest.

Contractor covenants that neither it, nor any officer or principal of its firm, or subcontractors retained by Contractor has, or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of NCSD or which would in any way hinder Contractor's performance of the Work under this Agreement. Contractor further covenants that in the performance of the Work, no person having any such interest shall be employed by it as an officer, employee, agent or subcontractor without the prior express written consent of the NCSD Manager. Contractor agrees to at all times avoid conflicts of interest, or the appearance of any conflicts of interest, with the interests of the NCSD in the performance of the Work.

28. Nonexclusive Agreement.

Contractor understands that this is not an exclusive Agreement and that NCSD shall have the right to negotiate with and enter into contracts with others providing the same or similar services as those provided by Contractor as the NCSD desires.

29. Precedence.

In the event of a conflict between the Exhibits and this Agreement, the provisions of this Agreement shall control.

30. Recitals.

The recitals at A, B and C to this Agreement are incorporated herein by this reference made a part hereof.

31. Headings.

The paragraph headings used in this Agreement are for reference only, and shall not in any way limit or amplify the terms and provisions hereof, nor shall they enter into the interpretation of this Agreement.

32. Time is of the Essence.

Time is of the essence in the Agreement and each covenant and term is a condition herein.

33. Authority to Execute.

All parties to the Agreement warrant and represent that they have the power and authority to enter into the Agreement in the names, titles, and capacities herein stated and on behalf of any entities, persons, or firms represented or purported to be represented by such entity(ies), person(s), or firm(s) and that all formal requirements necessary or required by any state and/or federal law in order to enter into the Agreement have been fully complied with. Furthermore, by entering into the Agreement, Contractor hereby warrants that it shall not have breached the terms or conditions of any other contract or Agreement to which Contractor is obligated, which breach would have a material effect hereon.

IN WITNESS WHEREOF, District and Contractor have executed this Agreement the day and year first above written.

Contractor:

By: _____

Title: _____

Date: _____

Nipomo Community Services District

_____, General Manager
Nipomo Community Services District

Attest:

Donna K. Johnson,
Secretary to the Board of Directors

T:\\Documents\\Projects\\Contractors\\Contract Clean.Doc

EXHIBIT "A"

Work Order

to

WORK ORDER CONTRACT AGREEMENT

Between

NIPOMO COMMUNITY SERVICES DISTRICT and _____

Dated _____, 2006

"WORK ORDER # ____-06

AUTHORIZATION TO PERFORM WORK:

At the request of the Nipomo Community Services District Contractor is to provide Work as described herein. The terms and conditions of the above referenced Agreement between Contractor and District, dated _____, are incorporated herein by this reference. The Work requested, compensation and time for performance are set forth below as follows:

SCOPE OF WORK REQUESTED (Additional information may be attached as an Exhibit.):

TIME FOR PERFORMANCE (Commencement and completion, additional information may be attached as an Exhibit.):

FIXED COMPENSATION:

The Work will be completed for \$ _____.

TIME AND MATERIALS:

The Work will be performed on a time and material basis not to exceed \$ _____.

Nipomo Community Services District

Contractor

Approved By:
Title:
Date:

Approved By:
Title:
Date:

T:\Documents\Projects\Contractors\Contract Exhibit A.Doc

NIPOMO COMMUNITY SERVICES DISTRICT

**CONTRACTOR INFORMATION
FOR INCLUSION IN NCSD'S LIST OF BIDDERS**

(This list may be used by NCSD when a determination has been made to bid a project informally)

Company Name	
Address:	
Phone Number	
Fax Number	
Email Address	

Type of Contracting License (A, B, C,)	
Contractor License Number	
Name of License Holder	
Certified DBE (Y/N)	
DBE Number/Certifying Agency	

Type of work interested in and currently licensed to perform (check)

<input type="checkbox"/>	Bridge & Tunnel Construction	<input type="checkbox"/>	Industrial Coatings	<input type="checkbox"/>	Roadway Construction
<input type="checkbox"/>	Building Construction/Remodeling	<input type="checkbox"/>	Landscaping and Irrigation	<input type="checkbox"/>	Signing/Traffic Control
<input type="checkbox"/>	Concrete Retaining Walls	<input type="checkbox"/>	Masonry (incl. retaining walls)	<input type="checkbox"/>	Street Lighting and Traffic Signals
<input type="checkbox"/>	Concrete Rehabilitation / Repair	<input type="checkbox"/>	Minor concrete (incl. flatwork)	<input type="checkbox"/>	Striping
<input type="checkbox"/>	Communication Lines	<input type="checkbox"/>	Painting	<input type="checkbox"/>	Tanks
<input type="checkbox"/>	Excavation	<input type="checkbox"/>	Pipeline Construction	<input type="checkbox"/>	Treatment Facility Equipment Installation / Repair
<input type="checkbox"/>	Hazardous Material Abatement	<input type="checkbox"/>	Playground Equipment Installation	<input type="checkbox"/>	

Other (describe) :	
--------------------	--

TO: BOARD OF DIRECTORS
FROM: EDWARD KREINS *ek*
DATE: JUNE 23, 2006



BALLOT FOR LOCAL AGENCY FORMATION COMMISSION (LAFCO)
ALTERNATE SPECIAL DISTRICT MEMBER

ITEM

Ballot for LAFCO Alternate Special District Member

BACKGROUND

Paul Hood, Executive Director of LAFCO, is calling for each independent special district to cast a ballot to fill the Alternate Special District member vacancy on the San Luis Obispo LAFCO. The term will expire in December 2009.

The three nominees are:

- Joan Cobin, Director, Cambria Community Services District
- Ed Eby, Director, Nipomo Community Services District
- Robert Sparling, Upper Salinas/Las Tables Resource Conservation District

Attached are information sheets for Ms. Cobin and Mr. Eby.

RECOMMENDATION

It is recommended that Your Honorable Board cast its vote for Mr. Ed Eby.

ATTACHMENT

LAFCO Information

T:\doc\board matters\board letters 2006\lafco alternate.doc

LAFCO • The Local Agency Formation Commission
Serving the Area of San Luis Obispo County

TO: EACH INDEPENDENT SPECIAL DISTRICT
FROM: PAUL L. HOOD, EXECUTIVE OFFICER
DATE: JUNE 14, 2006
SUBJECT: BALLOT FOR LAFCO ALTERNATE SPECIAL DISTRICT MEMBER

COMMISSIONERS

BARBARA MANN, Chair
Special District Member

KATCHO ACHADJIAN
Vice Chair
County Member

SHIRLEY BIANCHI
County Member

DAVID BROOKS
Special District Member

RICHARD ROBERTS
Public Member

VACANT
City Member

ALLEN SETTLE
City Member

ALTERNATES

VACANT
Special District Member

TOM MURRAY
Public Member

JAMES R. PATTERSON
County Member

DUANE PICANCO
City Member

STAFF

PAUL L. HOOD
Executive Officer

RAY BIERING
Legal Counsel

DAVID CHURCH
Senior LAFCO Analyst

DONNA J. BLOYD
Commission Clerk

Three individuals have been nominated to fill the Alternate Special District member vacancy on the San Luis Obispo Local Agency Formation Commission (LAFCO). The term expires in December 2009. The three nominees are as follows:

Joan Cobin, Director, Cambria Community Services District
Ed Eby, Director, Nipomo Community Services District
Robert Sparling, Director, Upper Salinas/Las Tables Resource Conservation District

The nomination period expired on June 8, 2006. The Government Code states that "at the end of the nomination period, the Executive Officer shall prepare and deliver, or send by certified mail, to each independent special district one ballot and voting instructions." The ballot is attached. Each independent special district may vote for one nominee.

Please schedule this matter for a vote at your Board of Directors meeting as soon as possible. The completed ballot should be returned to the LAFCO Office **no later than July 17, 2006**. A self-addressed stamped envelope and current Commission Membership Sheet are also enclosed.

Please let me know if you have any questions.

c – Members, Formation Commission

RECEIVED
JUN 14 2006
NIPOMO COMMUNITY
SERVICES DISTRICT

1042 Pacific Street, Suite A • San Luis Obispo, California 93401

Tel: 805.781.5795 Fax: 805.788.2072

Copy of document from www.slolafco.com

BALLOT FOR LAFCO ALTERNATE SPECIAL DISTRICT MEMBER

Please check just one:

_____ **Joan Cobin**, Director, Cambria CSD

_____ **Ed Eby**, Director, Nipomo Community Services District

_____ **Robert Sparling**, Director, Upper Salinas/Las Tablas Resource Conservation District

From the _____
(Please insert name of Special District)

Board of Director's action was taken on:

(Please insert date of Board action)

**SAN LUIS OBISPO
LOCAL AGENCY FORMATION COMMISSION
INFORMATION SHEET**

Authority:

Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (Government Code Section 56000 et seq.)

Objective:

The Local Agency Formation Commission is a regulatory body responsible for the "discouragement of urban sprawl and the encouragement of the orderly formation and development of local governmental agencies based upon local conditions and circumstances."

Powers:

LAFCO is required to review and approve or disapprove proposals for boundary changes or governmental reorganizations of cities and special districts, including: (1) the formation of special districts and cities, and (2) the annexation and detachment of territory to cities and special districts. In addition, LAFCO is also required to determine a "sphere of influence" for each local governmental agency within the county. A sphere of influence is a plan for the probable, physical boundaries and service area of the agency; after adoption, it is used by the Commission as a factor considered in review of proposals.

Membership:

The Commission is comprised of seven (7) Regular Members (two county, two city, two special district, and one public member) and four (4) Alternate Members (one county, one city, one special district, and one public member) serving four-year terms. Current members and their term expiration dates are as follows:

Barbara Mann	Special District Member Oceano CSD	December 2006
Katcho Achadjian	County Member District 4 Supervisor	December 2009
Shirley Bianchi	County Member District 2 Supervisor	December 2007
David Brooks	Special District Member Templeton CSD	December 2008

Vacant	City Member	December 2007
Allen Settle	City Member City of San Luis Obispo	December 2009
Richard Roberts	Public Member	December 2008
Vacant	Alt. Special District Member	December 2009
Tom Murray	Alt. Public Member	December 2008
James R. Patterson	Alt. County Member	December 2009
Duane Picanco	Alt. City Member City of Paso Robles	December 2006

Commission Staff:

The Commission's staff serves in an administrative capacity, reviewing proposals, preparing sphere of influence studies and acting as a liaison with local agencies and the public.

Paul L. Hood	Executive Officer	phood@slolafco.com
Raymond A. Biering	Legal Counsel	
David Church	Senior LAFCO Analyst	dchurch@slolafco.com
Donna J. Bloyd	Commission Clerk	dbloyd@slolafco.com

Meeting Dates:

Regular meeting dates are the third Thursday of each month at 9:00 A.M. in the Board of Supervisors' Chambers, County Government Center, San Luis Obispo.

Commission Correspondence:

LAFCO

1042 Pacific Street, Suite A, San Luis Obispo, CA 93401
Tel: (805) 781-5795 Fax: (805) 788-2072 www.slolafco.com

Ballot Information for Election of LAFCO Special District Alternate

Nominee: Joan Cobin



Current and Recent San Luis Obispo Activities

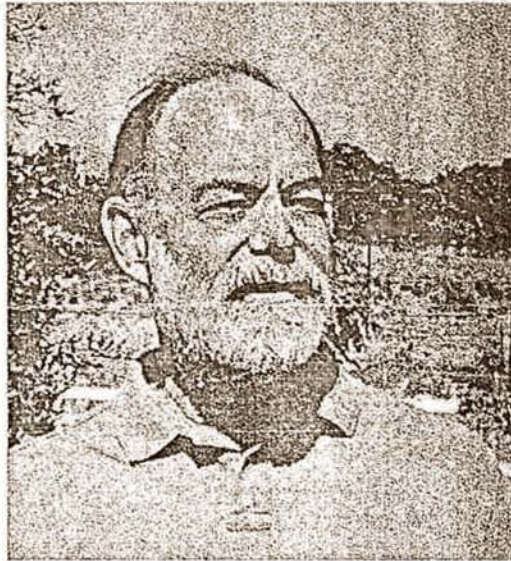
- Cambria Community Services District, Board Member
- Economic Opportunity Commission, Board Member
- Cambria Parks Recreation and Open Space Commission Member
- Community Center of Cambria, Board Member
- Camp Ocean Pines, Board Member
- Cambria Elementary School Bond Committee
- Cambria Historical Society, Committee Member

Background

Joan is a ten year resident of Cambria since moving from Orange County, California. She retired from California State University, Long Beach having served at varying times as Professor of Nursing, Nursing Department Chair and finally as Director of the CSU Statewide Consortium for Distance Learning. She has an earned PhD in Educational Psychology as well as undergraduate and graduate degrees in Psychiatric Nursing. In addition she served on numerous professional state and national committees, worked as a consultant for the World Health Organization in a number of developing countries and was a Kellogg Fellow Mentor. After retirement from the CSU she was employed by the Kellogg foundation to conduct training seminars for health care professionals in five southern African countries and five in Latin America. The goal of the training was to have them study and integrate innovative learning strategies appropriate to their unique health care education and delivery systems. Joan is a mother of two and a devoted grandmother of nine grandchildren most of whom have traveled with her to a variety of interesting points on the globe.

