

# NIPOMO COMMUNITY SERVICES DISTRICT

*Celebrating 41 - Years of Service 1965 - 2006*

## AGENDA

**OCTOBER 25, 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**

BRUCE BUEL, **GENERAL MANAGER**  
LISA BOGNUDA, **ASSIST. ADMINISTRATOR**  
DONNA JOHNSON, **BOARD SECRETARY**  
JON SEITZ, **GENERAL COUNSEL**  
DAN MIGLIAZZO, **UTILITY SUPERVISOR**

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.

### **NOTE:**

- **All comments concerning any item on the agenda are to be directed to the Board President.**
- *Consistent with the Americans with Disabilities Act and California Government Code §54954.2 requests for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires the modification or accommodation in order to participate at the below referenced public meeting by contacting the District General Manager or Assistant Administrator at 805-929-1133.*
- *District-prepared staff reports and documents are generally posted on the District's website {[Nipomocsd.com](http://Nipomocsd.com)} on the same date the agenda is posted.*
- *Items may be taken out of order. The Board typically breaks for lunch at approximately 12 noon and conducts closed session at that time, reconvening to public session at approximately 1:00 p. m.*

A. CALL TO ORDER AND FLAG SALUTE

NEXT RESOLUTION 2006-997  
NEXT ORDINANCE 2006-106

B. ROLL CALL

C. PUBLIC COMMENT PERIOD  
PUBLIC COMMENT

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

C-1) LARRY KRAEMER OF CANNON RE WATER AND SEWER MASTER PLAN  
Presentation of Progress in Developing Master Plan

C-2) NCSU UTILITY SUPERVISOR DAN MIGLIAZZO  
Presentation of Utility Department Operations

C-3) NCSU WATER CONSERVATION SPECIALIST MADONNA DUNBAR  
Update of Water Conservation Activities

C-4) NCSU ASSISTANT ADMINISTRATOR LISA BOGNUDA  
Presentation of Quarterly Financial and Investment Performance

D. 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 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 October 11, 2006 Regular Meeting



## D. CONSENT AGENDA (CONTINUED)

- D-3) AMEND HETRICK REPLACEMENT PROJECT AGREEMENT WITH BOYLE TO ADD ENGINEERING SERVICES DURING CONSTRUCTION [RECOMMEND APPROVAL]
- D-4) ACCEPT FIRST QUARTER FINANCIAL REPORT AND SUMMARY OF BUDGET AMENDMENTS [RECOMMEND APPROVAL]
- D-5) ACCEPT THIRD QUARTER INVESTMENT REPORT [RECOMMEND APPROVAL]

## E. ADMINISTRATIVE ITEMS

- E-1) RECEIVE STATUS REPORT REGARDING REQUEST FROM MARIA VISTA ESTATES TO ACCEPT WATER AND SEWER IMPROVEMENTS AND TO SET WATER METERS IN TRACTS 1802 AND 1856 [RECOMMENDATION PENDING]
- E-2) AWARD BID AND AUTHORIZE EXECUTION OF CONSTRUCTION CONTRACT FOR HETRICK WATERLINE REPLACEMENT PROJECT [RECOMMEND APPROVAL]
- E-3) CONSIDER APPROVING PLANS FOR BLACKLAKE WATER PUMP STATION RE-BUILD AND AUTHORIZE PROCESSING OF BIDS FOR SUBSEQUENT BOARD CONSIDERATION [RECOMMEND APPROVAL]
- E-4) RECEIVE STAFF PRESENTATION ON WATER ALLOCATION AND ANNEXATION POLICY ISSUES AND SCHEDULE SPECIAL MEETING TO CONSIDER REVISIONS TO WATER ALLOCATION POLICY AND TO ANNEXATION POLICY [RECEIVE PRESENTATION AND SET MEETING]
- E-5) CONSIDER APPROVING WATER AND SEWER INTENT TO SERVE LETTER FOR 38 UNIT SUBDIVISION AT BLUME AND GRANDE [RECOMMEND APPROVAL]
- E-6) DISCUSS IMPACTS OF CALIFORNIA SUPREME COURT DECISION IN BIGHORN CASE ON DISTRICT PROCESSES [RECEIVE PRESENTATION]
- E-7) DISCUSS SELECT LEGISLATION ADOPTED BY STATE [RECEIVE PRESENTATION]
- E-8) CONSIDER OPPOSING MEASURE J ON NOVEMBER 7, 2006 BALLOT [RECOMMEND ADOPTING OPPOSE POSITION]
- E-9) RECEIVE STAFF REVIEW OF SUPPLEMENTAL WATER SUPPLY PROJECTS AND SET WORKSHOP TO RECEIVE PRESENTATION ON DESALINATION TECHNOLOGY [SCHEDULE WORKSHOP AND PROVIDE DIRECTION TO STAFF]

## F. MANAGER'S REPORT

## G. COMMITTEE REPORTS

- G-1) October 16, 2006, Parks Committee Meeting Minutes

**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

H. DIRECTOR'S COMMENTS

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS NCSD SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSD CASE NO. CV 040877
3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION GC 54956.9 NCSD VS. COUNTY OF SAN LUIS OBISPO (SUMMIT STATION LAND USE ORDINANCE AND ENVIRONMENTAL IMPACT REPORT
4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; SAN LUIS OBISPO COASTKEEPER VS. NCSD (CASE NO. CV060349)

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 NOVEMBER 8, 2006.**

**TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- Waterline Intertie Project Pre-Design Technical Memorandum
- FY2005-2006 Audit

TO: BOARD OF DIRECTORS  
FROM: BRUCE BUEL *BBB*  
DATE: OCTOBER 20, 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.**

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]  
Approve minutes of October 11, 2006 Regular Meeting
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ENGINEERING SERVICES DURING CONSTRUCTION [RECOMMEND APPROVAL]
- D-4) ACCEPT FIRST QUARTER FINANCIAL REPORT AND SUMMARY OF BUDGET AMENDMENTS  
[RECOMMEND APPROVAL]
- D-5) ACCEPT THIRD QUARTER INVESTMENT REPORT [RECOMMEND APPROVAL]

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2006\CONSENT 10-25-06.DOC



**NIPOMO COMMUNITY SERVICES DISTRICT  
WARRANTS OCTOBER 20, 2006**

**AGENDA ITEM  
D-1  
OCTOBER 27, 2006**

**HAND WRITTEN CHECKS**

18917	10-16-06	LARRY VIERHEILIG	\$50.00
18918	10-16-06	MIKE WINN	\$50.00
18919	10-16-06	CLIFF TROTTER	\$50.00
18920	10-16-06	JUDITH WIRSING	\$50.00
18921	10-19-06	BAMBOO BALLYHOO	\$150.00

**TOTAL COMPUTER  
CHECKS  
\$ 108,410.26**

**VOIDED CHECKS-NONE**

**COMPUTER GENERATED CHECKS**

12712	10/20/06	EMP01	EMPLOYMENT DEVELOP DEPT	580.38	.00	580.38	A61016	STATE INCOME TAX
12713	10/20/06	MID01	MIDSTATE BANK-PR TAX DEP	2378.82	.00	2378.82	A61016	FEDERAL INCOME TAX
				112.84	.00	112.84	1A61016	FICA
				615.02	.00	615.02	2A61016	MEDICARE (FICA)
			Check Total.....:	3106.68	.00	3106.68		
12714	10/20/06	MID02	MIDSTATE BANK - DIRECT DP	17624.01	.00	17624.01	A61016	NET PAY
12715	10/20/06	PER01	PERS RETIREMENT	5738.12	.00	5738.12	A61016	PERS PAYROLL REMITTANCE
12716	10/20/06	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A61016	WAGE ASSIGNMENT
12717	10/20/06	STA01	STATE STREET GLOBAL	1005.00	.00	1005.00	A61016	457 DEFERRED COMP
012718	10/25/06	AME02	AMERICAN INDUSTRIAL SUPPL	179.77	.00	179.77	0164893	WIRE ROPE
				1490.78	.00	1490.78	0165010	WIRE ROPE
			Check Total.....:	1670.55	.00	1670.55		
012719	10/25/06	AQU01	AQUA-METRIC SALES CO.	2644.79	.00	2644.79	14548	24 WATER METERS
012720	10/25/06	ATT01	AT&T/MCI	47.10	.00	47.10	T5587992	TELEPHONE
				293.01	.00	293.01	T5587994	TELEPHONE
				121.77	.00	121.77	T5587995	TELEPHONE
			Check Total.....:	461.88	.00	461.88		
012721	10/25/06	AUC01	AUCA REG-WEST	663.43	.00	663.43	10068070	UNIFORM JACKETS
012722	10/25/06	BOY01	BOYLE ENGINEERING CORP	67.50	.00	67.50	036828	PCI TRACT 2558
				360.18	.00	360.18	036829	BL BOOSTER STATION UPGRAD
				145.80	.00	145.80	036830	PCI TRACT 2643
				6385.50	.00	6385.50	036832	SOUTHLAND WWTF MASTER PLA
				831.60	.00	831.60	036837	PCI-CIDER VILLAGE
				291.60	.00	291.60	036838	COUNTY DRAINAGE RELOCATIO
				49910.42	.00	49910.42	036940	WATERLINE INTERITE PROJEC
				372.60	.00	372.60	036842	SOUTHLAND WWTF PHASE II
			Check Total.....:	58365.20	.00	58365.20		
012723	10/25/06	BRE02	BRENNTAG PACIFIC INC.	545.58	.00	545.58	603350	SODIUM HYPOCHLORITE
012724	10/25/06	BUE01	BUEL, BRUCE	30.00	.00	30.00	101706	PER DIEM
012725	10/25/06	BUE02	BUEL, BRUCE	300.00	.00	300.00	OCTOBER	AUTO ALLOWANCE-OCTOBER
012726	10/25/06	CAN02	CANNON ASSOCIATES	290.00	.00	290.00	39548	SCADA REPAIR
012727	10/25/06	CRE01	CREEK ENVIRONMENTAL LABS	176.00	.00	176.00	N5751	LAB TESTS-WATER SYSTEM
				24.00	.00	24.00	N5788	LAB TEST-BLWWTP
				176.00	.00	176.00	N5790	MARIA VISTA WATER SAMPLES
				24.00	.00	24.00	N5908	LAB TEST-BL WWTP
				44.00	.00	44.00	N5909	LAB TEST-MARIA VISTA
				144.00	.00	144.00	N5954	LAB TESTS-BL WWTP
				200.00	.00	200.00	N5955	LAB TESTS-TOWN WWTP
				24.00	.00	24.00	N6000	LAB TEST-BL WWTP
				24.00	.00	24.00	N6050	LAB TEST-BLWWTP
				20.00	.00	20.00	N6076	LAB TEST-BL WATER
				20.00	.00	20.00	N6139	LAB TEST-OLYMPIC
				176.00	.00	176.00	N5909A	LAB TESTS-WATER
			Check Total.....:	1052.00	.00	1052.00		