Ed Eby

Nominee for LAFCO Alternate Special District Member



San Luis Obispo County Activities

- Director, Nipomo Community Services District
- Chairman NCSO Supplemental Water Committee
- Chairman, 2006-2007 South County Advisory Council
- Past Elected Representative, Nipomo Community Advisory Council
- Past NCSO Delegate, Nipomo Community Advisory Council
- Member, Water Resources Advisory Committee
- Member, Technical Review Committee, South County Air Quality Mitigation Program
- Advisory Board Member, Dana Adobe Nipomo Amigos
- Member, The Land Conservancy of San Luis Obispo County

Ed frequently testifies on behalf of the South County at LAFCO, Planning Commission and Board of Supervisors hearings.

Background

Prior to his 1999 retirement from Hughes Space and Communications Co., Ed spent 35 years as a design engineer and program manager in Southern California's aerospace industry. Ed is a UCLA graduate with Bachelor of Science and Master of Science in Engineering degrees, and post-graduate studies in technical and management programs. He has lived in Nipomo for the past 5 years. In his spare time, he enjoys growing native plants, fruits and vegetables.

TO: BOARD OF DIRECTORS
FROM: ED KREINS
MADONNA DUNBAR
DATE: JUNE 21, 2006



CONSIDER PROPOSED WATER CONSERVATION PROGRAM AND POLICY

ITEM

Consider adoption of NCSD Water Conservation Program and Policy
[RECOMMEND ADOPTION]

BACKGROUND

The District Conservation / Compliance Specialist, Madonna Dunbar, has been working under the supervision of the Conservation Subcommittee to develop a comprehensive Conservation Program Outline. At this time, the outline specific to the Water Conservation Program (attached) is complete and is ready for formal adoption by the Board of Directors.

The purpose of the Board of Directors adopting the Water Conservation Program formal outline is:

- To provide the District staff with written, accepted guidelines of the Conservation Program goals, components and structure.
- To provide authorization for the conservation specialist to research and develop elements of the program beyond community outreach.

RECOMMENDATION

Staff recommends your Honorable Board consider staff presentation, comment and approve the attached Conservation Program and Policy.

ATTACHMENTS

Resolution_Consevation Program
Water Conservation Program and Policy, Conservation Program Budget (Exhibit A)
CUWCC BMP's and NCSD status comparison

DRAFT

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2006- Conservation Program and Policy

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING THE ADOPTION OF CONSERVATION PROGRAM AND POLICY GUIDELINES

WHEREAS, the Nipomo Community Services District Board of Directors pursuant to San Luis Obispo Local Agency Formation Commission (LAFCO) recommendations, has authorized the development of a formal Conservation Program,

WHEREAS, the California Urban Water Conservation Council (CUWCC) has developed 14 Best Management Practices (BMP's) as recommendations for municipalities as main areas of focus in developing water conservation programs,

WHEREAS, Madonna Dunbar, NCSD Conservation Specialist, following the CUWCC recommendations, along with comparison of complementary local agencies' water conservation programs, has developed specific program goals, objectives and structure defining the NCSD Conservation Program which are detailed in Attachment / Exhibit A ,

WHEREAS, the adoption of these guidelines will provide Board of Director approval to the direction of the program and grant District Staff permission to continue with program development,

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

1. The Conservation Program be adopted
On the motion by Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 28nd day of June, 2006.

Lawrence Vierheilig, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

Nipomo Community Services District Conservation Program

Conservation Program Purpose: The protection and efficient use of Nipomo's natural resources are in the best interest of the District's current and future residents. The NCS D CARE (Conservation and Resource Education) Program will promote conservation and resource protection, and will primarily rely upon research, educational materials, community outreach and the development of customer incentive programs to reach District conservation goals. The program shall publicize and implement the drought and emergency use policies of the Board of Directors. The program will assist in the development of applicable water conservation ordinances as directed by the Board of Directors related to preserving the long-term viability of Nipomo's natural resources while meeting the community's needs.

Conservation Program Scope: The CARE program shall develop outreach in the areas of: Water Conservation, Water Quality Awareness, Solid Waste / Recycling, and Household Hazardous Waste.

Program Review: The Conservation Committee shall annually review the Conservation Program's effectiveness. If changes are thought to be desirable, the committee shall make appropriate recommendations to the Board of Directors.

Scale of the Conservation Programs: Working in conjunction with ongoing community and regional efforts, the conservation program's educational component is geared at all residents of the Nipomo area. The incentive programs are limited to District customers only. In the event the funding for the rebate/incentive or other conservation program is forecast to be limited or depleted, the District reserves the right to suspend the incentive program component.

The following outline is specific to the Water Conservation Program. (Formal goals and program development in the other conservation areas will follow at a later date.)

Water Conservation Program: The Water Conservation Program will promote the efficient use of water through education, community outreach, incentive programs and Board of Director approved water conservation regulations and ordinances, in order to achieve reliable and permanent reductions in the District's per connection demand.

Key Water Conservation Program Goals:

- Maintain the long-term health of the District's primary water source: The Nipomo Mesa sub-area of the Santa Maria Groundwater basin.
- Educate the community on Nipomo's unique water balance, the link between use and supply, and the consumers' responsibility for protecting groundwater quality.
- Promote awareness that Nipomo's water resources are limited and could be seriously affected by long-term drought conditions and groundwater availability.
- Educate the public in water efficient techniques for indoor and outdoor water use.
- Reduce by 15% the District customers' average annual use per connection.
- Provide leadership through example by demonstrating practical and attractive water efficient devices and landscapes on District property and in cooperative arrangements.
- Reduce the operating and maintenance (O&M) costs at District facilities.

- Preserve the capacity of the current resources, thereby delaying the costs and environmental impacts of new water supply facilities.
- Can be evaluated and revised to review the effectiveness of its various elements.
- Be supported by residents of Nipomo by their actions in conserving water.

Main Components of the Water Conservation Program:

I) Community Outreach:

- a. Distribution of water conservation, household hazardous waste and solid waste/recycling education materials tailored to Nipomo residents. This will take the form of flyers, brochures, bill stuffers, press releases, newspaper, radio or television advertisements, as well as, website development. Distribution of literature and promotional materials will occur by direct mailing, newspaper publishing, placement at community public information areas, and by hosting an information booth at local events.
- b. Host relevant speakers and workshops for the community and local schools, on water conservation topics such as low-flow irrigation and the use of native and drought tolerant plants. Promote Water Conservation education in Nipomo schools through sponsorship of appropriate workshops and activities.
- c. Explore collaboration with various county and state agencies promoting water conservation.
- d. Establish a low water use Demonstration Garden at the District office by phased redesign of existing landscaping.
- e. Research and develop water conservation standard specifications for new developments within NCS D jurisdiction, in both indoor and outdoor water use. Encourage existing properties to be retrofitted with water conserving indoor features, and encourage property owners to redesign landscapes to promote low water use.
- f. Identify and target the highest residential and commercial customers and work with them directly to help them reduce their water use.
- g. Provide information and technical assistance to customers on current water-savings technologies.
- h. Other programs as deemed appropriate.

II) Customer Incentive Program (CIP) :

Goal: To encourage water conservation through monetary incentives. In the case of rebates, combine rebates with other agency/utility rebates to increase overall homeowner rebate. Funds for the water conservation incentive/rebate program shall come from existing conservation account.

- a. **Water Saving Device Distribution Program:** free distribution of minor cost, water saving fixtures (aerators, low flow shower heads, shower timers, landscape water gauges, hose nozzles) to District customers.

b. **Customer Leak Detection program:** The conservation program will continue to offer leak detection information and tools (dye tablets) for customers. On a per case basis, field staff may be routed to assist a customer with meter reading services, and basic leak detection on site.

Optional Components of the above Customer Incentive Program: *The following shall be researched, reviewed for viability by the Conservation Committee, and when appropriate, submitted for BOD approval:*

c.) **Irrigation Controller Rebate:** To reduce wasted water in household and commercial landscape irrigation, this program component shall encourage customers to upgrade their old irrigation controllers with either 1) site based, weather sensor sensitive irrigation controllers or 2) E-T (evapo-transpiration) controllers, which create a weekly watering schedule based on evapotranspiration data from local weather stations.

d. **'Cash for Grass' Turf Replacement Program** – Research offering a per square foot rebate for lawn removal and replacement with hardscaping, or low water use landscaping.

e. **Ultra – Low Flush Toilet Rebate:** Provide a cash incentive for customers who replace high flow toilets with low flow toilets. Only ultra-low flow (1.6 gallon per flush), meeting all current plumbing and county codes will be eligible for rebates.

f. **High Efficiency Clothes Washer (HEW) Rebate** – offer a rebate for the water-conserving washing machines use only 18 to 25 gallons of water per load, which can save 6,000 or more gallons of water per year. The better water extraction of HEWs also means less drying time and more energy savings, up to 50 percent less energy use per load.

III) Conservation Pricing:

Research multi-tiered rate re-structuring which will work equitably to spread the cost of water use and thereby encourage conservation.

IV) Review and Update NCSD Water Conservation Regulations and Ordinances:

The District Board policies require all future developers to participate in mechanisms, acceptable to the District, intended to ensure that their projects will not increase the District's net consumption and use of groundwater. Besides the Supplemental Water "Tie-In, Buy In" requirement, the following ordinance warrant revisions and submittal for approval with the BOD.

- a. **Develop a New Project Landscape Ordinance** based on local and state recommendations regarding outdoor landscape design and develop water conservation standard specifications for implementation in the will serve/ plan check and review process.

On May 23, 2006, Resolution 2006-197, the San Luis Obispo County Board of Supervisors adopted the modification of Chapter 3 of the South County Area Plan by adding Program 6; Supplemental Water Development Fee, and amended Sections 19.20.240 of the Building and Construction Ordinance, of the San Luis Obispo County Code to include specific water conservation fixtures in all new and as required , existing structures. In addition, the Board of Supervisors amended Section 22.112.020 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code - adding a new subsection E, defining specific landscape irrigation equipment requirements and 1200 sq. ft. turf area limitations within the Nipomo Mesa Water Conservation Area.

Development of NCSD ordinances and policy regarding water conservation requirements in the building permit / will serve process to provide support enforcement for these new county regulations.

b. Revise Existing Water Conservation Stages

As they are currently written, the institution of the mandatory conservation measures hinges upon an established overdraft of water use by District customers, and the established pumping level indicators are set to levels which are outdated (current daily pumping levels exceed the indicator limits). This is a reactive rather than a proactive approach to water conservation measures. Several local agencies have revised their ordinances to be activated when drought conditions are predicted, due to below average rainfall or other factors, such as ground water table levels and expected demand. Consideration of the SLO County Board of Supervisors Designation of Level 3 severity of water supports revision of the current strategies.

c. Enforcement of Water Conservation Ordinances:

NCSD Code 3.24.020: Prohibition of certain uses.

A. No customer shall waste water. As used herein the term "waste water" means:

1. Use of potable water to irrigate grass, lawns, groundcover, shrubbery, crops, vegetation and trees between the hours of nine a.m. and six p.m. or in such a manner as to result in run-off for more than five minutes;
2. Use of potable water to wash sidewalks, walkways, driveways, parking lots, open ground or other hard surface areas by direct application;
3. Allow potable water to escape from breaks within the customers plumbing system for more than four hours after the customer is notified or discovers the break;
4. Use of potable water for sewer system maintenance or fire protection training without prior approval by the district. (Ord. 92-65 2, 1992)

Past enforcement of these restrictions has been limited. The Conservation program staff will actively issue warnings for water conservation violations and impose appropriate penalties when necessary. Warnings consisting of door knob hung notification, and / or mailing will inform the customer of the nature of the Water Conservation Ordinance Infraction. Record of violation including date, type and address of violation will be kept by NCSD, and will allow for identification and penalization of repeat violators.

d. Consider a Retrofit Upon Re-Sale Ordinance requiring all previously owned properties sold within District boundaries to be retrofitted with low flow shower heads, faucet aerators, and ultra low flow toilets (1.6 gal or lower per flush). Staff works with the seller, buyer, or agent to ensure compliance with the ordinance. The property owner must retrofit all the required water using devices for the entire parcel. An occasional inspection may be required by a District representative in order to verify compliance.

e. Develop a groundwater monitoring / management program that provides timely and accurate information regarding the basin water health. Link this program to the Conservation Stage decision making process.

2006-2007 DRAFT BUDGET CONSERVATION PROGRAM


<u>WATER CONSERVATION</u>		<u>SUBTOTAL</u>	<u>TOTAL</u>
<i>PUBLICATIONS/OUTREACH LITERATURE</i>	<i>(all: water, HHW, recycling)</i>		
Bill Stuffers	6 @ \$750	4,500	
Brochures/Flyers- print in house		2000	
Brochures/Flyers- print outsource		10000	
Pre printed materials (kids books, AWWA)		2000	
Postage 2 annual direct mailings	8000@.50	4000	22500
<i>CUSTOMER PROMOTIONAL/GIVEWAY ITEMS</i>	<i>(All items from AM Conservation Group)</i>		
Conservation kits Tampa WCK074	<u>600@7.79</u>	4674	
Low flow showerheads See Tampa Kit price	Tampa Kit = 2 Ulf showerheads, 2 Ulf aerators,		
Faucet aerators See Tampa Kit price	leak tabs, outdoor hose nozzle, hose repair, flyer		
Hose nozzles See Tampa Kit price			
Faucet interruptors	500@2.10	1050	
Rain gauges	500@1.00	500	
Soil meter probes	200@3.25	650	
Shipping	1000	1000	7874
<i>REBATE/INCENTIVE PROGRAM</i>			
Controllers rebates	60 @ \$100	6000	
Nipomo Park Test Site	5 @ \$200	1000	
Toilet rebates	30 @ \$100	3000	
Washing machine rebates	50 @ \$100	5000	
mini click rain sensors	50 @ \$20	1000	16000
<i>EDUCATION/OUTREACH PROGRAMS</i>			
<i>STUDENT ART CONTEST</i>			
Prizes		600	
Publicity/ads		300	
Reception		200	
Framing/duplication		300	1400
<i>OUTREACH BOOTH</i>			
Banners		300	
Popup Tent		300	
Folding boards for display		400	
Table, chair, tablecloth		150	
Fees at events		1000	2150
<i>CLASSROOM PRESENTATIONS</i>			
Student books, handouts,		2500	
Envirothon Nipomo HS		500	3000
<i>GARDENING WORKSHOPS</i>			
Stipends to instructors 3 @\$100		300	
Hospitality		200	
Advertising		200	700
<i>DEMO GARDEN phase1</i>			
Re-planting, modify irrigation, educational signage		5000	5000

California Urban Water Conservation Council
Best Management Practices for Urban Water Conservation
Status of Nipomo Community Services District Conservation Program
June 12, 2006

CUWCC Best Management Practice (BMP)	Description	NCSD Status
1. Water survey programs for single-family residential and multi-family residential customers	Offer water use surveys to single family residential and multi-family residences. Achieve 20% participation in ten years.	In process. A customer survey about water use is being developed for completion by residents at workshops, public market booth and other outreach. Home water audits being considered.
2. Residential plumbing retrofit	Distribute showerheads, faucet aerators and toilet retrofit devices to residential customers. Achieve 75% retrofit in ten years.	Completed Phase 1: 1998 - 2005 Program to be reopened in 2006/2007 with the distribution of showerheads, faucet aerators and outdoor use water saving devices.
3. System water audits, leak detection and repair	Perform leak detection on the water distribution system annually; maintain unaccounted for water at less than 10%.	Completed. Unaccounted for water has been less than 7% over the past five years.
4. Metering with commodity rates for all new connections and retrofit of existing connections	Meter all connections and bill by volume of use; retrofit all unmetered connections within ten years.	Completed. All connections are metered and a comprehensive meter maintenance program is in place. (Commercial, Industrial, Irrigation) CII customers required to have separate landscape meter.
5. Large landscape conservation programs and incentives	Provide evapotranspiration based water budgets to 90% of dedicated irrigation meters; offer "water audits" or water budgets to mixed-use meters; provide incentives for irrigation efficiency.	NCSD customer base is primarily residential with a small number of CII accounts. In the past, this BMP was considered ineffective for NCSD. However – reconsideration of that status is in process. Large volume residential customers offered water conservation and leak detection information. CII customers required to have separate landscape meter. "Landscape Water Audits" to be made available on request to all large volume customers after staff training in landscape auditing, August 2006. NCSD customer base is primarily residential use. Black Lake Golf Course irrigated with recycled water.

6.	High efficiency washing machine rebate programs	Support legislation to improve efficiency standards for clothes washers; support incentive programs of energy providers.	In process. NCSD considering a \$100 rebate with PG&E matching \$75 rebate.
7.	Public information programs	Have an active program to inform customers about water conservation.	In process. We are developing community specific public information materials for distribution. Water conservation inserts are provided with bills. NCSD offers annual usage comparison on customer bills. We maintain two conservation information distribution centers; the NCSD office and the Nipomo Library. We are offering an increased amount of conservation information on the NCSD website. We plan to participate with outreach booth at Nipomo community events, participate in Swap Meet and /or Farmers Market in summer; provide speakers to special interest organizations. We will offer 3 free home landscape water conservation workshops Summer 2006. We support the statewide Water Awareness Month campaign each May. We also offer information materials specific to our water system.
8.	School education programs	Distribute appropriate educational materials and provide classroom presentations for K-high school students.	In process. NCSD staff is researching current water quality and water conservation / environmental education programs already offered in Nipomo schools. We plan to supplement these efforts with sponsorship of additional state standard approved curriculum materials, and assembly programs. We plan to offer customer assistance to school operations staff to reduce campus water use. Sponsorship of annual "Water Awareness Student Poster Art Contest".
9.	Conservation programs for all commercial, industrial and institutional accounts	Provide site surveys and incentives for replacement of toilets and other water use fixtures and processes. Achieve 10% participation or 10% savings within ten years.	NCSD customer base is primarily residential with a small number of CII accounts. CII customers required to have separate landscape meter. In the past, this BMP was considered ineffective for NCSD. Review of that status is in process.

10.	Wholesale agency assistance program	Provide financial assistance and technical support for cost-effective BMP's.	Not applicable.
11.	Conservation pricing	Have in place pricing that recovers the cost of providing water service and sewer service, bill uniformly for each unit of water sold or increases as use increases (inclining blocks).	In process. Our rates are heavily weighted to the commodity portion of the charge. Currently using a 2 tiered system with an additional flat rate service fee for water and sewer. In Fall 2007 NCSD will re-approach passage of 3 or 4 tiered rate system. NCSD sewer charges are based on estimated water use.
12.	Conservation coordinator	Have a designated staff position whose duties include oversight of BMP implementation and conservation program management.	Completed. Since February 2006 NCSD has had one full time management position supporting conservation.
13.	Water waste prohibition	Adopt regulations prohibiting "gutter flooding" for all customers and certain wasteful water use systems in new connections. Provide customers with information about efficient water softeners.	Completed. Water Waste Ordinance (NCSD code 92-65) was adopted in Jan. 1992. Any reported water waste incident receives immediate response with follow-up field support and technical assistance. Updated Information about water softeners distributed to Black LakeVillage customers. March, 2006 - Black Lake Village Master Association (BLVMA) banned self regenerating water softener replacement or repair. BLVMA offering \$200 incentive for removal of water softeners in Spring 2006.
14.	Residential ultra-low flow toilet (ULFT) replacement programs	Implement a ULFT replacement program that is at least as effective as requiring replacement of high-flow toilets at resale of property.	Completed. # 857 toilets in the residential sector have been replaced to date in the contractor retrofit program. Free fixtures were available from 1999-2005, until interested party list was exhausted. ULFT's, ULF showerheads and drip irrigation required for all new development.

TO: BOARD OF DIRECTORS
FROM: EDWARD KREINS 
DATE: JUNE 23, 2006



AUTHORIZE EXTENSION OF TERM OF THE FRANCHISE AGREEMENT WITH SOUTH COUNTY SANITARY SERVICE, INC. THROUGH JUNE 19, 2008 TO COINCIDE WITH TERM OF AGREEMENT WITH COUNTY (NO RATE INCREASE)

ITEM

Authorize extension of term of the Franchise Agreement with South County Sanitary Service, Inc. through June 19, 2008 to coincide with term of agreement with County (no rate increase).

BACKGROUND

On July 18, 2001, the Board of Directors approved a Solid Waste Franchise Agreement with South County Sanitary Services, Inc. for a five year term expiring on July 16, 2006. San Luis Obispo County also maintains a Solid Waste Franchise Agreement with South County Sanitary Services, Inc. for the remaining areas of the South County that are not in the District boundaries. The County's agreement will expire in two years on June 19, 2008.

It would be advantageous for the franchisees (District and County) to be on the same expiration cycle. This would allow the franchisees to work cooperatively in reviewing financial information and potential negotiations.

Tom Martin, General Manager of South County Sanitary Service, Inc., has agreed to this in writing (letter attached).

RECOMMENDATION

It is recommended that Your Honorable Board approve Resolution 2006-solid waste ext.

ATTACHMENT

Letter of signed by Tom Martin
Resolution 2006-solid waste extension

T:\doc\board letters 2006\solid waste extension.doc

T:\doc\board matters\board letters 2006\lafco alternate.doc

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2006-solid waste extension**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING EXTENSION OF TERM OF FRANCHISE AGREEMENT**

WHEREAS, pursuant to San Luis Obispo Local Agency Formation Commission (LAFCO) Resolution 2001-02, the Nipomo Community Services District (District) was given authorization to provide its residents with the collection or disposal of garbage or refuse matter pursuant to Government Code Section 61000, and

WHEREAS, on July 18, 2001, the District adopted Resolution 2001-777, approving a Solid Waste Franchise Agreement with South County Sanitary Services, Inc. for a five year term expiring on July 17, 2006, and

WHEREAS, the District desires to extend the currecnt Franchise Agreement to June 19, 2008, to coincide with San Luis Obispo County's Solid Waste Franchise Agreement.

WHEREAS, Tom Martin, General Manager of South County Sanitary Service, Inc., has agreed to this extension.

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

1. The Franchise Agreement, as amended, with South County Sanitary Services, Inc. is hereby extended to June 19, 2008.
2. The President of the Board is instructed to execute the extension on behalf of the District.

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

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 28nd day of June, 2006.

Lawrence Vierheilig, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

JON S. SEITZ
MICHAEL W. SEITZ

SHIPSEY & SEITZ, INC.
A LAW CORPORATION
1066 PALM STREET
POST OFFICE BOX 953
SAN LUIS OBISPO, CALIFORNIA 93406
(805) 543-7272 FAX (805) 543-7281
JON S. SEITZ
District Legal Counsel
Nipomo Community Services District

JOHN L. SEITZ
(1924-1986)
GERALD W. SHPSEY
(RETIRED)

June 6, 2006

Via Facsimile & 1st Class Mail

Tom Martin
South County Sanitary Service, Inc.
874 Grand Avenue
Grover Beach, CA 93433

Re: NCSD Solid Waste Franchise Agreement Extension

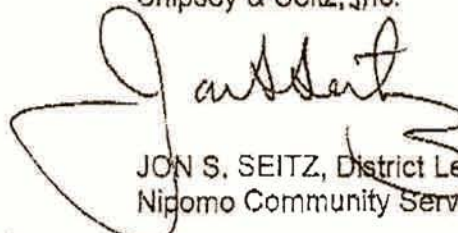
Dear Tom:

The Nipomo Community Services District's ("District") records reflect that the existing Solid Waste Franchise Agreement expires on July 17, 2006. District Staff is prepared to recommend an extension of the current Agreement to June 19, 2008, to coincide with San Luis Obispo County's Solid Waste Franchise Agreement.

If you concur with Staff recommendation please countersign below. With your concurrence, District Staff plans to place the extension on the June 29, 2006, Agenda.

Thank you for your continued cooperation in these matters. I would be happy to discuss the extension with you directly or with your attorney, if you prefer.

Very truly yours,
Shipsey & Seitz, Inc.



JON S. SEITZ, District Legal Counsel
Nipomo Community Services District

AGREED:




DATE: _____, 2006

Tom Martin, South County Sanitary Service, Inc.

JSS:jb

Cc: P. Terence Schubert, Esq. via facsimile
Ed Kreins, Interim General Manager, NCSD via facsimile
Lisa Bognuda, Administrative Assistant, NCSD via facsimile

TO: BOARD OF DIRECTORS
FROM: EDWARD KREINS 
DATE: JUNE 23, 2006

AGENDA ITEM
E-3
JUNE 28, 2006

DETERMINE CLOSURE DATE FOR RECEIPT OF WATERLINE DEIR COMMENTS

ITEM

Determine closure date for receipt of comments on Waterline Intertie Draft Environmental Impact Report (DEIR).

BACKGROUND

The Board President on June 21, 2006 set this item on this agenda so that it could consider the attached request of SCAC Land Use Committee that the closure date for receipt of comments on the Waterline Intertie Project DEIR be extended by thirty days from July 14, 2006 to August 14, 2006. The Board President further requested that District Legal Counsel provide an analysis of the requirements of State Law for providing notice of the availability of the DEIR. District Counsel will provide an oral report when this item is being considered. District Legal Counsel has reviewed and concurs with this report.

The State Clearinghouse has set the state's comment closure date as July 10, 2006 (see attached Notice), however, your Honorable Board has the discretion to extend this date.

Also attached are copies of the various Notices sent by staff starting on May 24, 2006. It should be noted that NCSO received the DEIR on May 23, 2006 and copies were distributed to the Board and the Nipomo Library on that date. The Notice of Completion and 15 Copies of the Executive Summary and 15 Compact Disks (CDs) were sent to the State Clearinghouse on May 24, 2006. The Notice of Availability was posted at the NCSO Office on May 24, 2006. The Notice of Availability to Responsible and Trustee Agencies along with a copy of the Draft EIR was mailed on May 26, 2006. An E-Mail on the Notice of Availability was sent to interested parties on May 31, 2006. Staff posted an Executive Summary of the DEIR and the Table of Contents of the DEIR on the District's Website on May 30, 2006 (Staff was unable to post the entire DEIR). Various parties have requested and received CDs of the DEIR starting on May 24, 2006 and continuing through today. Various parties have purchased copies of the DEIR and others have checked out Copies of the DEIR. Other individuals have reviewed the DEIR at the NCSO Office.

The Board should note that the District was unable to set a price for sale on the hard copy of the DEIR until June 2, 2006. Since staff did not initially have the actual cost of the document, staff started taking deposits on May 31, 2006. The Board should also note that staff did run out of CDs in early June and there was a three business day delay in securing a new supply. Finally, staff has been advised that some parties that received CDs could not open those CDs. Staff has offered to replace any such CDs with new CDs but as of this date no party has requested a replacement CD.