**NIPOMO COMMUNITY SERVICES DISTRICT  
WARRANTS    OCTOBER 20, 2006**

**AGENDA ITEM  
D-1  
OCTOBER 25, 2006  
PAGE TWO**

012728	10/25/06	DEW01	J B DEWAR INC	25.60	.00	25.60	148112	WELL OIL
				247.74	.00	247.74	148155	DEEP WELL OIL
				147.74	.00	147.74	361031	DEEP WELL OIL
				16.40	.00	16.40	361056	DEGREASER
			Check Total.....:	437.48	.00	437.48		
012729	10/25/06	DUN01	DUNBAR, MADONNA	414.09	.00	414.09	101506A	TRAVEL REIMBURSEMENT
				80.00	.00	80.00	101506B	PER DIEM
				113.49	.00	113.49	101606C	SUPPLIES-WORKSHOP/CREEK D
			Check Total.....:	607.58	.00	607.58		
012730	10/25/06	EBY01	EBY, ED	100.00	.00	100.00	102506	BOARD MEETING 10/25/06
012731	10/25/06	GRO01	GROENIGER & CO	219.79	.00	219.79	613838	SUPPLIES
				209.17	.00	209.17	613839	OLYMPIC WELL SUPPLIES
				254.83	.00	254.83	613952	METER SUPPLIES
				460.82	.00	460.82	613953	BL INTERTIE SUPPLIES
				669.98	.00	669.98	614996	METER BOXES
				286.68	.00	286.68	615947	METER SUPPLIES
				145.07	.00	145.07	615950	METER SUPPLIES
				190.94	.00	190.94	616729	METER SUPPLIES
			Check Total.....:	2437.28	.00	2437.28		
012732	10/25/06	GRO02	GROUND UP	1080.00	.00	1080.00	101506	CONSTRUCTION MGMT SERVICE
012733	10/25/06	JOB01	JOBS AVAILABLE INC	960.75	.00	960.75	622090	EMPLOYMENT ADS
012734	10/25/06	NIP09	NIPOMO MARKET PLACE	799.23	.00	799.23	320996	FUEL-SEPT 18-30
012735	10/25/06	ONE01	1-800-CONFERENCE	41.09	.00	41.09	411382	CONFERENCE CALLING
012736	10/25/06	SAN09	SAN LUIS MAILING SERVICE	175.11	.00	175.11	30921	LATE NOTICE POSTAGE
				579.13	.00	579.13	30943	BILL POSTAGE
				34.60	.00	34.60	30921A	LATE NOTICE MAILING
				107.85	.00	107.85	30943A	BILL MAILING
			Check Total.....:	896.69	.00	896.69		
012737	10/25/06	SPE02	SPECIAL DISTRICT FINANCI	1500.00	.00	1500.00	2006-2007	A/D 93-1 ADMINISTRATION
012738	10/25/06	TGP01	TGP WEST, INC.	302.91	.00	302.91	3447	SUNDALE MAINTENANCE
012739	10/25/06	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	102506	BOARD MEETING 10/25/06
012740	10/25/06	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	102506	BOARD MEETING 10/25/06
012741	10/25/06	WIN01	WINN, MICHAEL	100.00	.00	100.00	102506	BOARD MEETING 10/25/06
012742	10/25/06	WIR02	WIRSING, JUDY	100.00	.00	100.00	102506	BOARD MEETING 10/25/06
012743	10/25/06	WO001	DOUGLAS WOOD & ASSOCIATES	2047.99	.00	2047.99	#1	SOUTHLAND SHOP UPGRADE EN
				2571.64	.00	2571.64	19	WATERLINE ENVIRONMENTAL



# NIPOMO COMMUNITY SERVICES DISTRICT

*Celebrating 41 - Years of Service 1965 - 2006*

## MINUTES

**OCTOBER 11, 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**

BRUCE BUEL, **GENERAL MANAGER**  
LISA BOGNUDA, **ASSIST. ADMINISTRATOR**  
DONNA JOHNSON, **BOARD SECRETARY**  
JON SEITZ, **GENERAL COUNSEL**  
DAN MIGLIAZZO, **UTILITY SUPERVISOR**

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 9:01 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call, all Board members were present.

**00:01:20** C. PUBLIC COMMENT PERIOD  
PUBLIC COMMENT

C-1) COMMANDER BASTI OF SOUTH COUNTY SHERIFF'S STATION

Commander Basti presented information on the Sheriff activities on the Nipomo Mesa.

- He has been working with Dale Ramey for easements for a safe walkway near the Dorthea Lange School
- The person responsible for the Ruckus tagging was a 17 year old art student.
- Three were arrested for vandalism on South Frontage Road.
- Economic crimes continue to rise during the holiday season. Take care with credit information. A woman was stopped for a routine traffic stop and had check-making equipment in her car.
- With Halloween coming up, he advised caution with children on the streets.

There was no public comment. President Vierheilig thanked him for his report.

C-2) BATTALION CHIEF DAN ANDERSON OF CA DEPARTMENT OF FORESTRY

Captain Felix Camacho presented information about CDF activities on the Nipomo Mesa today because Battalion Chief Dan Anderson retired this past month after 34 years with CDF and nine years in Nipomo. He stated that it will be hard to replace Chief Anderson. He reported that there were 106 calls to Station 21 on Pioneer in September (17 fires, 55 medical, 13 vehicle and 21 other types of calls). He reported that there were 37 calls to Station 20 on the Mesa in September (8 fire, 19 medical, 5 vehicle and 5 other).

The medic fire engine will be replaced by the end of October.

October 12, 2006, a relay will be held for the Lisa Ann Rausch Burn Foundation. It will start at 9:00 a.m. at Nipomo Elementary School and conclude in San Luis Obispo. Firefighters from the North County will also be finishing up in San Luis Obispo.

There will be a booth at the October Festival with Smokey Bear, stickers for the kids and the new engine.

**MINUTES SUBJECT TO BOARD APPROVAL**



**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

C-2) BATTALION CHIEF DAN ANDERSON OF CA DEPARTMENT OF FORESTRY (continued)

The following member of the public spoke:

Bob Blair, NCSD resident – asked about the fee for a burn permit. Captain Camacho explained about the Air Pollution Control District’s regulations. The allowable burn days are determined by the APCD. Diseased trees can be burned. There will be no fee but a permit must be obtained.

President Vierheilig thanked him for his report.

C-3) MIKE NUNLEY OF BOYLE ENGINEERING

Mike Nunley, Project Manager for the Nipomo/Santa Maria Waterline Intertie Project Pre-Design Study, gave an update on the project.

Board discussion ensued. The Board asked if the draft EIR would need to be recirculated. Mr. Bruce Buel, General Manager answered that it might be necessary.

The following members of the public spoke:

Bob Blair, NCSD resident – He stated that as the cost of material escalates each year, the more the project is delayed, the cost of the project increases. He suggested getting the project going as fast as possible.

Homer Fox, NCSD resident – asked about a thirty-inch line versus an eighteen-inch line.

John Snyder, outside District-Nipomo resident – stated that he was glad to see that NCSD changed the well monitoring to monthly rather than two to three times a year.