District Legal Counsel believes that the current public comment closure date is likely defensible, however, in order to avoid the potential for challenge based on notice and availability of the DEIR and the potential for project delays in addressing potential challenges, District Legal Counsel concurs with staff's recommendations.

JUNE 28, 2006 NCSD BOARD MEETING – ITEM E-3

Finally, staff has reprinted the Critical Path Display for the Project. As detailed in the attached display, extension of the comment period would likely result in a delay in completion of the project. However, staff believes that any delay would not exceed the thirty-two (32) days as recommended to extend the public comment period (July 14-August 16).

RECOMMENDATION

The Board has the discretion to extend the closure date for receipt of comments by the thirty days requested by the SCAC Land Use Committee, to extend the closure date by a different number of days, or to stay with the July 14, 2006 date previously set by staff. In order to maximize public access to the DEIR, staff recommends that the deadline be extended to August 16, 2006 so that staff can re-post and re-publish with another 45 day comment period starting June 29, 2006. Should your Board reset the comment deadline to August 16, 2006, staff should be directed to post at the office and publish in the Santa Maria Times on June 29, 2006, and to provide revised notice to all parties previously noticed.

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2006\DEIR COMMENT Closure Date.doc

SOUTH COUNTY ADVISORY COUNCIL

PO Box 1167, Sycamore, CA 95444-1167

June 21, 2006

To: Larry Vierheilig, President- NCDS
From: Bonnie Eisner – Chair SCAC Land Use Committee *BE*
Re: Draft EIR for Pipeline

At our Land Use Meeting on Monday, June 19th, the committee voted to request the following items:

1. The committee felt that the Advisory Council should have received a hard copy of the DEIR. Since our council is within the area in question and continually received these from every other land use applicant, it would be beneficial to have the DEIR available for all members to use. This is a valuable resource for the council.
2. The committee is requesting that the review period be lengthened by 30 days. Below is the timeline upon which this request is based.

May 24, 2006 – Memorandum sent by NCSD office that copies were available

May 26 - Received E- mail for SCAC members stating that they could not find the DEIR at the Library.

May 31 - Requested a hard copy. Told by staff that they could not give them out because there was not an approved price for the copy yet. Requested a CD. I was told that they were out and to call in a few days to see if they were back in stock.

June 1- Stopped by the office to pick up a hard copy. Was informed that I would have to pay \$20.00 deposit for the book, but they still did not have a price for it.

June 5- The staff now has a price set for the hard copy. The price is over \$200.00. The SCAC does not have that type of money in its library fund to afford the Hard copy so I took one of the CD.

June 21,2006

Page Two

June 9- I took the CD back to the office since it will not work. Received three E – mails from other members for the council that could not open the files or that the CD did not respond correctly. The office informed me that they were now loaning out the hard copies. This was not announced to the public or to the people on the e-mail list for the NCSD. If I had not gone into the office, I would not have known this fact.

The Land Use Committee as well as the council have now lost four weeks which has indeed been a frustration for it's members who have been diligent enough to want to research this DEIR for our community.

cc: Ed Eby- Chair SCAC



Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Sean Walsh
Director

Memorandum

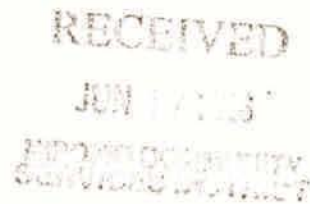
Date: June 7, 2006
To: All Reviewing Agencies
From: Scott Morgan, Senior Planner
Re: SCH # 2005071114
Nipomo Community Services District Waterline Intertie

The State Clearinghouse forwarded the above-mentioned project to your agency for review on May 25, 2006 with incorrect review dates. Please make note of the following information for your files:

Review period began: May 25, 2006
Review period ends: July 10, 2006

We apologize for any inconvenience this may have caused. All other project information remains the same.

cc: Bruce Buel
Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444



Notice of Completion & Environmental Document Transmittal

Appendix C

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2005071114

Project Title: Nipomo Community Services District Waterline Interlie

Lead Agency: Nipomo Community Services District Contact Person: Bruce Buel
 Mailing Address: P.O. Box 326 Phone: (805) 929-1133
 City: Nipomo, CA Zip: 93444 County: San Luis Obispo

Project Location:

County: San Luis Obispo/Santa Barbara City/Nearest Community: Nipomo/Santa Maria
 Cross Streets: Zip Code:
 Assessor's Parcel No.: Section: Twp: Range: Base:
 Within 2 Miles: State Hwy #: 101 Waterways: Santa Maria River
 Airports: Railways: Schools:

Document Type:

CEQA: NOP Draft EIR Final EIR Joint Document
 Early Cons Supplement/Subsequent EIR Final Document
 Neg Dec (Prior SCH No.) Draft EIS Other
 Mit Neg Dec Other FONSI



Local Action Type:

General Plan Update Specific Plan Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: Waterline Extension

Development Type:

Residential: Units: NA Acres: NA Water Facilities: Type: Pops/MGD
 Office: Sq. ft.: NA Acres: NA Employees: NA Transportation: Type: NA
 Commercial: Sq. ft.: NA Acres: NA Employees: NA Mining: Mineral: NA
 Industrial: Sq. ft.: NA Acres: NA Employees: NA Power: Type: NA MW
 Educational: NA Waste Treatment: Type: NA MGD
 Recreational: NA Hazardous Waste: Type: NA
 Total Acres (approx.): Other:

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Wildlife
 Coastal Zone Noise Solid Waste Growth Inducing
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Land Use
 Economic/Jobs Public Services/Facilities Traffic/Circulation Cumulative Effects
 Other

Present Land Use/Zoning/General Plan Designation:

South County Area Plan - Inland Portion

Project Description: (please use a separate page if necessary)

Construction and operation of one of three alternative methods for traversing the Santa Maria River with the proposed waterline interlie. Various infrastructure facilities will also be constructed on each side of the Santa Maria River in order to connect to existing water transmission facilities and to have the capacity to transport a maximum of 6,300 acre-feet of water per year. One of three alternative methods for traversing the Santa Maria River, two involving underground horizontal directional drilling and a third involving attachment of a pipeline to the existing Highway 101 Bridge, will be utilized.

State Clearinghouse Contact: (916) 445-0613 **SL**

State Review Began: 5-25-2006

SCH COMPLIANCE 7-10-2006

Please note State Clearinghouse Number (SCH#) on all Comments

2005071114

SCH#: **2005071114**
 Please forward late comments directly to the Lead Agency

AQMD/APCD 29/30

(Resources: 5, 127)

Project Sent to the following State Agencies

- | | |
|---|---|
| <input checked="" type="checkbox"/> Resources | State/Consumer Svcs |
| <input type="checkbox"/> Boating & Waterways | General Services |
| <input type="checkbox"/> Coastal Comm | Cal EPA |
| <input type="checkbox"/> Colorado Rvr Bd | ARB - Airport Projects |
| <input type="checkbox"/> Conservation | ARB - Transportation Projects |
| <input checked="" type="checkbox"/> Fish & Game # 3,5 | ARB - Major Industrial Projects |
| <input type="checkbox"/> Delta Protection Comm | Integrated Waste Mgmt Bd |
| <input type="checkbox"/> Forestry & Fire Prot | <input checked="" type="checkbox"/> SWRCB: Clean Wtr Prog |
| <input type="checkbox"/> Historic Preservation | SWRCB: Wtr Quality |
| <input checked="" type="checkbox"/> Parks & Rec | <input checked="" type="checkbox"/> SWRCB: Wtr Rights |
| <input checked="" type="checkbox"/> Reclamation Board | <input checked="" type="checkbox"/> Reg. WQCB # 3 |
| <input type="checkbox"/> Bay Cons & Dev Comm | <input checked="" type="checkbox"/> Toxic Sub Ctrl-CTC |
| <input checked="" type="checkbox"/> DWR | Yth/Adlt Corrections |
| <input type="checkbox"/> OES (Emergency Svcs) | Corrections |
| Bus Transp Hous | Independent Comm |
| Aeronautics | Energy Commission |
| <input checked="" type="checkbox"/> CHP | <input checked="" type="checkbox"/> NAHC |
| <input checked="" type="checkbox"/> Caltrans # 5 | <input checked="" type="checkbox"/> Public Utilities Comm |
| Trans Planning | State Lands Comm |
| Housing & Com Dev | Tahoe Rgl Plan Agency |
| Food & Agriculture | |
| <input checked="" type="checkbox"/> Health Services | |
| | Conservancy |
| | Other: |

Douglas Wood & Associates, Inc.

Land Use Planning / Governmental Relations / Environmental Analysis

LETTER OF TRANSMITTAL

TO: California State Clearinghouse
1400 10th Street, Room 212
Sacramento, CA 95814

DATE: May 24, 2006

ATTN: Scott Morgan

FROM: Doug Wood

DESCRIPTION: Notice of Completion and 15 CD Copies of Nipomo Community Services District Waterline Intertie Draft EIR with Executive Summaries Attached.

SENT FOR YOUR:

- INFORMATION
- REVIEW AND COMMENT
- USE
- BY REQUEST

REMARKS: Please distribute these copies of the Nipomo Community Services District Waterline Intertie EIR to all appropriate State agencies. Please contact me at (805) 544-1680 if you have any questions or additional information needs. Thank you for your assistance.

DOUGLAS WOOD & ASSOCIATES, INC.

By: 

Douglas Wood
President

24 Years of Excellence 1983 – 2006

Notice of Completion & Environmental Document Transmittal

Appendix C

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2005071114

Project Title: Nipomo Community Services District Waterline Intertie

Lead Agency: Nipomo Community Services District Contact Person: Bruce Buel
 Mailing Address: P.O. Box 326 Phone: (805) 929-1133
 City: Nipomo, CA Zip: 93444 County: San Luis Obispo

Project Location:

County: San Luis Obispo/Santa Barbara City/Nearest Community: Nipomo/Santa Maria
 Cross Streets: Zip Code:
 Assessor's Parcel No.: Section: Twp.: Range: Base:
 Within 2 Miles: State Hwy #: 101 Waterways: Santa Maria River
 Airports: Railways: Schools:

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) Draft EIS Other
 Mit Neg Dec Other FONSI

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: Waterline Extension

Development Type:

Residential: Units NA Acres NA Water Facilities: Type Pipeline MGD
 Office: Sq.ft. NA Acres NA Employees NA Transportation: Type NA
 Commercial: Sq.ft. NA Acres NA Employees NA Mining: Mineral NA
 Industrial: Sq.ft. NA Acres NA Employees NA Power: Type NA MW
 Educational NA Waste Treatment: Type NA MGD
 Recreational NA Hazardous Waste: Type NA
 Total Acres (approx.) Other:

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Wildlife
 Coastal Zone Noise Solid Waste Growth Inducing
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Land Use
 Economic/Jobs Public Services/Facilities Traffic/Circulation Cumulative Effects
 Other

Present Land Use/Zoning/General Plan Designation:

South County Area Plan - Inland Portion

Project Description: (please use a separate page if necessary)

Construction and operation of one of three alternative methods for traversing the Santa Maria River with the proposed waterline intertie. Various infrastructure facilities will also be constructed on each side of the Santa Maria River in order to connect to existing water transmission facilities and to have the capacity to transport a maximum of 6,300 acre-feet of water per year. One of three alternative methods for traversing the Santa Maria River, two involving underground horizontal directional drilling and a third involving attachment of a pipeline to the existing Highway 101 Bridge, will be utilized.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2004

Reviewing Agencies Checklist

Appendix C, continued

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

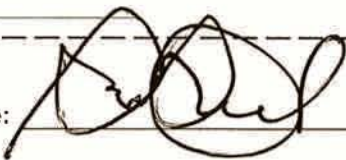
- | | |
|--|---|
| <input checked="" type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input checked="" type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Highway Patrol | <input checked="" type="checkbox"/> Parks & Recreation |
| <input checked="" type="checkbox"/> Caltrans District # <u>5</u> | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Public Utilities Commission |
| <input checked="" type="checkbox"/> Caltrans Planning (Headquarters) | <input type="checkbox"/> Reclamation Board |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input checked="" type="checkbox"/> Regional WQCB # <u>3</u> |
| <input type="checkbox"/> Coastal Commission | <input checked="" type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> S.F. Bay Conservation & Development Commission |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers and Mtns Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> Santa Monica Mountains Conservancy |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>CC</u> | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Food & Agriculture, Department of | <input checked="" type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Forestry & Fire Protection | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> General Services, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of |
| <input checked="" type="checkbox"/> Health Services, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input checked="" type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Integrated Waste Management Board | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Native American Heritage Commission | |
| <input type="checkbox"/> Office of Emergency Services | |

Local Public Review Period (to be filled in by lead agency)

Starting Date May 30, 2006 Ending Date July 14, 2006

Lead Agency (Complete if applicable):

Consulting Firm: <u>Douglas Wood & Associates, Inc.</u>	Applicant: <u>Nipomo Community Services District</u>
Address: <u>1461 Higuera Street, Suite A</u>	Address: <u>P.O. Box 326</u>
City/State/Zip: <u>San Luis Obispo, CA</u>	City/State/Zip: <u>Nipomo, CA 93444</u>
Contact: <u>Douglas Wood</u>	Phone: <u>(805) 929-1133</u>
Phone: <u>(805) 544-1680</u>	

Signature of Lead Agency Representative:  Date: 5/29/06



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326
NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932
Web site address www.nipomocsd.com

MEMORANDUM

TO: INTERESTED PARTIES
FROM: EDWARD KREINS, GENERAL MANAGER
DATE: MAY 24, 2006
RE: Waterline Intertie Project Draft Environmental Impact Report (DEIR)

Attached is a copy of the Waterline Intertie Project DEIR per your request.