He provided the Board with a graph of well levels. He would like the information requested in a letter given to the Board.

Homer Fox asked about the Memorandum of Understanding with the City of Santa Maria. As a ratepayer, he is concerned that a lawsuit will put an unlimited price tag on the waterline project.

Director Winn stated that the SCADA system (a telemetry system for trans-evaporation measures and precipitation, etc. on the mesa) information is on line on the DWR web site.

00:58:00

D. CONSENT AGENDA

D-1) WARRANTS

D-2) BOARD MEETING MINUTES

Approve minutes of September 27, 2006 Special Meeting

D-3) ADOPT RESOLUTION AMENDING UTILITY FIELD FOREMAN JOB DESCRIPTION

D-4) AUTHORIZE REQUEST FOR BIDS ON NEW CAR TO REPLACE TOYOTA COROLLA FOR ADMINISTRATIVE AND OUTREACH ACTIVITIES

Upon motion of Director Winn and seconded by Director Eby, the Board unanimously approved the Consent Agenda, as amended. There was no public comment. Vote 5-0.

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

**RESOLUTION NO. 2006-995  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
AMENDING THE DISTRICT PERSONNEL POLICY TO  
AMEND THE UTILITY FIELD FOREMAN JOB DESCRIPTION**

**MINUTES SUBJECT TO BOARD APPROVAL**



Nipomo Community Services District  
REGULAR MEETING  
MINUTES

01:00:00 E. ADMINISTRATIVE ITEMS

- E-1) RECEIVE STATUS REPORT REGARDING REQUEST FROM MARIA VISTA ESTATES TO ACCEPT WATER AND SEWER IMPROVEMENTS, TO ACCEPT EASEMENTS, AND TO SET WATER METERS IN TRACTS 1802 AND 1856

Bruce Buel, General Manager, reviewed the status of the Maria Vista Estates project. There has been significant progress and completion is getting closer.

Ed Jones, TCG Project Manager – reviewed the progress on the project. The systems are complete and some paperwork is due.

The Board thanked Mr. Jones for his presentation. There was no public comment.

Mike Seitz, District Legal Counsel, stated that the fact that staff does not respond does not mean staff concurs or disagrees with the statements made by Mr. Jones.

01:12:56 E-2) CONSIDER ADOPTION OF MITIGATED NEGATIVE DECLARATION AND NOTICE OF DETERMINATION ON HETRICK WATERLINE REPLACEMENT PROJECT

Bruce Buel, General Manager, reviewed process for the mitigated negative declaration for the Hetrick Waterline Project.

Kris Vardas of Padre Associates described replacing the 8-inch waterline with a 12-inch waterline. The Board discussed the Initial Study. Director Eby asked about growth inducing effects of the waterline. Will the effects of the waterline remove any restrictions to growth, such as fire flow restrictions?

Mr. Vardas stated that the purpose of the pipeline is to improve water supply requirements.

Director Winn answered that in the Summit Station area, the CDF reluctantly lowered the fire flow standard. Any increase in the size of the waterline would bring the fire flow to an adequate standard.

The Board made suggestions for changes to the study.

The following member of the public spoke:

Bob Blair, NCSD resident – stated that the CDF changed the fire system minimum for the whole county and not just the Summit Station area. The reason for this line is to increase the flow and protect the residents.

Upon motion of Director Winn, seconded by Director Trotter, the Board unanimously approved Resolution 2006-995 (title below) with the edits of all of the supporting documentation. Vote 5-0.

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

RESOLUTION NO. 2006-996  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING A MITIGATED NEGATIVE DECLARATION AND  
AUTHORIZING THE GENERAL MANAGER TO  
FILE A NOTICE OF DETERMINATION FOR  
THE HETRICK WATERLINE UPGRADE PROJECT  
(DISTRICT INITIATED PROJECT)

MINUTES SUBJECT TO BOARD APPROVAL



Nipomo Community Services District  
REGULAR MEETING  
MINUTES

01:32:56

E-3) CONSIDER AUTHORIZING FUNDING FOR HYDRAULIC MODELING BY CITY OF SANTA MARIA REGARDING THE WATERLINE INTERTIE PROJECT

Bruce Buel, General Manager, reviewed the request from the City of Santa Maria for the District to contribute funding for hydraulic modeling work for the Waterline Intertie Project.

Mike Nunley of Boyle Engineering and Project Manager for the waterline design answered questions posed by the Board.

The following members of the public spoke:

Greg Nester, Nipomo developer – stated that when the developers contacted the City of Santa Maria, it was known that the cost of the supplemental water supply would be \$4,000 per acre-foot of water.

Upon motion of Director Winn and seconded by Director Trotter, the Board approved payments of to \$44,676 to the City of Santa Maria to reimburse the City for Corollo Engineers' costs to perform Tasks 3 through 9 of the Water Model Update to incorporate water delivery to the District. Vote 4-1 with Director Eby voting no.

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

The Board took a break at 10:58 a.m. and resumed at 11:16 a.m.

01:57:45

E-4) RECEIVE RECOMMENDATION FROM STRATEGIC PLAN STEERING COMMITTEE, SET DATE FOR WORKSHOP AND AUTHORIZE RETENTION OF FACILITATOR

Bruce Buel, General Manager, reviewed the process used to choose a facilitator for a Strategic Plan Workshop. The Board discussed the proposals.

Director Wirsing asked if the public would be able to attend. Mr. Buel answered that the public is welcome to attend and make comments.

The Steering Committee (President Vierheilig and Vice-President Winn) recommended Charles Beesley. There was no public comment. Upon motion of Director Trotter and seconded by Director Wirsing, the Board unanimously agreed to retain of Charles Beesley for the facilitator of the workshop and agreed to set December 9, 2006, for the workshop. Vote 5-0.

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

02:05:05

E-5) CONSIDER OPPOSING PROPOSITION 90 ON THE NOVEMBER 7, 2006 STATEWIDE BALLOT

Bruce Buel, General Manager, described the information in the Board packet. There was much Board discussion.

The following members of the public spoke:

Bob Blair, NCSD resident – suggested that the Board not take a position on the proposition.

**MINUTES SUBJECT TO BOARD APPROVAL**



Nipomo Community Services District  
REGULAR MEETING  
MINUTES

E-5) CONSIDER OPPOSING PROPOSITION 90 ON THE NOVEMBER 7, 2006 STATEWIDE BALLOT (continued)

Upon motion of Director Wirsing and seconded by Director Eby, the Board agreed to stay silent and make no formal comments on Proposition 90. Vote 4-1 with Director Winn voting no.

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

02:31:23

E-6) DISCUSS OPTIONS FOR REPLACEMENT OF WEST TEFFT STREET SEWER LIFT STATION FENCE

Bruce Buel, General Manager, reviewed the options for replacing the fencing around the Tefft Street Lift Station.

Upon motion of Director Trotter and seconded by Director Eby, the Board unanimously agreed to direct staff to determine the type of material to be used for the fence in concert with the Olde Towne design and to put the fencing job out to bid. There was no public comment. Vote 5-0

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

Vice-President Winn stated that the existing chain link fence was put up in violation to two votes by the Board.

02:36:01

I. CLOSED SESSION ANNOUNCEMENTS

Mike Seitz, District Legal Counsel announced the Closed Session. The Board will be discussing Item 3 below.

3. CONFERENCE WITH LEGAL COUNSEL RE: 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

There was no public comment.

K. ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 11:55 a.m.

02:37:12

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

Bruce Buel, General Manager, announced that the Board heard an update on Item 3 above and had no reportable action.

02:38:00

E-7) REVIEW ALLOCATION POLICY AND WATER ALLOCATION TRACKING PROTOCOL AND PROVIDE DIRECTION TO STAFF REGARDING POTENTIAL AMENDMENTS  
Bruce Buel, General Manager, reviewed a technical memo from Mr. Bob Beeby. (A copy has been added to the Board packet in the office and on the web site.)  
There was much Board discussion.

**MINUTES SUBJECT TO BOARD APPROVAL**



E-7) REVIEW ALLOCATION POLICY AND WATER ALLOCATION TRACKING PROTOCOL AND PROVIDE DIRECTION TO STAFF REGARDING POTENTIAL AMENDMENTS (continued)

The following members of the public spoke:

Bob Blair, NCS D resident – asked about a waiting list for new construction. Mr. Buel explained how the allocation process. Mr. Blair also commented about the lawsuit with the county restricting secondary units in the Summit Station area and the two-year expiration date. Also, when a property owner has horses, more than 0.6 acre-feet of water allocated doesn't seem to work. Not all the houses are created equal.

Mr. Buel explained that with a secondary dwelling, the applicant is certifying to the District that the total consumption in any annual period will not exceed 0.8 acre-feet. They are certifying that they are willing to restrict their consumption to that level in order to get that secondary unit. This does not apply to secondary wells for agriculture.