You can submit comments on the Draft EIR through July 14, 2006 by mailing such comments to NCSD at Post Office Box 326, Nipomo; delivering comments to the NCSD Office at 148 South Wilson Street, Nipomo; faxing such comments to 805-929-1932; or e-mailing such comments to bbuel@nipomocsd.com.

More information on the DEIR or the process for commenting on the DEIR can be secured by calling NCSD's Special Project Manager Bruce Buel at 805-929-1133 or e-mailing him at: bbuel@nipomocsd.com.

WIP NOP COMMENTERS – Distribution List

5/16/06

Commenter	Firm
Terry Bours	CDFG
Noel King	SLO County Public Works
Victor Holanda	SLO County Planning Dept
Katcho Achadjian	Supervisor Katcho
Aeron Arlin- Genet	APCD
Mitch Cooney	OCSD
John Wallace	South SLO County SD
Dwayne Chisam	City of Santa Maria
Mary Bassett	City of Arroyo Grande
George Hansen	City of Grover Beach
Dennis Delzeit	City of Pismo Beach
Warren Morgan	Golden State Water Company
John Scardino	The Woodlands
Chuck Baker	Rural Water Company
Jim Markman	Richards, Watson, Gershon
Sorrel Marks	RWQCB

T:\DOCUMENTS\DISTRICT PROJECTS\SUPPLEMENTALWATER\SMWP\EIR\DEIR CD MERGE LIST.DOC



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Waterline Intertie Project Draft Environmental Impact Report (DEIR)

MAILED	HAND DELIVERED	WAITING LIST
DEBI ASKEW SMVWCD	GREG NESTER VIA LARRY SOUSA NESTER CONSTRUCTION	
GORDON R. HENSLEY, SAN LUIS OBISPO COASTKEEPER®	JERRY BUNIN HOMEBUILDERS ASSOCIATION	
NORM BROWN	SUSIE HERMRECK	
BEN TROGDON PACIFIC SUN GROWERS, INC.	LEAHA K. MAGEE 6-5-06	
RAY ALEXANDER	PHIL HENRY 6-5-06 SCAC	
KLARA BERGMAN GROUP	BONNIE EISNER 6-1-06	
SHERRI GUST COGSTONE RESOURCE MANAGEMENT INC.	JOHN SNYDER 6/5/06	
KRIS VARDAS PADRE ASSOCIATES	STACEY HUNT	
CHUCK ASHTON	JIM HARRISON	
SUSAN HARVEY	VINCE MCCARTHY	
ERIC GREENING		
KATHIE MATSUYAMA		
JAY FITZHUGH SLO CO FARM BUREAU		
MARK HUTCHINSON ENVIRONMENTAL PROGRAMS MANAGER COUNTY OF SAN LUIS OBISPO		
ROBERT CHRISTIANSEN		
BINGHAM MCCUTCHEN LLP	CREATIVE COMPRESSION DAVE BURSON PACKAGING HARD COPY	
Original CD and appendices		
John Zhao Solid Waste/Utilities Engineer City of Santa Maria Utilities Department	CHRIS AGUILAR SANTA MARIA TIMES	
ROBERT HILL LAND CONSERVANCY OF SAN LUIS OBISPO COUNTY	BRADLEY J. HERREMA HATCH & PARENT	
DAN WOODSON	JIM TEFFT	
BILL GRAVES	DALE J. RAMEY, P.E. PROJECT MANAGER COUNTY GOVERNMENT	
TERESA REYBURN CITY OF SANTA MARIA		



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Copies of the Waterline Intertie Project DEIR are available for review at the NCSD Office, 148 So. Wilson Street, Nipomo and at the Nipomo Branch Library at 918 West Tefft Street, Nipomo. Parties with internet access can also view an executive summary and a table of contents on NCSD's website – "nipomocsd.com". NCSD will also mail a CD version of the DEIR upon request.


Hard Copies can be purchased from the NCSD at NCSD's actual cost to print.

Interested parties can submit comments on the Draft EIR through July 14, 2006 by mailing such comments to NCSD at Post Office Box 326, Nipomo; delivering comments to the NCSD Office at 148 South Wilson Street, Nipomo; faxing such comments to 805-929-1932; or e-mailing such comments to bbuel@nipomocsd.com.

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ID	Task Name	Duration	Start	Finish	2006												2007											
					J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O		
1	ADEIR	98 days	Fri 1/6/06	Tue 5/23/06	[Task Bar]																							
2	DEIR Published	1 day	Wed 5/24/06	Wed 5/24/06													◆ 5/24											
3	Draft EIR Circulation	34 days	Tue 5/30/06	Fri 7/14/06	[Task Bar]																							
4	Permit Scoping	142 days	Tue 3/28/06	Wed 10/11/06	[Task Bar]																							
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7	Funding Option Evaluation	142 days	Tue 3/28/06	Wed 10/11/06	[Task Bar]																							
8	Predesign Studies	101 days	Wed 5/24/06	Wed 10/11/06	[Task Bar]																							
9	Final EIR Processing	58 days	Mon 7/24/06	Wed 10/11/06	[Task Bar]																							
10	Draft Predesign Published	1 day	Mon 10/2/06	Mon 10/2/06													◆ 10/2											
11	FEIR Published	1 day	Mon 10/2/06	Mon 10/2/06													◆ 10/2											
12	FEIR Certification	11 days	Wed 10/11/06	Wed 10/25/06	[Task Bar]																							
13	Project Selection	21 days	Wed 10/25/06	Wed 11/22/06	[Task Bar]																							
14	Final Predesign Memorandum	1 day	Fri 12/22/06	Fri 12/22/06													◆ 12/22											
15	Prequalify Contractors	81 days	Wed 10/25/06	Wed 2/14/07	[Task Bar]																							
16	30% Design Preparation	81 days	Wed 10/25/06	Wed 2/14/07	[Task Bar]																							
17	Permit Applications and Coordination	81 days	Wed 10/25/06	Wed 2/14/07	[Task Bar]																							
18	Funding Procurement	81 days	Wed 10/25/06	Wed 2/14/07	[Task Bar]																							
19	30% Design Published	1 day	Wed 2/14/07	Wed 2/14/07													◆ 2/14											
20	Land Acquisition	66 days	Wed 2/28/07	Wed 5/30/07	[Task Bar]																							
21	Permit Condition Negotiations	66 days	Wed 2/28/07	Wed 5/30/07	[Task Bar]																							
22	90% Design	66 days	Wed 2/28/07	Wed 5/30/07	[Task Bar]																							
23	90% Design Published	1 day	Wed 5/30/07	Wed 5/30/07													◆ 5/30											
24	Final Plans and Specifications	21 days	Wed 5/30/07	Wed 6/27/07	[Task Bar]																							
25	Bidding	25 days	Wed 6/27/07	Tue 7/31/07	[Task Bar]																							
26	Contract Award	25 days	Wed 6/27/07	Tue 7/31/07	[Task Bar]																							
27	Permit Final	48 days	Wed 6/27/07	Fri 8/31/07	[Task Bar]																							
28	NTP	1 day	Fri 8/31/07	Fri 8/31/07													◆ 8/31											

Project: NCS D Waterline Intertie Project- Critical Path Network Date: Tue 6/6/06	Task		Project Summary	
	Split		External Tasks	
	Progress		External Milestone	◆
	Milestone	◆	Deadline	↓
	Summary			

TO: BOARD OF DIRECTORS
FROM: EDWARD KREINS 
DATE: JUNE 23, 2006

AGENDA ITEM
E-4
JUNE 28, 2006

CREATE STANDING COMMITTEE TO TRACK WATERLINE PRE-DESIGN

ITEM

Create standing committee to track preparation of waterline intertie project pre-design.

BACKGROUND

Your Honorable Board on June 21, 2006 set this item on this agenda to consider the appropriate committee format to track preparation of the Waterline Intertie Project. The District already has a Standing Committee comprised of Directors Eby and Winn responsible for review of the Supplemental Water Project and an Ad Hoc Committee comprised of Directors Trotter and Eby in regards to selection of the design consultant. The Board could assign this function to either of these committees or create a new standing committee specifically for the purpose of tracking the pre-design effort including development of a recommendation on the proposed project once the FEIR has been certified. Given the interest in this topic, staff believes that the committee assigned this responsibility should be a standing committee so that all meetings can be noticed and open to the public.

RECOMMENDATION

Staff recommends that your Honorable Board create a new Standing Committee comprised of Directors Trotter and Eby to track the development of the Pre-Design effort and to formulate recommendations to the Board regarding selection of a project. Staff further recommends that this new committee be empowered to visit sites where Horizontal Directional Drilling (HDD) projects have been completed and to interact with HDD firms. The Board should note that the scope of work approved by the Board with Boyle Engineering for the Pre-Design Study includes the provision for up to four meetings with the appropriate committee. Boyle's scope of work also calls for monthly presentations to the Board so that the full Board can ask questions as the study evolves and for workshops with the full Board when the Board is ready to select a project.

Staff believes that the existing "Supplemental Water Project" Committee should retain responsibility for larger project issues including financing, permits, land acquisition and environmental review. Following project selection, the Board can decide if a committee should be assigned to track development of the project design.

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2006\WIP Standing Committee.doc

TO: BOARD OF DIRECTORS
FROM: EDWARD KREINS
DATE: JUNE 23, 2006

**AGENDA ITEM
F
JUNE 28, 2006**

MANAGER'S REPORT

ITEM

Standing report to your Honorable Board
Period covered by this report June 9, 2006 through June 23, 2006

DISTRICT BUSINESS

Administrative

Nothing to report. All Administrative items will be on the agenda as necessary.

Safety Program

No injury reports during the period.

Project Activity

Please see the attached report by District Projects Assistant Bruce Buel.

Field Activity

Please see the attached report by District Utility Supervisor Dan Migliazzo.

Conservation Program activities

Madonna Dunbar will make a presentation to the Board.

RECOMMENDATION

Staff seeks direction and input from your Honorable Board.

ATTACHMENT

- Memorandum from District Projects Assistant.
- Memorandum from Utility Supervisor.

Ed Kreins

From: Dan Migliazzo

Sent: Friday, June 09, 2006 2:03 PM

To:  Ed Kreins

Subject: Weekly Run Down

1. Sundale Well is down do to a ruptured cooling line in the gear head, causing water to fill the oil galley and displacing the oil causing water etching of the main thrust bearing. The gear head is out and apart at the shop, new parts are ordered and head will be back in service Tuesday 6/13/06.
2. We had the service on Crosby reconnected after the new owners had paid the bill.
3. We have begun pumping the sludge out of basin #4 at the Southland WWP; we started Thursday 6/8/06 about 2:30 pm. We had Specialty Crane set the pump unit into the center of the basin, as the water level drops we will drive the sludge toward the pump with high pressure hoses from a water truck.
4. We have started Church Well to keep up with our demand. The warmer weather has also increased our demand at Black Lake as such we have opened the by from Nipomo's system into the Black Lake tank.
5. As of this morning, we have everything online pumping with the 850gpm of Sundale offline we brought all of our smaller producers on.
6. Pre-job People Self Help housing project on Quito St.
7. MVE has completed a few of the facilities on the force main sewer line. They have made it onto Orchard Rd. with the force main facilities and will proceed on Monday coming toward Southland.
8. Honey Grove project for Newdoll is half tested and should be completely installed next week.
9. We had an angle stop broken off on Tefft St. it will need a complete replacement. (next week more than likely)

Ed Kreins

From: Dan Migliazzo

Sent: Friday, June 16, 2006 7:54 AM

To:  Ed Kreins; Bruce Buel

Subject: Weekly Update

1. Sludge removal at Southland plant is going ok we had to have Specialty Crane out again to lift pump out it was jammed with a rope. We have rigged the pump now with some cables so we are now able to move and remove the pump without a crane.
2. MVE has been making progress on their force main clean-outs, blow-offs and air vac installations, they have completed and tested on site from the lift station to sta 52+00 on Orchard Rd. The lift station is progressing also they were T-locking the wet well on Wednesday 6/14/06, we have not inspected that site yet this week, we will catch it today.
3. People Self Help project on Quito has started they are grubbing and clearing site.
4. Sundale well was back on line Tuesday and it is running well. We will begin throttling back Eureka to run off peak again with Sundale back on line.
5. Southland electrical upgrading completed to all the pump panels and we will be installing the surface aerators in basin #3 next week.
6. Project on 2439 has installed waterline from Glenhaven into the project and terminated 40' from their tie-in on Pomeroy.
7. Honey Grove project sewer line has been air tested and waterline has been flushed and sampled but still needs to be pressure tested.
8. We have had Paul Mann trouble shooting Oak Glen problem alarms and we will progress through the other stations to begin eliminating nuisance alarms.