03:46:37 F. MANAGER'S REPORT

Bruce Buel, General Manager, reviewed the report in the Board packet and added information about

- Creek Clean-up Day was a success. Commend Madonna Dunbar for her efforts.
- Southland Master Plan is progressing. More information to be brought to the Board to December Board meeting.
- Presentation Nov 8 Waterline Intertie Project
- Hetrick Waterline bid opening Tuesday, October 17<sup>th</sup> to be possibly awarded Oct. 25<sup>th</sup>. Hopefully, construction will begin this winter.
- Blacklake pump station concept design to be brought to the Board in hopes to be awarded in December.

There was no public comment.

03:52:35 G. COMMITTEE REPORTS

G-1) September 20, 2006, WIP Design and Construction Committee Meeting Minutes

Director Trotter stated that the minutes for the meeting are in the packet.

Director Trotter stated that the an adequate intertie connection between Blacklake and Town division water has been completed thanks to Dan's {Migliazzo} efforts. It will be in operation when Blacklake pressure goes below 90 pounds.

President Vierheilg stated that he, Mr. Winn and Mr. Buel met to discuss the Strategic Plan Workshop as well as to select the facilitator.

03:55:52 H. DIRECTOR'S COMMENTS

Director Wirsing – Asked that a discussion about the cost of supplemental water to the ratepayers be put on the next agenda.

Director Eby – Asked that opposition to Measure J be put on the next agenda. The City of Arroyo Grande just voted to oppose Measure J, so it should not be outside our jurisdiction. He would like a report from the General Manager – contingency plans to the Santa Maria water line, such as Nacimiento Water, desalination (possibly partnering with Five Cities or independent), etc. – alternative ways to obtain a supplemental water supply.

**MINUTES SUBJECT TO BOARD APPROVAL**



**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

Director Winn – Stated that he agrees with Director Eby in need to pursue desalination as it is our only long-term sustainable source.  
He also agrees that the District should join to oppose Measure J.

He would like a letter of commendation written to Battalion Chief Dan Anderson to be signed and presented at our next meeting.

SCADA system is online in Woodlands.

He attended the SLO County Energy Summit October 10, 2006. There was much usable information.

October Festival - Saturday, October 14 from 10-3. District will have a booth.

Wednesday, October 18<sup>th</sup>. NCSB Board room 7:00 p.m. – Meeting with Supervisor Achadjian chairing concerning Olde Towne

Thursday, October 19<sup>th</sup> – West Tefft Design Plan

Wednesday, November 1 WRAC – Conservation Element

Wednesday, November 15 – County staff draft Resource Management System

November 15 Consider changes will go to the Board of Supervisors in December

President Vierheilg – Conservation Subcommittee Monday October 16<sup>th</sup> 1:00 p.m.

Parks Subcommittee Monday, October 16 2:00 p.m.

Olde Towne Nipomo Association meeting October 12 at Creekside Café

Nipomo Native Garden Plant Sale a success on October 1st.

Director Eby stated that the Board of Supervisors to oppose Measure J October 17<sup>th</sup>.

04:09:10

ADJOURN

President Vierheilg adjourned the meeting at 2:34 p.m.

- **THE NEXT REGULAR BOARD MEETING IS OCTOBER 25, 2006.**  
**TENTATIVELY SCHEDULED ITEMS INCLUDE:**
- Hetrick Road Waterline Upgrade Bid Opening
  - Water Conservation Program and Policy

**MINUTES SUBJECT TO BOARD APPROVAL**

TO: BOARD OF DIRECTORS  
FROM: BRUCE BUEL *BB*  
DATE: OCT. 20, 2006

**AGENDA ITEM**  
**D-3**  
**OCT. 25, 2006**

HETRICK ENGINEERING SERVICES DURING CONSTRUCTION

**ITEM**

Amend Hetrick Replacement Project Agreement with Boyle Engineering to Add Engineering Services During Construction and to Add Environmental Support Services [RECOMMEND APPROVAL]

**BACKGROUND**

Attached is a proposed budget for Engineering Services During Construction for an increase in the Boyle' Not to Exceed Expenditure Limit by \$5,329 and a letter requesting an increase in Boyle's Not to Exceed Expenditure Limit of \$1,200 to cover services rendered in support of the Environmental Review.

**RECOMMENDATION**

Staff believes that both requests are necessary. Staff requests that your Honorable Board authorize execution of the two task orders resulting in an increase in Boyle's Not To Exceed Expenditure Limit of \$6,529 (\$5,329 plus \$1,200).

**ATTACHMENTS**

1. ESDC Task Order
2. Letter Requesting Budget Adjustment

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2006\Hetrick ESDC.DOC



**REQUEST FOR SERVICES – TASK ORDER #020-06**

**Engineering Services Agreement  
Between  
Nipomo Community Services District and Boyle Engineering Corporation**

**Dated: September 18, 2006**

**AUTHORIZATION FOR SERVICES:**

At the request of the Board of Directors of Nipomo Community Services District Boyle Engineering Corporation is to provide Engineering assistance to the Board and staff of the District as noted hereafter. The scope of services requested along with the schedule and fees for said services are set forth below as follows:

**SCOPE OF SERVICES REQUESTED:**

*Nipomo Community Services District (NCSD) requests the services of Boyle Engineering Corporation (BEC) in providing office engineering services and support during construction of approximately 950 linear feet of 12-inch water distribution line in Hetrick Avenue. The specific tasks are as follows:*

**Task 1 Construction Phase Services – Office Engineering**

*Boyle will support the District's Construction Manager throughout the construction phase of the project, providing the following services to the District:*

**a. Preconstruction Meeting**

*Boyle will attend the preconstruction meeting led by the Construction Manager and attended by District staff and the Contractor.*

**b. Construction Administration**

*Boyle will perform construction phase office engineering. This will include:*

- i. Process and track technical submittals, including shop drawings (6 anticipated) for general adherence to contract requirements.*
- ii. Process and review change orders and requests for information (RFIs).*
- iii. Attend project progress meeting (1 anticipated).*

**c. Punch List**

*Boyle will, in conjunction with the District and the Construction Manager, review the near-completed facilities to identify discrepancies and deficiencies in the work performed by the Contractor, and will subsequently review the necessary punch list prepared by the Construction Manager to identify such items. Upon correction and review of omissions and deficiencies, Boyle will report to the District on the completion of the project and recommend acceptance.*

**d. Prepare Record Drawings**

*Upon completion of the project, Boyle will provide the District with a copy of the contractor's as-built drawings and prepare record drawings for the District.*


**ENGINEERING FEES:**

The Engineering fees for these services are not to exceed \$5,329 unless further authorization is provided by Nipomo Community Services District. The work will be on a time and materials basis with invoices approved by the District's Manager or other Board of Directors designated person. Should the Engineering effort to provide the above scope of services estimated by Boyle be exceeded Boyle will attempt to advise Nipomo Community Services District in advance, advise the additional fee and/or time required to complete the work, and seek Nipomo Community Services District's approval of a revised budget and schedule.

**NIPOMO COMMUNITY SERVICES DISTRICT  
CORPORATION**

**BOYLE ENGINEERING**

\_\_\_\_\_  
**Approved By:**  
**Title:**  
**Date:**

  
\_\_\_\_\_  
**Approved By:** MICHAEL K. NUNEZ  
**Title:** BRANCH MANAGER  
**Date:** 9/18/06



## Project Budget

Hetrick Avenue Waterline Upgrade - Construction Phase Office Engineering

Nipomo Community Services District

Task Description	Personnel Hours						Budget					
	Principal	Senior Engineer	Associate Engineer	Assistant Engineer	Drafter	Clerical	Total Hours	Labor	Non-Labor Cost	Subconsultant	Total Non-Labor	Total
<b>Task Group 3: Construction Phase Services</b>												
Preconstruction Meeting		6					6	\$ 810	\$ 65		\$ 65	\$ 875
Submittal Processing		4		12		2	18	\$ 1,874	\$ 150		\$ 150	\$ 2,024
Progress Meeting		6					6	\$ 810	\$ 65		\$ 65	\$ 875
Preparation of Record Drawings		4			12		16	\$ 1,440	\$ 115		\$ 115	\$ 1,555
<b>Subtotal</b>	-	20	-	12	12	2	46	\$ 4,934	\$ 395	\$ -	\$ 395	\$ 5,329
<b>Total</b>	-	20	-	12	12	2	46	\$ 4,934	\$ 395	\$ -	\$ 395	\$ 5,329

Amounts shown are fee.

1194 Pacific Street, Suite 204  
San Luis Obispo, CA 93401  
TEL: (805)542-9840  
FAX: (805)542-9990  
[www.boyleengineering.com](http://www.boyleengineering.com)

Employee Owned

Bruce Buel  
General Manager  
NIPOMO COMMUNITY SERVICES DISTRICT  
P.O. Box 326  
Nipomo, CA 93444

September 18, 2006  
19996.00

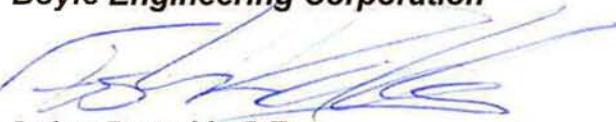
**Hetrick Avenue Waterline Replacement – Change of Scope and Request for Budget Amendment**

At the District's direction Boyle Engineering has prepared this letter with a revised scope and budget for the Project, because an environmental analysis was added to the project. Boyle Engineering spent time in support of the environmental analysis by preparing exhibits and supporting the environmental consultant in preparation of the Negative Declaration. These costs totaled approximately \$1,200. Boyle is seeking a Budget amendment for the Hetrick Avenue Waterline Project in this amount.