Thanks,
Dan



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MEMORANDUM

TO: EDWARD KREINS, GENERAL MANAGER *EK*
FROM: BRUCE BUEL, PROJECTS ASSISTANT *BB*
DATE: JUNE 23, 2006
RE: PROJECTS UPDATE – 6/7/06 to 6/21/06

Following is a narrative describing the status and progress on projects that office and field staff has worked on from 6/7/06 through 6/21/06. Additionally, this Update includes a section on Environmental Review Task Orders issued; a section on new water allocations approved; and the Project Fiscal Report for May.

I. PROJECTS UPDATE

NCSO Water Intertie Project –

- This project is in environmental review with the Draft EIR circulated on May 24, 2006. The official comment deadline set by the Office of Planning and Research is July 10, 2006; however, staff will be accepting comments through July 18, 2006. Attached is a graphic of the Critical Path for the project.
- The Board, on June 14, 2006, approved Boyle's proposed scope of work for the pre-design phase of the project engineering and created a new bank account for investment of the remaining 2003 COP Proceeds. The Board, on June 21, 2006, conducted a workshop to review the Draft EIR. The Board is scheduled to ratify the President's nominee for the Ad Hoc City of Santa Maria Negotiations Committee, authorize an RFP for Construction Management Services, and Execute a Supplemental Water Agreement with the Woodlands at its June 28, 2006 Meeting.
- The Supplemental Water Project Standing Committee on May 10, 2006 set its next meeting for July 19, 2006 to discuss comments to the Draft EIR.

- Staff has finalized the Agreement with Boyle Engineering for Pre-Design Services and has conducted the Kick-Off meeting with the Design Team.
- Staff is attempting to organize a tour of HDD Projects and a meeting with an HDD Contractor.
- Staff participated in a meeting with Boyle Engineering and Bob Tarvin of Tarvin and Associates to organize the preparation of the rough appraisal.
- Staff has circulated a Request for Statement of Qualifications for Construction Management services to eleven local firms to determine the interest and availability of these firms to provide Construction Management Services. Staff will request that the Board on June 28, 2006 authorize circulation of an RFP to these five firms to perform CM Services for the WIP.
- Staff researched permit, land acquisition and funding issues related to the project.
- Staff supplied information on the Project to the I-Bank at the request of I-Bank staff.
- Staff has accomplished all critical path tasks necessary to accomplish the Timeline set forth in Section VI of the attached REVISED Strategic Plan Outline (See also the Critical Path Network attached).

Southland WWTF Upgrade Project –

- This project is at the concept stage both in responding to the RWQCB's Notice of Violation (NOV) and considering logical upgrades to the WWTF and to the adjacent collection system.
- The Board on April 12, 2006 selected Boyle Engineering to prepare the Feasibility Study on the Upgrade Project. The Agreement between NCSD and Boyle has been fully executed and staff has issued the Notice to Proceed to Boyle. The Board at its June 14, 2006 Board Meeting adopted the proposed Action Plan.
- Staff and Boyle have met to review the recommendations set forth in the Draft Action Plan to develop the timelines and staffing details required by the RWQCB. Boyle is scheduled to finalize these details for submission to the RWQCB by the July 6, 2006 deadline set forth in the NOV.
- Staff has circulated a Request for Statement of Qualifications to six state certified laboratories so that the Board can consider selecting new Laboratories at its July 12, 2006 Board Meeting.

Southland Shop Upgrades –

- This Project is at the concept stage with the expectation that staff will bring options to the Board at a future date for enlarging the shop and reorganizing the site.
- Staff has developed rough design layouts for alternative upgrades to the shop and a punch list of upgrades for the grounds.
- Staff is working with Garing/Taylor to secure topographic mapping of the entire site to assist in planning the layout of the improvements.

Standard Specifications –

- The Board adopted revised Standard Specifications (SS) at its May 10, 2006 Board Meeting. Staff has published the revised Standard Specifications on our website and replaced the old set for all pending and new development projects affecting NCSD utilities.

Hetrick Road Waterline Upgrade –

- Boyle Engineers has completed the preliminary design and presented the preliminary design to the Board at its April 26, 2006, Board Meeting. Staff expects that the Board will make an environmental determination on the Project at its October 11, 2006 Board Meeting.
- Staff has determined that the project is not categorically exempt pursuant to the California Environmental Quality Act and that a more detailed environmental review will be required. Staff mailed out a Request for Statement of Qualifications for CEQA review of small projects to prospective firms and received back Statements from five firms. The Board adopted a resolution establishing guidelines for retention environmental firms at its May 10, 2006 Board Meeting. Staff then mailed out a Request for Quote for the Hetrick Project to each of the five firms. Staff awarded this review to the firm submitting the lowest quote, Padre and Associates for \$5,945.
- Staff has also circulated a Request for Statement of Qualifications for Construction Management Services (CM) to eleven local firms. Five firms responded to the RSOQ and each SOQ was responsive. Staff will now circulate a Request for Quotes specific to the Hetrick Project so that the Board can select one firm to perform the construction management.

Blacklake Pump Station Upgrade –

- This project is in the concept design phase with the consultant expected to produce a draft concept design report for upgrades to the pumps and the distribution system by the end of June. Staff expects to present the plans to the Board this summer and bid the project so that it is completed during the winter when water demand is at its lowest.
- The Board on May 10, 2006 approved an amendment to the design services agreement with Boyle Engineers to authorize additional engineering analysis. Staff has executed a task order with Boyle for the approved additional engineering.
- Staff is independently preparing to upgrade the intertie between the Town System and the Blacklake System so that the District can take the Blacklake Pump Station off-line when it comes time for the upgrade.

Frontage Road Relocation –

- The County is the lead agency on this project, which is in its concept phase with no defined timeline for completion.
- Staff has reviewed the Options Report prepared by the County.
- King Ventures and Shapiro have proposed to realign Frontage from Hill Street to Grande Street as part of their respective development proposals. EDA on behalf of the two parties submitted a draft set of plans and profiles to County Public Works last fall. The County and Caltrans have reviewed these initial plans and responded with redlines, but additional discussions are necessary to determine the exact alignment and to deal with reconfiguration of the Southbound off-ramp and drainage.

Telemetry and Control (SCADA)–

- The Telemetry and Control System is functioning with all water storage reservoirs, ten wells, 12 lift stations, both WWTFs, the Blacklake Blower Building, and the Blacklake Connection connected. The Board on May 10, 2006 accepted the system and authorized staff to close out the development agreement with the contractor.
- Staff still needs to integrate additional facilities and start using the data capabilities of the software to gather data.
- Staff has not yet defined the status of the CIMIS station at the Woodlands.

Geographic Information System (Geo-Viewer)

- The GIS System is functioning with data attributes available for most layers in most of the District's Service Area.
- Staff is still adding data and attempting to rectify features to the actual geography.

Basin Groundwater Monitoring-

- Staff is underway with the consultant (SAIC) gathering data as authorized by the Board at its December 14, 2005, Board Meeting.
- Staff expects that this program will extend for multiple years and will involve interaction with the other basin stakeholders.
- Staff continues to gather data for integration into the data base to be designed by the consultant. Staff has secured the monitoring program being implemented by the Woodlands and has met with Woodland's Engineer to discuss their ongoing groundwater monitoring and production.

Preventative Maintenance and Staffing Review -

- This project has just started with staff assembling all systems and facilities.
- Staff has reviewed various computer software systems capable of tracking and reporting on maintenance management and has focused on two competing systems that appear to be promising. The "show and tell" of the system that the City of Santa Maria is using (one of the two finalists) originally scheduled on April 17, 2006 has been postponed.

Fairways Street Light Painting –

- The Board on April 12, 2006 awarded this work to Harry Jeffries Custom Painting and authorized staff to execute a contract with Jeffries.
- The agreement with Jeffries is now fully executed and staff has mailed notice to the affected residents.
- Jeffries started this project on June 14, 2006 and is expected to conclude his work by the beginning of July.
- Staff will provide a final report to the Board upon completion of the work.

Woodgreen Lift Station Access Upgrade –

- This project is in the concept phase with significant input from the homeowners group. Staff is preparing a “show and tell” with likely contractors to secure quotes for upgrading this access. Staff has also mailed out a Request for Statement of Qualifications to likely contractors in anticipation of a future Request for Quotes to do this work. Thirteen contractors returned SOQs and all 13 were responsive.

Contract Street Sweeping –

- The Board on May 24, 2006 awarded this work to SP Maintenance and authorized staff to execute an agreement. District Legal Counsel has prepared a draft agreement and staff has driven each paved street inside the District with SP Maintenance to reach agreement on the total number of curb miles. Staff expects that SP Maintenance will commence street sweeping on July 1, 2006.

Water Tank Security –

- The FY06-07 Budget includes funds to install video camera systems at the Tank Farm and the Standpipe Tank to address security issues.

Blacklake Salts –

- This project involves limiting the discharge from regenerative water softener units within the Blacklake development. Staff expects to develop education material to share with the property owners by this fall.
- Staff understands that the Blacklake Homeowner’s Association has promulgated amendments to its Master CCRs prohibiting the installation of new regenerative water softeners and encouraging conversion of existing units to the canister format.
- Staff has discussed the possibility of an incentive program whereby NCSD would offer a monetary reward for conversion of regenerative water softeners to more discharge friendly formats.

Pomeroy Water Line (Willow to Aden) -

- This project remains on hold given the likely realignment of Pomeroy by San Luis Obispo County. The Board on May 10, 2006 transferred the COP funding previously allocated to this Water Line to the Supplemental Water Project.

Relocation of NCSD Mains in/through County Drainage Structures -

- SLO County recently agreed to upgrade six Nipomo Drainage Structures over the next three fiscal years. Staff has discussed the opportunity to coordinate with County Public Works as they plan each upgrade.
- As currently planned, SLO County would work on the Mallagh Culvert and the Burton Culvert in FY 06-07; the Sea & Burton Culvert and the Haystack Culvert in FY 07-08; and the Thompson Avenue and the Tefft & Avocado Culvert in FY 08-09.
- Staff is proposing that the Board provide funding for the Mallagh Culvert and the Burton Culvert in the District's FY06-07 Budget.
- Staff has advised Supervisor Achadjian of NCSD's willingness to cooperate with the County in implementing these upgrades.

SSO Overflows General Waste Discharge Requirements –

- Staff researched the G-WDRs proposed by the SWRCB; discussed their potential impact on NCSD internally and with SWRCB staff; and presented staff conclusions at the Board's April 26, 2006 Board Meeting.
- The SWRCB at its May 2, 2006 Meeting did amend and then adopt the G-WDR. Staff presented the revised G-WDR at the June 14, 2005 District Board Meeting.
- Staff is scheduled to compile the Application for Board consideration at the Board's September 13, 2006 Board Meeting in order to submit the application prior to the State's October 2, 2006 deadline.

FY06-07 Projects Preparation -

- The adopted FY06-07 Budget includes funds for a valve exercising program and revisions to the water and sewer master plans in FY06-07. Staff has initiated research on these programs as well as the upgrades to the Gardenia Lift Station and the Hazel Lift Station proposed in the old Sewer Master Plan. Staff is also preparing the bid specifications for renovation of four of the percolation ponds at the Southland Wastewater Treatment Facility.
- Staff is monitoring the efforts of OCSD/Grover Beach/Arroyo Grande to evaluate the feasibility of a Desalination Plant at their Waste Water Treatment Facility. The Tri-Agency Group has retained the Wallace Group to prepare a Feasibility Study evaluating the cost effectiveness of desalting water at their WWTF for development of a future water supply. Staff expects to hold talks with Conoco-Phillips this summer to determine Conoco-Phillips willingness to participate in a feasibility study of using

excess heat at their refinery as the primary energy source for desalination of brackish supply water. Staff has also been tracking developments in both the technology and funding for desalination.

II. ENVIRONMENTAL REVIEWS PROCESSED

Aside from the Hetrick Project, staff has not issued any additional Task Orders for Environmental Review of District Projects.

III. CHANGES TO WATER ALLOCATION

The General Manager issued Intent to Serve Letter (ITS) on June 20, 2006 to Orié Johnson for a three unit apartment complex at 480 Glory Street. Attached is a Water Allocation Accounting Summary which shows that with this project the aggregate allocation committed this water year is at 49.6% whereas 66.7% of the water year has passed. In addition, your Honorable Board has approved an annexation Agreement with the Holloway family and SLO County LAFCo on June 15, 2006 approved the Holloway Annexation. Karl Holloway has submitted his Intent to Serve Application and staff expects to process this ITS letter in July based on your Honorable Board's approval of the annexation.