If you have any questions or comments, please contact Joshua Reynolds at 805.542.9840.

Sincerely,

**Boyle Engineering Corporation**



Joshua Reynolds, P.E.  
Senior Engineer



TO: BOARD OF DIRECTORS  
FROM: BRUCE BUEL *BB*  
DATE: OCTOBER 20, 2006



QUARTERLY FINANCIAL REPORT-FIRST QUARTER

**ITEM**

Review, accept, and direct Staff to file quarterly financial report for the first quarter of fiscal year 2006-2007

**BACKGROUND**

The District's fiscal year is now 25% complete. The consolidated operating revenues are at 31.60% of the budget, operating expenditures are at 21.63% of the budget and general and administrative expenditures are at 21.30 % of the budget.

Attached are the following which provide an overview of the first three months of the fiscal year:

Page 1	Summary of Approved Budget Amendments
Page 2	Summary of Revenues, Expenses and Cash Balances by Fund
Page 3	Consolidated Balance Sheet
Page 4-5	Consolidated Income Statement
Page 6-7	Graphs for Consolidated Revenues and Expenses
Page 8-11	Graphs for major funds (Town Water, Town Sewer, Blacklake Water and Blacklake Sewer)

Detailed information by fund is available in the office.

**RECOMMENDATION**

It is recommended that your Honorable Board accept and direct Staff to file the quarterly financial report for the first quarter of fiscal year 2006-2007.

NIPOMO COMMUNITY SERVICES DISTRICT  
SUMMARY OF APPROVED BUDGET AMENDMENTS  
FIRST QUARTER ENDING SEPTEMBER 30, 2006

DATE	DESCRIPTION	FUNDS	APPROVED BUDGET	APPROVED AMENDMENT	AMENDED BUDGET
7/26/06	LAFCO Annual Funding	#110-Admin	\$ 13,365	\$ 2,798	\$ 16,163
7/26/06	Salary and Benefits Survey	#110-Admin #120-Water #130-Sewer #140-BL Water #150-BL Sewer	\$ 5,000	\$ 7,900	\$ 12,900
9/13/06	Water and Sewer Master Plan	#700-Town Water Capacity #710-Town Sewer Capacity	\$160,000	\$100,000	\$260,000
		TOTAL	\$178,365	\$110,698	\$289,063

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NIPOMO COMMUNITY SERVICES DISTRICT  
SUMMARY OF REVENUES AND EXPENSES BY FUND  
THREE MONTHS ENDING SEPTEMBER 30, 2006

FUND	FUND #	YTD REVENUES	YTD EXPENSES	FUNDED REPLACEMENT	YTD SUPRLUS/ (DEFICIT)
Administration	110	58,155	(58,155)	0	0
Town Water	120	826,493	(324,969)	(22,000)	479,524
Town Sewer	130	217,807	(112,810)	(64,000)	40,997
Blacklake Water	140	59,257	(68,923)	0	(9,666)
Blacklake Sewer	150	40,458	(42,220)	(5,750)	(7,512)
Blacklake Street Lighting	200	535	(5,327)	0	(4,792)
Street Landscape Maintenance	250	95	(2,078)	0	(1,983)
Solid Waste	300	25,446	(5,257)	0	20,189
Drainage Maintenance	400	598	0	0	598
Supplemental Water Capacity Fees	500	32,391	0	0	32,391
Property Taxes	600	25,390	(43,962)	0	(18,572)
Town Water Capacity Fees	700	58,026	(2,610)	0	55,416
Town Sewer Capacity Fees	710	70,202	(2,944)	0	67,258
Funded Replacement-Town Water	800	22,330	0	22,000	44,330
Funded Replacement-Town Sewer	810	30,193	0	64,000	94,193
Funded Replacement-BL Water	820	5,948	0	0	5,948
Funded Replacement-BL Sewer	830	0	0	5,750	5,750
<b>TOTAL</b>		<b>1,473,324</b>	<b>(669,255)</b>	<b>0</b>	<b>804,069</b>

CASH BALANCE OF EACH FUND  
AS OF SEPTEMBER 30, 2006

FUND	FUND #	CASH BALANCE 9/30/2006
Administration	110	21,217
Town Water	120	1,237,840
Town Sewer	130	608,723
Blacklake Water	140	(5,576)
Blacklake Sewer	150	37,670
Blacklake Street Lighting	200	38,233
Street Landscape Maintenance	250	6,496
Solid Waste	300	381,430
Drainage Maintenance	400	5,633
Supplemental Water Capacity Fees	500	2,421,133
Property Taxes (incl COP)	600	907,309
Town Water Capacity Fees	700	4,684,009
Town Sewer Capacity Fees	710	5,201,658
Funded Replacement-Town Water	800	1,818,142
Funded Replacement-Town Sewer	810	2,475,057
Funded Replacement-BL Water	820	465,449
Funded Replacement-BL Sewer	830	(27,416)
<b>TOTAL</b>		<b>20,277,007</b>

NIPOMO COMMUNITY SERVICES DISTRICT  
BALANCE SHEET - CONSOLIDATED  
AS OF SEPTEMBER 30, 2006

ASSETS  
-----

Cash and Cash Equivalents	20,277,007.17
Accounts Receivable - Utility Billing	219,429.60
Unbilled Accounts Receivable	467,000.00
Property, Plant & Equipment	33,955,023.65
Accumulated Depreciation	(10,398,700.72)
Prepaid Expenses	26,618.02
Accrued Interest Receivable	223,153.44
Notes Receivable - MVI/MVII	1,606.26
Reservation Fee	37,500.00
Loan Fees - SRF Loan	256,834.00
Accumulated Amortization - SRF Loan Fees	(130,673.02)
Revenue COP's Bond Discount	178,100.60
Accumulated Amortization - Bond Discount	(18,552.00)
<b>Total Assets</b>	<b>45,094,347.00</b>

LIABILITIES  
-----

Accounts Payable	218,035.25
Other Payables	14,046.51
Refunds Payable	18,999.58
Construction Meter Deposits	11,500.00
Compensated Absences Payable	47,917.00
Deposits	43,709.22
Payroll Taxes Payable	(334.81)
Deposit - Pomeroy Rd Water Line	24,170.00
Deferred Revenue	6,300.00
Revenue Bonds - Current Portion	9,000.00
SRF Loan #110 - Current Portion	34,868.35
SRF Loan #120 - Current Portion	42,180.25
Revenue COP's-Current Portion	80,000.00
Revenue Bonds Payable - Long Term Portion	129,000.00
SRF Loan #110 Payable - Long Term Portion	418,420.20
SRF Loan #120 Payable - Long Term Portion	548,343.25
Revenue COP's - Long Term Portion	3,685,000.00
<b>Total Liabilities</b>	<b>5,331,154.80</b>

FUND EQUITY  
-----

Contributed Capital - Assets	8,466,426.78
Contributed Capital - Capacity Fees (CY)	56,898.75
Contributed Capital - Supplemental Water Fees (CY)	60,281.00
Contributed Capital - Capacity Fees (FY)	16,292,174.62
Contributed Capital - Supplemental Water Fees (PY)	898,030.75
Contributed Capital - Right of Way	70,100.00
Contributed Capital - Assessment Districts	1,359,013.00
Contributed Capital - Grants	2,952,571.66
Retained Earnings-Reserved (Debt Service)	15,600.00
Retained Earnings-Reserved (Emergencies)	50,000.00
Retained Earnings-Reserved (Sewer Grant)	285,000.00
Retained Earnings-Reserved (Funded Replacement)	5,301,977.40
Retained Earnings - Unreserved	3,151,048.68
CURRENT EARNINGS	804,069.56
<b>Total Fund Equity</b>	<b>39,763,192.20</b>
<b>Total Liabilities and Fund Equity</b>	<b>45,094,347.00</b>

UNAUDITED



NIPOMO COMMUNITY SERVICES DISTRICT  
INCOME STATEMENT - CONSOLIDATED  
FOR THE PERIOD ENDING SEPTEMBER 30, 2006

	YTD ACTUAL	ANNUAL BUDGET	% OF BUDGET
<b>REVENUES</b>			
Water - Fixed Charge	166,174.68	607,000.00	27.38 %
Water - Usage	672,578.79	1,622,000.00	41.47 %
Construction Water	11,049.86	0	.00 %
Fire System Fee	970.37	3,600.00	26.95 %
Emergency Intertie Water Sales - SCWC	2,184.85	0	.00 %
Sewer Charges	255,069.40	1,021,000.00	24.98 %
Fees and Penalties	11,423.07	53,600.00	21.31 %
Meters	(10.00)	13,750.00	(.07) %
Plan Check & Inspection Fees	250.00	1,000.00	25.00 %
Sewer Lift Station Fees	(5,000.00)	0	.00 %
Sewer Reimbursement	5,992.00	0	.00 %
Franchise Fees	20,905.20	111,000.00	18.83 %
Miscellaneous Income	29,159.86	29,400.00	99.18 %
Street Lighting Charges	0	18,870.00	.00 %
Landscape Maintenance Dist Charges	0	10,236.00	.00 %
Operating Transfers In - Funded Administration	37,034.72	253,950.00	14.58 %
Operating Transfers In - Funded Replacement	91,749.96	367,000.00	25.00 %
<b>Total Revenues</b>	<b>1,299,532.76</b>	<b>4,112,406.00</b>	<b>31.60 %</b>
<b>OPERATIONS AND MAINTENANCE</b>			
Wages and Benefits	101,863.12	469,615.00	21.69 %
Electricity	157,228.01	576,620.00	27.27 %
Natural Gas	35,011.93	108,000.00	32.42 %
Water	339.40	1,900.00	17.86 %
Chemicals	6,877.86	24,000.00	28.66 %
Lab Tests	12,738.50	50,500.00	25.22 %
Operating Supplies	12,189.73	70,000.00	17.41 %
Outside Services	15,260.64	87,000.00	17.54 %
Permits and Operating Fees	9,504.59	13,995.00	67.91 %
Repairs and Maintenance	27,565.89	272,550.00	10.11 %
Engineering	72.90	13,500.00	.54 %
Fuel	6,271.05	22,000.00	28.50 %
Paging Service	1,227.64	5,600.00	21.92 %
Meters - New Installation	0	11,000.00	.00 %
Meters - Replacement Program	0	18,000.00	.00 %
Uniforms	752.11	5,300.00	14.19 %
Landscape Maintenance & Water	1,713.00	7,700.00	22.25 %
Clean Up	392.27	0	.00 %
Conservation Program	1,860.57	70,725.00	2.63 %
Street Sweeping	0	36,000.00	.00 %
Operating Transfers Out - Funded Replacement	91,749.96	367,000.00	25.00 %
<b>Subtotal - O &amp; M</b>	<b>482,619.17</b>	<b>2,231,005.00</b>	<b>21.63 %</b>
<b>GENERAL AND ADMINISTRATIVE</b>			
Wages and Benefits	73,888.05	430,600.00	17.16 %

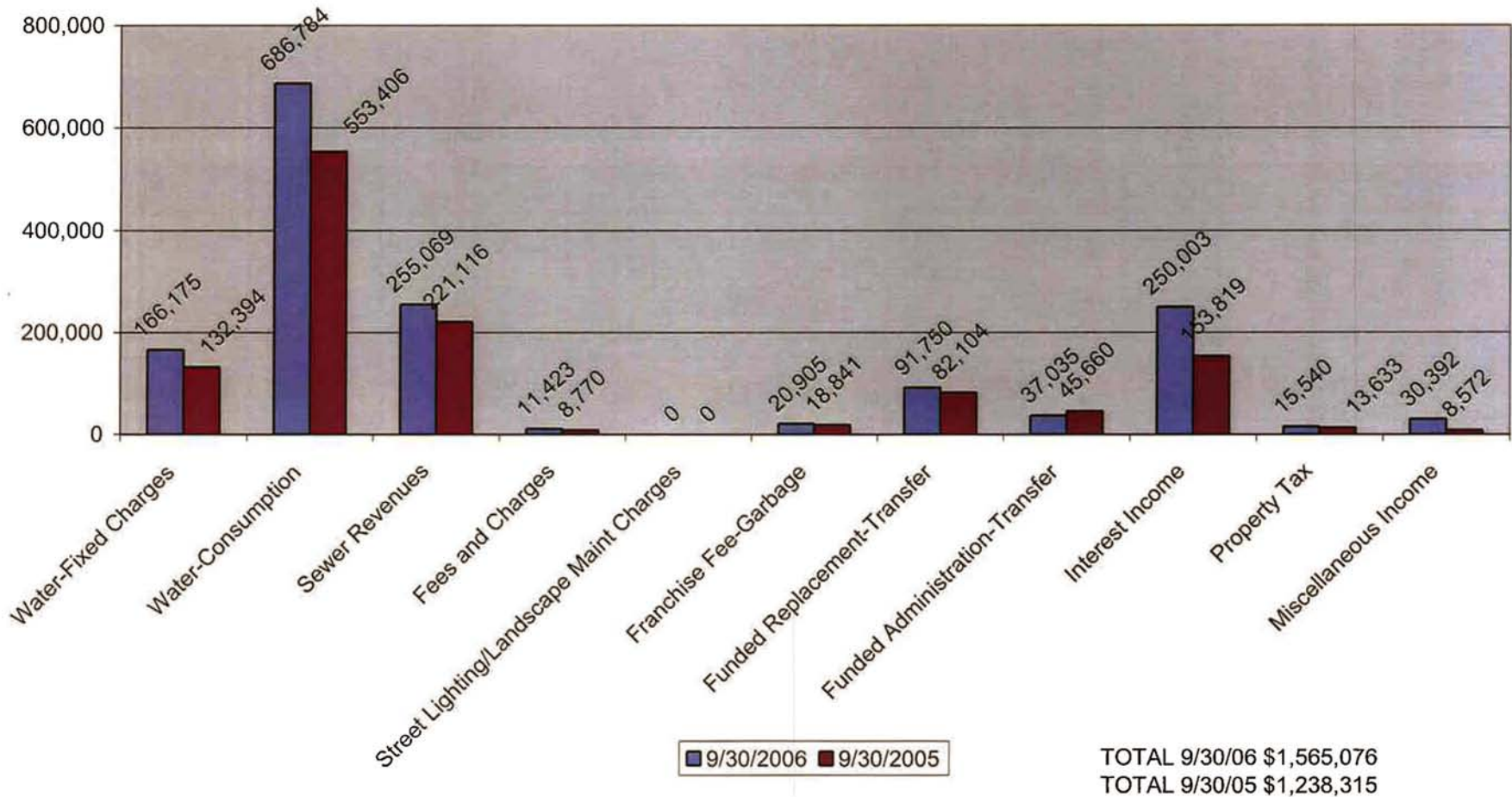
NIPOMO COMMUNITY SERVICES DISTRICT  
 INCOME STATEMENT - CONSOLIDATED  
 FOR THE PERIOD ENDING SEPTEMBER 30, 2006

	YTD ACTUAL	ANNUAL BUDGET	% OF BUDGET
Utilities	2,082.91	5,800.00	35.91 %
Audit	4,225.00	5,000.00	84.50 %
Bank Charges and Fees	328.25	1,795.00	18.29 %
Computer Expense	4,633.41	25,000.00	18.53 %
Director Fees	4,700.00	19,402.00	24.22 %
Dues and Subscriptions	1,447.10	7,000.00	20.67 %
Education and Training	620.00	8,500.00	7.29 %
Elections	0	6,000.00	.00 %
Insurance - Liability	7,993.92	36,000.00	22.21 %
LAFCO Funding	16,163.00	16,163.00	100.00 %
Landscape and Janitorial	2,092.50	8,700.00	24.05 %
Legal - General Counsel	13,292.33	81,000.00	16.41 %
Legal - Water Counsel	31,159.81	100,000.00	31.16 %
Professional Services	30,519.33	50,400.00	60.55 %
Miscellaneous	33.00	5,700.00	.58 %
Office Supplies	4,423.43	10,000.00	44.23 %
Outside Service	1,161.67	7,500.00	15.49 %
Postage	3,244.98	14,000.00	23.18 %
Public Notices	1,163.86	8,750.00	13.30 %
Repairs and Maintenance	1,053.59	33,500.00	3.15 %
Property Taxes	0	690.00	.00 %
Telephone	1,285.07	5,340.00	24.06 %
Travel and Mileage	2,549.67	10,000.00	25.50 %
Operating Transfer Out - Funded Administration	37,034.72	253,950.00	14.58 %
<b>Subtotal - G &amp; A</b>	<b>245,095.60</b>	<b>1,150,790.00</b>	<b>21.30 %</b>
<b>NON OPERATING INCOME</b>			
Interest Income	250,003.07	610,093.00	40.98 %
Property Tax Revenues	15,540.14	454,000.00	3.42 %
<b>Subtotal - Non Operating Income</b>	<b>265,543.21</b>	<b>1,064,093.00</b>	<b>24.95 %</b>
<b>NON OPERATING EXPENSES</b>			
Interest Expense	33,291.64	171,850.00	19.37 %
<b>Subtotal - Non Operating Expenses</b>	<b>33,291.64</b>	<b>171,850.00</b>	<b>19.37 %</b>
<b>Net Surplus/(Deficit)</b>	<b>804,069.56</b>	<b>1,622,854.00</b>	<b>49.55 %</b>