IV. MAY ACCOUNTING OF WATERLINE INTERTIE PROJECT FUNDS

Attached is the May 2006 Accounting of the Waterline Intertie Project Fund prepared by Lisa Bognuda at the Board's request.

t:\documents\staff folders\bruce\memos\060623projectupdate.doc

ID	Task Name	Duration	Start	Finish	2006												2007											
					J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O		
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5	Time Sensitive Research	142 days	Tue 3/28/06	Wed 10/11/06	[Task Bar]																							
6	Land Option Evaluation	142 days	Tue 3/28/06	Wed 10/11/06	[Task Bar]																							
7	Funding Option Evaluation	142 days	Tue 3/28/06	Wed 10/11/06	[Task Bar]																							
8	Predesign Studies	101 days	Wed 5/24/06	Wed 10/11/06	[Task Bar]																							
9	Final EIR Processing	58 days	Mon 7/24/06	Wed 10/11/06	[Task Bar]																							
10	Draft Predesign Published	1 day	Mon 10/2/06	Mon 10/2/06	[Milestone 10/2]																							
11	FEIR Published	1 day	Mon 10/2/06	Mon 10/2/06	[Milestone 10/2]																							
12	FEIR Certification	11 days	Wed 10/11/06	Wed 10/25/06	[Task Bar]																							
13	Project Selection	21 days	Wed 10/25/06	Wed 11/22/06	[Task Bar]																							
14	Final Predesign Memorandum	1 day	Fri 12/22/06	Fri 12/22/06	[Milestone 12/22]																							
15	Prequalify Contractors	81 days	Wed 10/25/06	Wed 2/14/07	[Task Bar]																							
16	30% Design Preparation	81 days	Wed 10/25/06	Wed 2/14/07	[Task Bar]																							
17	Permit Applications and Coordination	81 days	Wed 10/25/06	Wed 2/14/07	[Task Bar]																							
18	Funding Procurement	81 days	Wed 10/25/06	Wed 2/14/07	[Task Bar]																							
19	30% Design Published	1 day	Wed 2/14/07	Wed 2/14/07	[Milestone 2/14]																							
20	Land Acquisition	66 days	Wed 2/28/07	Wed 5/30/07	[Task Bar]																							
21	Permit Condition Negotiations	66 days	Wed 2/28/07	Wed 5/30/07	[Task Bar]																							
22	90% Design	66 days	Wed 2/28/07	Wed 5/30/07	[Task Bar]																							
23	90% Design Published	1 day	Wed 5/30/07	Wed 5/30/07	[Milestone 5/30]																							
24	Final Plans and Specifications	21 days	Wed 5/30/07	Wed 6/27/07	[Task Bar]																							
25	Bidding	25 days	Wed 6/27/07	Tue 7/31/07	[Task Bar]																							
26	Contract Award	25 days	Wed 6/27/07	Tue 7/31/07	[Task Bar]																							
27	Permit Final	48 days	Wed 6/27/07	Fri 8/31/07	[Task Bar]																							
28	NTP	1 day	Fri 8/31/07	Fri 8/31/07	[Milestone 8/31]																							

Project: NCSD Waterline Intertie Project- Critical Path Network
Date: Tue 6/6/06

Task		Project Summary	
Split		External Tasks	
Progress		External Milestone	
Milestone		Deadline	
Summary			

TABLE OF CONTENTS

Rough Draft NCSD SUPPLEMENTAL WATER PROJECT Strategic Plan Outline

3/8/06

5/30/06 Revisions in Bold Italics

- I. CEQA Timeline
- II. Design Timeline
- III. Permit Timeline
- IV. Land & ROW Timeline
- V. Funding Timeline
- VI. Critical Path
- VII. 2006 Board/Committee Meetings

T:/Documents/Projects/Supplemental Water/SWSWP/Table of Contents5/30/06

I. Rough draft NCSD-SWP CEQA TIMELINE

1. PROJECT OBJECTIVES DEFINITION

- A. Initial Board Review 3/8/06
- B. Web & Office Posting 3/8/06 to 4/12/06
- C. Board Determination 4/12/06

2. DRAFT EIR

- A. Prepare Printcheck Draft 4/14/06 to 5/4/06 (21 days)
- B. Prepare Circulation Draft 5/4/06 to 5/11/06 (7 days)
- C. Printing 5/11/06 to 5/18/06 (7 days)
- D. NOC/Circulation 5/22/06 to 7/10/06 (49 days)
- E. Board Status Report 5/24/06
- F. Presentation to WRAC 6/7/06

3. FINAL EIR

- A. Committee Review #1 7/13/06
- B. Prep Ad Draft Responses 7/10/06 to 8/10/06 (30 days)
- C. Committee Review #2 8/10/06 to 8/24/06 (14 days)
- D. Prepare Printcheck Draft 8/24/06 to 9/7/06 (14 days)
- E. Edit and Print Final 9/7/06 to 9/21/06
- E. Presentation to Board 10/11/06

4. CERTIFICATION

- A. Prepare Findings 9/21/06 to 10/5/06
- B. Certification Hearing #1 10/11/06
- C. Certification Hearing #2 10/25/06
- D. Notice of Determination 10/25/06

5. PROJECT SELECTION

- A. Committee Review TBD
- B. Board Review TBD

T:/Documents/Project/Supplemental Water/SMSWP/ EIR/TIMELINE CEQA – 3/8/06

II. Rough Draft NCSD-SWP Design Timeline

1. DESIGN TEAM SELECTION

- | | | | |
|----|---|---------|----------------------|
| A. | Prepare Draft Design Services RFP | 3/17/06 | |
| B. | Board Review RFP and Concept | 3/22/06 | (See Footnote No. 1) |
| C. | Circulate Design Services RFP (mail/post) | 3/24/06 | (See Footnote No. 2) |
| D. | Receive Design Services Proposals | 4/21/06 | |
| E. | Committee Review of Proposals | 4/28/06 | |
| F. | Screen to Short List | 5/5/06 | |
| G. | Short List Interviews | 5/17/06 | |
| H. | Board Selection/Authorize Negotiation | 5/24/06 | |

2. DESIGN SERVICES AGREEMENT

- | | | | |
|----|----------------------------|-----|--|
| A. | Negotiate Design Agreement | TBD | |
| B. | Board Review | TBD | |
| C. | Execute Agreement | TBD | |

3. QUALITY CONTROL (QA/QC) TEAM SELECTION

- | | | | |
|----|-------------------------|---------|--|
| A. | Circulate QA/QC RFP | 5/25/06 | |
| B. | Receive QA/QC Proposals | 6/15/06 | |
| C. | Board Review | 6/28/06 | |
| D. | Execute Agreement | TBD | |

4. DESIGN

- | | | | |
|----|--------------------------|-----------------------|--|
| A. | Issue NTP#1 | TBD | |
| B. | Research & 30% Design | 120 Days from NTP#1 | |
| C. | 30% Review & Issue NTP#2 | TBD (See Footnote #3) | |
| D. | 90% Design Submittal | 120 Days from NTP#2 | |
| E. | 90% Review & Issue NTP#3 | TBD | |
| F. | 100% Design Submittal | 21 Days from NTP#3 | |
| G. | Printing | 7 Days | |

5. CONSTRUCTION MGMT (CM) TEAM SELECTION -- If Necessary

- | | | | |
|----|----------------------|-----|--|
| A. | Circulate CM RFP | TBD | |
| B. | Receive CM Proposals | TBD | |
| C. | Board Review | TBD | |
| D. | Execute Agreement | TBD | |

II. Rough Draft NCSD-SWP Design Timeline (Continued)

6. ENGINEERING SERVICES DURING CONSTRUCTION (ESDC)

- | | | |
|----|-----------------------|-----|
| A. | Negotiate ESDC BUDGET | TBD |
| B. | Board Review | TBD |
| C. | Execute Agreement | TBD |

7. BIDDING

- | | | |
|----|--------------------------------------|-----|
| A. | Advertise | TBD |
| B. | Open Bids and Resolve Protest | TBD |
| C. | Award Bids | TBD |
| D. | Execute Contracts/Secure Bonds, Etc. | TBD |
| E. | Issue NTP | TBD |

NOTE #1: Assumes no Value Engineering Exercise and CM is not done by Design Team

NOTE#2: Potential Design Firms –Cannon; Boyle; Wallace; EDA; RRM; Penfield Smith; SAIC; MNS; Provost & Pritchard; Malcolm Pirnie; Carollo; MWH; Black and Vetch; Kennedy Jenks;

NOTE #3: Assumes 30% Submittal instead of the 75% proposed by Cannon (June 2005)

T:/Documents/Projects/Supplemental Water/SMWWP/Engineering/Timeline Design – 3/8/06

III. Rough Draft NCSD-SWP Permit Timeline

1. INITIAL CONTACTS & CONFIRMATIONS

A.	Letter to Each Agency	3/30/06	(See Footnote #1)
B.	Calls/Meetings with Each Agency	4/5 to 4/26	
C.	Determine Time Sensitive Research	4/26/06	
D.	Secure Proposals to Perform Research	TBD	(See Footnote #2)
E.	Board Consideration of Proposals	TBD	
F.	Execute Agreements	TBD	
G.	Perform Research & Secure Results	TBD	
H.	Summary of Results	TBD	

2. DEIR COMMENT REVIEW

A.	Review DEIR Comment Submitted	7/10/06	
B.	Calls/Meetings with Each Agency	7/11/06 to 7/25/06	
C.	Summary of Results	7/31/06	

3. PERMIT PROCESSING

A.	Prepare and Submit Application	TBD	(See Footnote #3)
B.	Interact with Agency	TBD	
C.	Negotiate Potential Conditions	TBD	
D.	Committee Review of Policy Issues	TBD	
E.	Board Review of Policy Issues	TBD	
F.	Secure Permits	TBD	

4. PERMIT IMPLEMENTATION

A.	Secure Proposals for New Research	TBD	
B.	Board Consideration of Proposals	TBD	
C.	Execute Agreements	TBD	
D.	Perform Research & Secure Results	TBD	
E.	Integrate Conditions/Research into Design	TBD	
F.	Integrate Conditions into Construction	TBD	

NOTE #1 – Permit Agencies: US ACE (Section 404 & NPDES); Ca DFG (1601); CCRWQCB (401 & NPDES); USFWS (7g/10); Caltrans (Encroachment); City Santa Maria (Encroachment Permit); County Santa Barbara (Encroachment Permit); County of SLO (Encroachment Permit);

NOTE #2 – Mitigation D7 Research must start by 8/15/06 to conclude by 10/31/06

NOTE #3 – As soon as possible after FEIR Certification

T:/Documents/Projects/Supplemental Water/SMSWP/Permits/Timeline Permits 3/8/06

IV. Rough Draft NCSD-SWP Land & ROW Timeline

1. INTIAL CONTACTS

- A. Letter to Each Owner 3/17/06
- B. Calls to Each Owner 3/24/06 to 3/31/06
- C. Summary of Results 4/7/06

2. ROUGH APPRAISAL

- A. RFQ/RFP to Potential Appraisers 3/17/06 (See Footnote #1)
- B. Receive Proposals 4/7/06
- C. Board Selection re Rough Appraisal 4/26/06
- D. Execute RA Agreement 4/28/06
- E. Secure Rough Appraisal 5/31/06
- F. Board Review (Closed Session) 6/14/06

3. DETAILED APPRAISAL

- A. Board Authorization for Detailed 11/15/06
- B. Execute D A Agreement 11/17/06
- C. Secure Detailed Appraisal Jan 2007
- D. Board Review (Closed Session) Jan 2007

4. NEGOTIATIONS

- A. Tender Offers Jan 2007
- B. Negotiate w Prop Owners Jan 2007 to TBD
- C. Board Review Feb 2007
- D. Open Escrows Feb 2007 to TBD
- E. Board Review TBD

5. FUNDING

- A. Secure Funding Feb 2007
- B. Board Adopt Notice of Acceptance Feb 2007
- C. Close Escrow TBD
- D. Secure Title and File Documents TBD

NOTE #1 – Potential Appraisers: Reeder Gilman; Schenberger et al

T:/Documents/Projects/Supplemental Water/SMSWP/Land/Timeline Land Aquisition – 3/8/06

V. Rough Draft NCSD-SWP Funding Timeline

1. EVALUATION OF OPTIONS

A.	Project Connection Charge Revenues	2/28/06 to 3/31/06	(Note #1)
B.	Describe Potential Grants/Appropriations	2/28/06 to 3/31/06	(Note #2)
C.	Describe Low Interest Loans	2/28/06 to 3/31/06	(Note #3)
D.	Describe Municipal Bond/COP Options	2/28/06 to 3/31/06	(Note #4)
E.	Describe Purveyor Buy In Options	2/28/06 to 3/31/06	
F.	Describe LLP Turn Key Concept	2/28/06 to 3/31/06	
E.	Summary of Results	4/5/06	

2. INITIAL REVIEW OF OPTIONS

A.	Committee Review	>4/5/06
B.	Board Review	4/26/06

3. FUNDING DEVELOPMENT

A.	Connection Charge Monitoring	Ongoing
B.	Grant Monitoring & Applications	Ongoing
C.	Process Loan/Bond/COP Paperwork	TBD
D.	Secure Funds	TBD

NOTE #1 - Also track County In-Lieu Fees for O&M Coverage

NOTE #2 – Prop 50 w County; Prop 50 NCSD; Fed WRDA

NOTE #3 – Ca SRF; CIEDB; USDA

NOTE #4 – Assessment Bond; Revenue Bond; COP w CSDA; COP NCSD

T:/Documents/Projects/Supplemental Water/SMSWP/Funds/Timeline Funding 3/8/06

VI. Rough Draft NCSD-SWP Critical Path

ELEMENT	TIMEFRAME
<i>Administrative DEIR</i>	<i>1/6/06 to 5/23/06</i>
<i>DEIR PUBLISHED</i>	<i>5/24/06</i>
Draft EIR <i>Circulation</i>	<i>5/30/06 to 7/14/06</i>
Permit Scoping	<i>3/28/06 to 10/11/06</i>
Time Sensitive Research	<i>3/28/06 to 10/11/06</i>
Land Option Evaluation	<i>3/28/06 to 10/11/06</i>
Funding Option Evaluation	<i>3/28/06 to 10/11/06</i>
<i>PREDESIGN STUDIES</i>	<i>5/24/06 to 10/11/06</i>
Final EIR Processing	<i>7/13/06 to 10/11/06</i>
<i>PREDESIGN PUBLISHED</i>	<i>10/2/06</i>
<i>FEIR PUBLISHED</i>	<i>10/2/06</i>
FEIR Certification	<i>10/11/06 to 10/25/06</i>
Project Selection	<i>10/25/06 to 11/22/06</i>
<i>PRE-QUALIFY CONTRACTORS</i>	<i>10/25/06 to Feb 07</i>
30% Design Preparation	<i>10/25/06 to Feb 07</i>
Permits and Conditions	<i>10/25/06 to Feb 07</i>
Funding Procurement	<i>10/25/06 to Feb 07</i>
<i>30% DESIGN PUBLISHED</i>	<i>Feb 2007</i>
Land Acquisition	<i>Feb 07 to June 07</i>
90% Design Preparation	<i>Feb 07 to June 07</i>
<i>90% DESIGN PUBLISHED</i>	<i>June 2007</i>