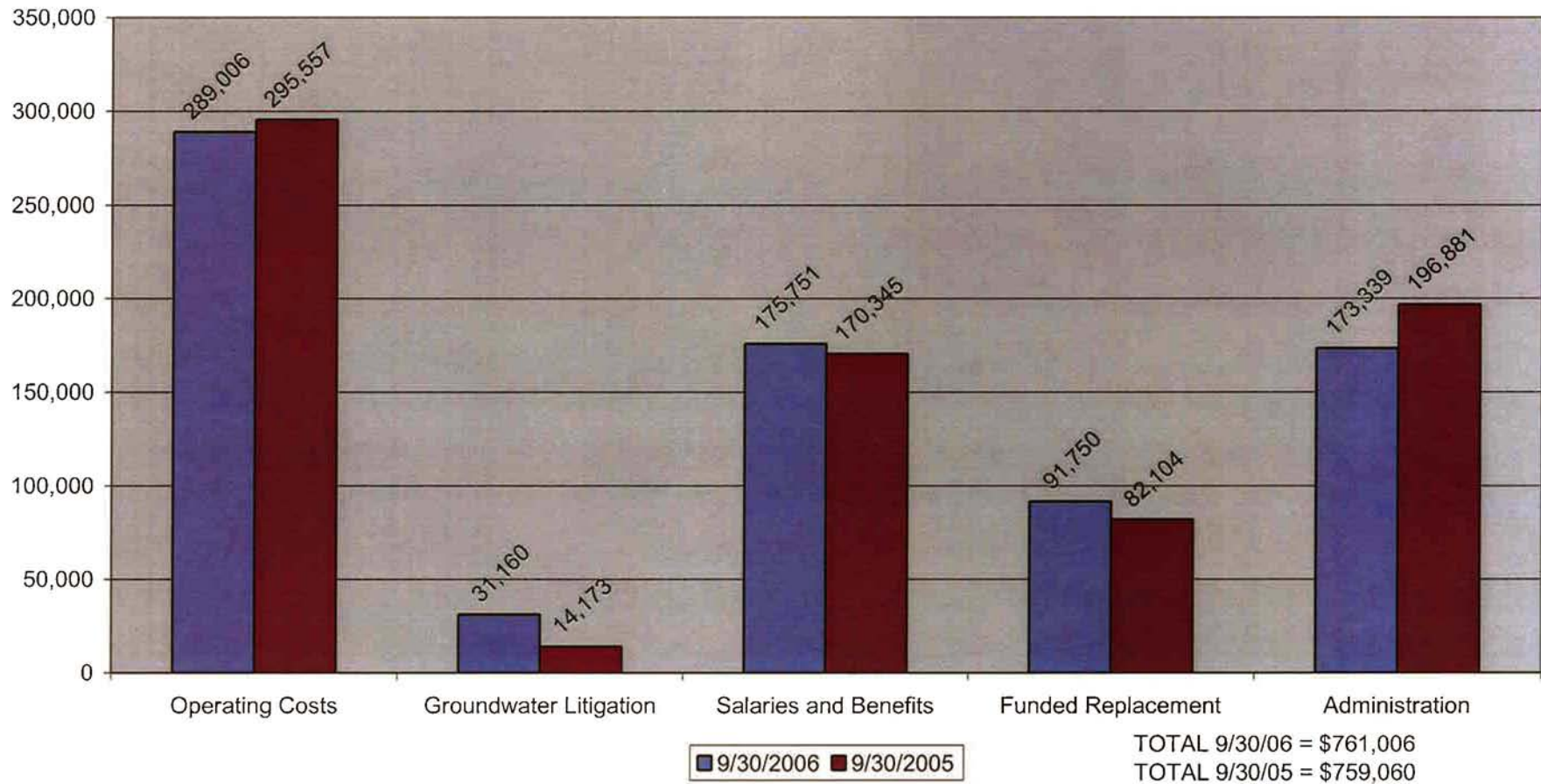
UNAUDITED



**NIPOMO COMMUNITY SERVICES DISTRICT  
 COMBINED REVENUES FOR ALL FUNDS  
 THREE MONTHS ENDED  
 SEPTEMBER 30, 2006 AND SEPTEMBER 30, 2005**

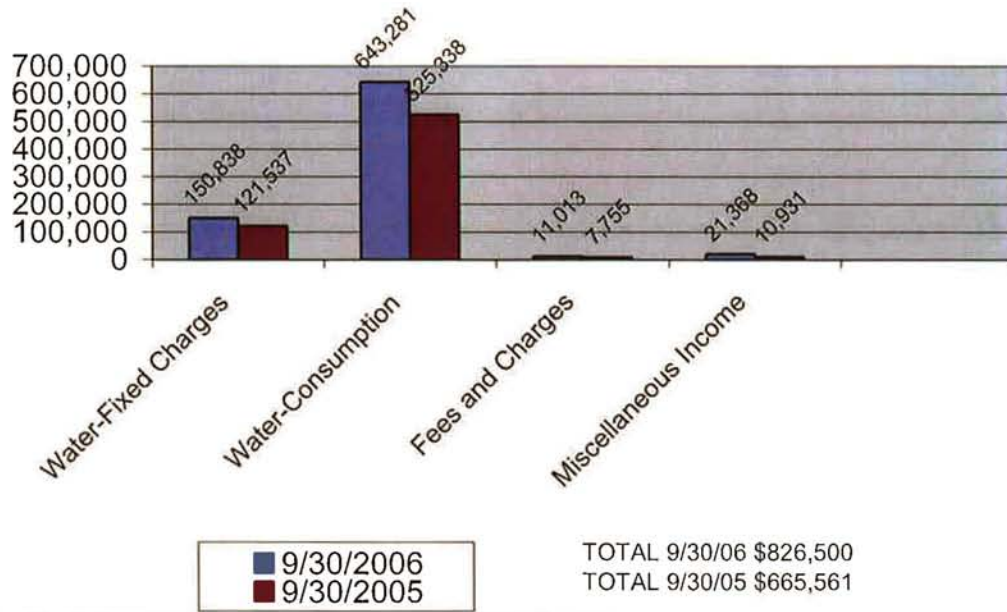


**NIPOMO COMMUNITY SERVICES DISTRICT  
 COMBINED EXPENDITURES FOR ALL FUNDS  
 THREE MONTHS ENDED  
 SEPTEMBER 30, 2006 AND SEPTEMBER 30, 2005**