Bidding	July 07
Contract Award	July 07
Permit Final	July 07 to August 07
NTP	August 07

T:/Documents/Projects/Supplemental Water/SMSWP/CPN 5/30/06

VII. Rough Draft 2006 NCSD-SWP Board/Committee Meetings

Board Meeting Date	Committee Meeting Date	TOPIC
3/8	3/3	Policy Issues & Timelines Policy Issues & Timeline
3/22		Design Services RFP
4/12		Project Objectives
4/26	<4/26	Funding Options Funding Options; Retain Appraiser
5/10		
5/24	<5/24	Review Design Proposals Select Design Team & DEIR Status Report
6/14		Review Rough Appraisal Results
6/28		Design Team Agreement & QA/QC Team Selection
7/12		
7/26	7/13	Review of FEIR Comments
8/9		
8/23	<8/24	Review of Responses to FEIR Comments
9/13		
9/27		
10/11		FEIR Certification #1
10/25		FEIR Certification #2
11/8		Project Selection #1
11/22		Project Selection #2; Authorize detailed proposals

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Nipomo Community Services District
Water Allocation Accounting Summary

Water Year 2005-2006													Notes:
Project	NUMBER OF UNITS				ACRE-FEET OF ALLOTTED WATER						Total	Tally	
	SFR > 10	SFR 4.5 - 10	SFR < 4.5/DUP	SEC	MF	Low I	SFR/DUP	SEC	MF	Low I			
APN 092-083-009/010 - PHASED (year 2 of 4)					11		32.5	5	10.2	3.3		51	Low I (low income) pulls from SFR/DUP and MF, proportional to their allotment.
092-130-019, Hill Street - Phased (year 2 of 2)			21				0.0	0.0	(2.0)	0.0	(2.0)	49.0	Phased, 4- years, Board approved 5/25/05
APN 092-572-046, 852 PRIMROSE	3						(6.3)	0.0	0.0	0.0	(6.3)	42.7	Phased, 2- years, Board approved on 5/11/05
APN 091-311-010, Haanpaa	3			3			(1.7)	0.0	0.0	0.0	(1.7)	41.1	Issued by GM on 10/24/05
APN 092-130-043, GRANDE, PEARSON, Phased 1/3					11	4	(1.7)	(0.9)	0.0	0.0	(2.6)	38.5	BOD approved 10/26/05
APN 090-135-006, W. TEFFT, SPENSER					3		0.0	0.0	(2.0)	(0.7)	(2.7)	35.8	BOD approved 10/26/05
APN 092-138-013, 759 JUNIPER	1			1			0.0	0.0	(0.5)	0.0	(0.5)	35.3	BOD approved 11/28/05
APN 090-143-005/007, Sparks/Dana			4				(0.6)	(0.3)	0.0	0.0	(0.9)	34.4	GM approved 2/15/06
APN 092-130-071, FEDERER	2	1					(1.2)	0.0	0.0	0.0	(1.2)	33.2	Re-issued ITS by BOD, 2/22/06
APN 091-283-057, RITCHIE	2						(1.6)	0.0	0.0	0.0	(1.6)	31.7	Re-issued ITS by BOD, 3/08/06
APN 092-141-028, KRICHEVSKY	3						(1.1)	0.0	0.0	0.0	(1.1)	30.6	Issued by GM on 03/27/06
APN 092-241-022, WALKER	1						(1.7)	0.0	0.0	0.0	(1.7)	28.9	Issued by GM on 04/26/06
APN 092-130-044 ROOSEVELT apts, Phased 1/4					11	4	(0.6)	0.0	0.0	0.0	(0.6)	28.4	Issued by GM on 04/27/06
Tract 2855, Mid State Properties			3				0.0	0.0	(2.0)	(0.7)	(2.7)	25.7	BOD Approved 5/10/06
APN 092-261-007, Orié Johnson					3		(0.9)	0.0	0.0	0.0	(0.9)	24.8	Issued by GM on 05/23/06
Totals	15	1	28	4	39	4	0.0	0.0	(0.5)	0.0	(0.5)	24.3	Issued by GM on 6/20/06
Percent of annual allotment:							49.8%	24.0%	68.4%	43.6%	49.6%		
Phasing Limit Check (Max 50% of annual allocation or 25.5 AF)							Updated:		6/16/06				
Phased allocation = 8.3							Percent Water-Year over:		66.7%				
Abbreviations:													
SFR = single family residence													
SEC = secondary dwelling (a.k.a. Granny Unit)													
DUP = Duplex													
MF = multi-family development (e.g. multiple dwelling units sharing a common roof)													

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**NIPOMO COMMUNITY SERVICES DISTRICT
WATERLINE INTERTIE PROJECT
MONTHLY FISCAL SUMMARY
MAY 2006**

Supplemental Water Capacity Fees	587,209.51
Certificates of Participation	<u>1,647,373.36</u>
Beginning Fund Balance as of May 1, 2006 Subtotal	<u>2,234,582.87</u>

REVENUES

Supplemental Water Capacity Fees Collected	122,331.00	
Interest Income (monthly & quarterly posting)	<u>149.84</u>	
Revenue Subtotal		<u>122,480.84</u>

EXPENDITURES

<u>CONSULTANTS</u>		
1590-A1	Feasibility Study (Cannon)	0.00
1590-A2	EIR Preparation (Wood & Assoc)	(2,323.67)
1590-A3	Estimate/Preliminary Schedule (Cannon)	0.00
1590-A4	Proposed Routes/Facilities (Cannon)	0.00
1590-A5	Prop 50 Grant Applicatin (Cannon)	0.00
1590-A6	Project Support (Cannon)	0.00
<u>LEGAL</u>		
1590-B1	Shipsey & Seitz	(8,795.55)
1590-B2	McDonough, Holland & Allen	0.00
1590-B3	Richards, Watson & Gershon	0.00
<u>LAND ACQUISITION</u>		
1590-C1	Tarvin & Associates	0.00
<u>FINANCIAL</u>		
1590-D1	Reed Group	(1,045.85)
<u>ENGINEERING</u>		
1590-E1	Preliminary Engineering Design	0
	Expenditure Subtotal	<u>(12,165.07)</u>

Net Revenues less (Expenditures) 110,315.77

Closing Fund Balance as of May 31, 2006 2,344,898.64

**NIPOMO COMMUNITY SERVICES DISTRICT
SUPPLEMENTAL WATER FEES COLLECTED**

PROJECT	DEVELOPER	SUMMARY	DATE PAID	WATER SUPPLY PORTION	PIPELINE PORTION	SUPPLEMENTAL TOTAL
2513	COOL	7 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING	6/23/05	59,406.00	7,320.00	66,726.00
2513	COOL	1 FOUR INCH FIRE SYSTEM	6/23/05	37,125.23	4,588.52	41,713.75
2514	NEWDOLL	7 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING PLUS 1 IRRIGATION	6/23/05	69,307.00	8,540.00	77,847.00
2619	ALLSHOUSE	22 RESIDENTIAL MINUS 4 EXISTING PLUS 1 IRRIGATION	6/30/05	188,119.00	23,180.00	211,299.00
2619	ALLSHOUSE	1 TWO INCH FIRE SYSTEM	6/30/05	11,870.37	1,467.13	13,337.50
2513	COOL	REFUND 1 FOUR INCH FIRE SYSTEM	8/29/05	(37,125.23)	(4,588.52)	(41,713.75)
2619	ALLSHOUSE	REFUND 1 TWO INCH FIRE SYSTEM	8/29/05	(11,870.37)	(1,467.13)	(13,337.50)
SUBTOTAL				316,832.00	39,040.00	355,872.00

090-095-011 to 090-095-014	DANMARK	4 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING	8/4/05	29,703.00	3,660.00	33,363.00
2561	VISTA COLINA	8 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING PLUS 1 IRRIGATION	11/7/05	79,208.00	9,760.00	88,968.00
090-381-006	DENNERLEIN	1 RESIDENTIAL SERVICE 182 EAST CHESTNUT	1/25/06	9,901.00	1,220.00	11,121.00
CO 04-0581	PRUIT	2 ONE INCH METERS	2/1/06	19,802.00	2,440.00	22,242.00
CO 04-0581	PRUIT	1 FOUR INCH FIRE SYSTEM	2/1/06	37,125.23	4,588.52	41,713.75
091-322-046	HARDESTY	1 ONE INCH METER	3/20/06	9,901.00	1,220.00	11,121.00
090-251-021	BLUME	1 ONE INCH METER	4/19/06	9,901.00	1,220.00	11,121.00
2565	PUHEK	5 RESIDENTIAL PLUS 1 IRRIGATION	5/9/06	59,406.00	7,320.00	66,726.00
CO 04-0606	MVIII	5 RESIDENTIAL	5/18/06	49,505.00	6,100.00	55,605.00

SUBTOTAL	304,452.23	37,528.52	341,980.75
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GRAND TOTAL	621,284.23	76,568.52	697,852.75
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**NIPOMO COMMUNITY SERVICES DISTRICT
TOTAL WATER AND SUPPLEMENTAL WATER CAPACITY FEES COLLECTED**

PROJECT	DEVELOPER	SUMMARY	DATE PAID	WATER SUPPLY PORTION	PIPELINE PORTION	SUPPLEMENTAL TOTAL	TOWN CAPACITY PORTION	TOTAL WATER FEES PAID
2513	COOL	7 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING	6/23/05	59,406.00	7,320.00	66,726.00	15,006.00	81,732.00
2513	COOL	1 FOUR INCH FIRE SYSTEM	6/23/05	37,125.23	4,588.52	41,713.75		41,713.75
2514	NEWDOLL	7 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING PLUS 1 IRRIGATION	6/23/05	69,307.00	8,540.00	77,847.00	17,507.00	95,354.00
2619	ALLSHOUSE	22 RESIDENTIAL MINUS 4 EXISTING PLUS 1 IRRIGATION	6/30/05	188,119.00	23,180.00	211,299.00	50,518.00	261,817.00
2619	ALLSHOUSE	1 TWO INCH FIRE SYSTEM	6/30/05	11,870.37	1,467.13	13,337.50		13,337.50
2513	COOL	REFUND 1 FOUR INCH FIRE SYSTEM	8/29/05	(37,125.23)	(4,588.52)	(41,713.75)		(41,713.75)
2619	ALLSHOUSE	REFUND 1 TWO INCH FIRE SYSTEM	8/29/05	(11,870.37)	(1,467.13)	(13,337.50)		(13,337.50)
SUBTOTAL				316,832.00	39,040.00	355,872.00	83,031.00	438,903.00

090-095-011 to 090-095-014	DANMARK	4 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING	8/4/05	29,703.00	3,660.00	33,363.00	7,503.00	40,866.00
2561	VISTA COLINA	8 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING PLUS 1 IRRIGATION	11/7/05	79,208.00	9,760.00	88,968.00	20,008.00	108,976.00
Lyn Road	STEARNS	1 ONE INCH METER	12/15/05	0.00	0.00	0.00	3,801.00	3,801.00
090-381-006	DENNERLEIN	1 RESIDENTIAL SERVICE 182 EAST CHESTNUT	1/25/06	9,901.00	1,220.00	11,121.00	2,501.00	13,622.00
CO 04-0581	PRUIT	2 ONE INCH METERS	2/1/06	19,802.00	2,440.00	22,242.00	5,002.00	27,244.00
CO 04-0581	PRUIT	1 FOUR INCH FIRE SYSTEM	2/1/06	37,125.23	4,588.52	41,713.75	9,379.75	51,093.50
091-322-046	HARDESTY	1 ONE INCH METER	3/20/06	9,901.00	1,220.00	11,121.00	2,501.00	13,622.00
CO 02-0425	KESTGHAR	REFUND 1 IRRIGATION	4/12/06	0.00	0.00	0.00	(3,690.00)	(3,690.00)
090-251-021	BLUME	1 ONE INCH METER	4/19/06	9,901.00	1,220.00	11,121.00	2,501.00	13,622.00
2565	PUHEK	5 RESIDENTIAL PLUS 1 IRRIGATION	5/9/06	59,406.00	7,320.00	66,726.00	15,006.00	81,732.00
CO 04-0606	MVIII	5 RESIDENTIAL	5/18/06	49,505.00	6,100.00	55,605.00	12,505.00	68,110.00

SUBTOTAL	304,452.23	37,528.52	341,980.75	77,017.75	418,998.50
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GRAND TOTAL	621,284.23	76,568.52	697,852.75	160,048.75	857,901.50
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