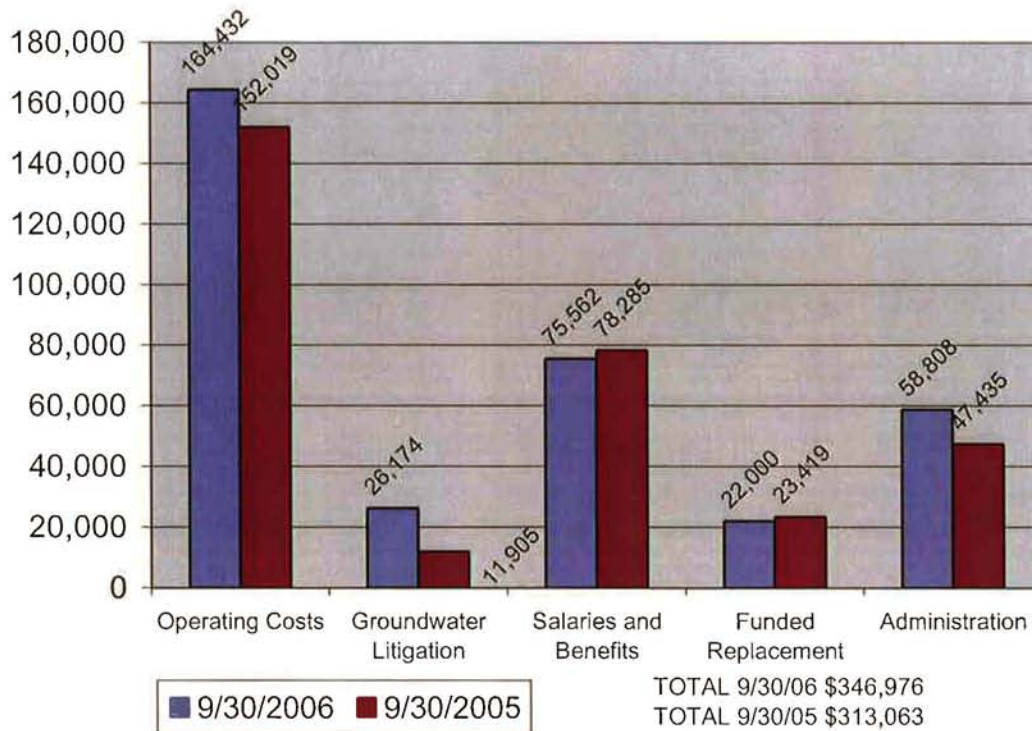




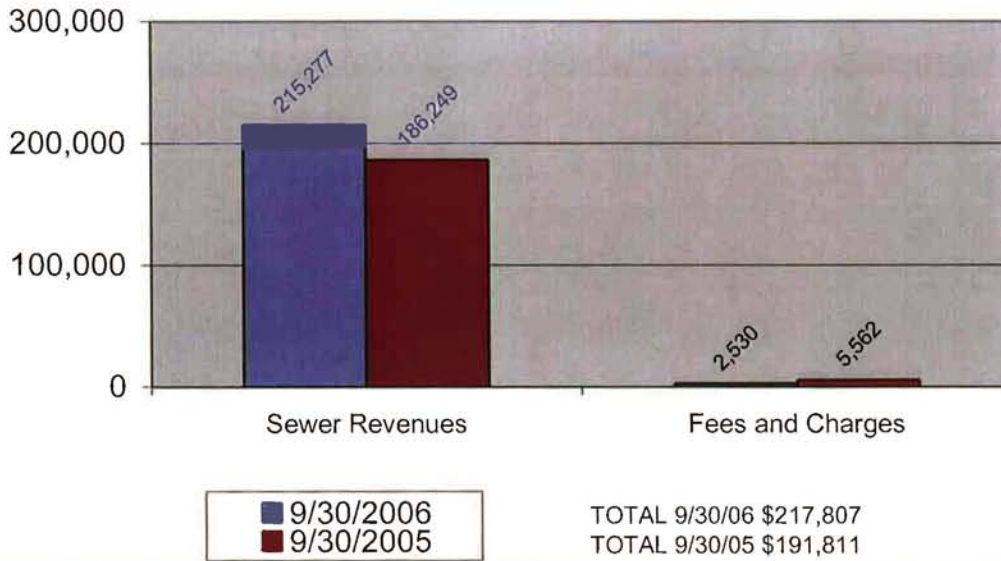
**NIPOMO COMMUNITY SERVICES DISTRICT  
TOWN WATER FUND #120  
REVENUES-SEPTEMBER 30, 2006 AND SEPTEMBER 30, 2005**



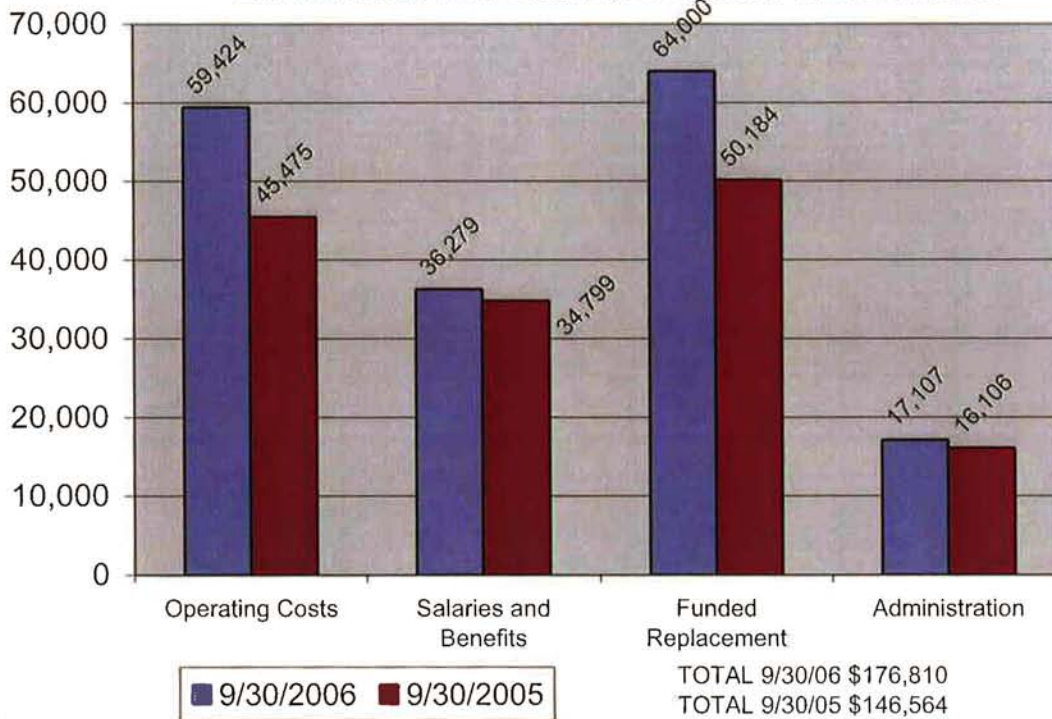
**NIPOMO COMMUNITY SERVICES DISTRICT  
TOWN WATER FUND #120  
EXPENDITURES-SEPTEMBER 30, 2006 AND SEPTEMBER 30, 2005**



**NIPOMO COMMUNITY SERVICES DISTRICT  
TOWN SEWER FUND #130  
REVENUES-SEPTEMBER 30, 2006 AND SEPTEMBER 30, 2005**

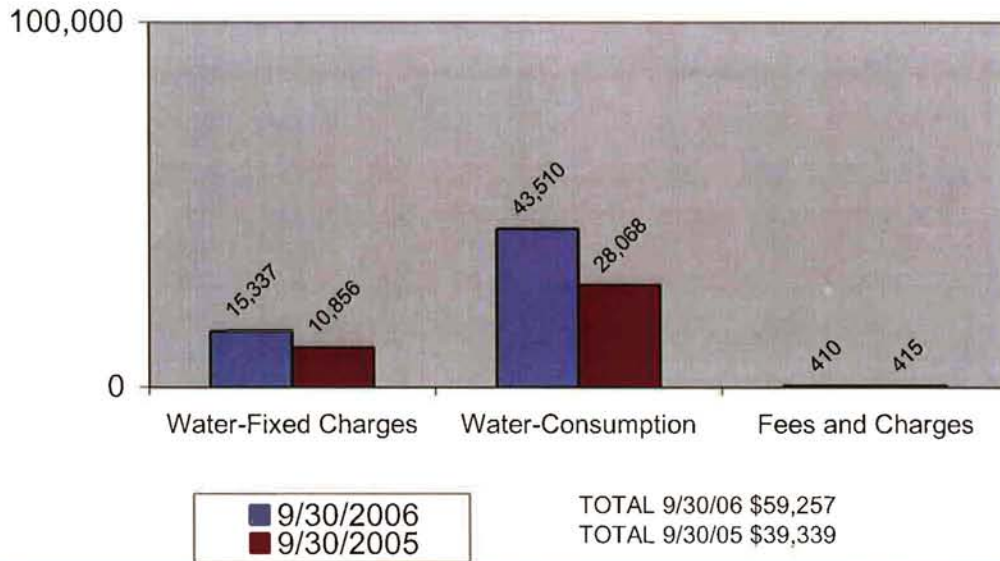


**NIPOMO COMMUNITY SERVICES DISTRICT  
TOWN SEWER FUND #130  
EXPENDITURES-SEPTEMBER 30, 2006 AND SEPTEMBER 30, 2005**

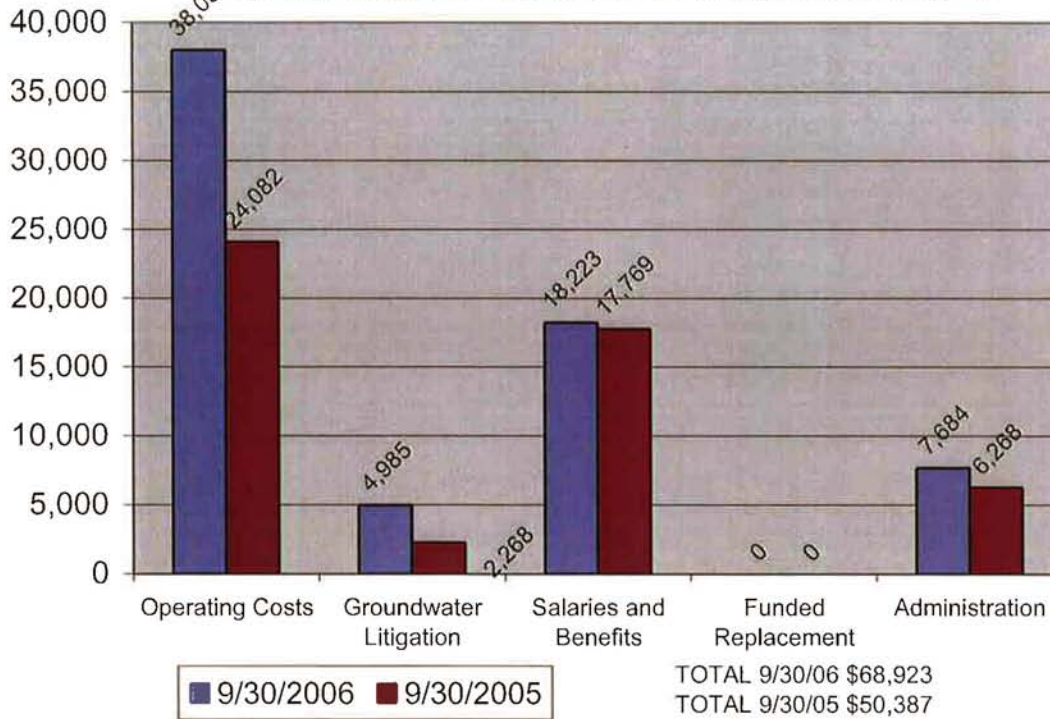




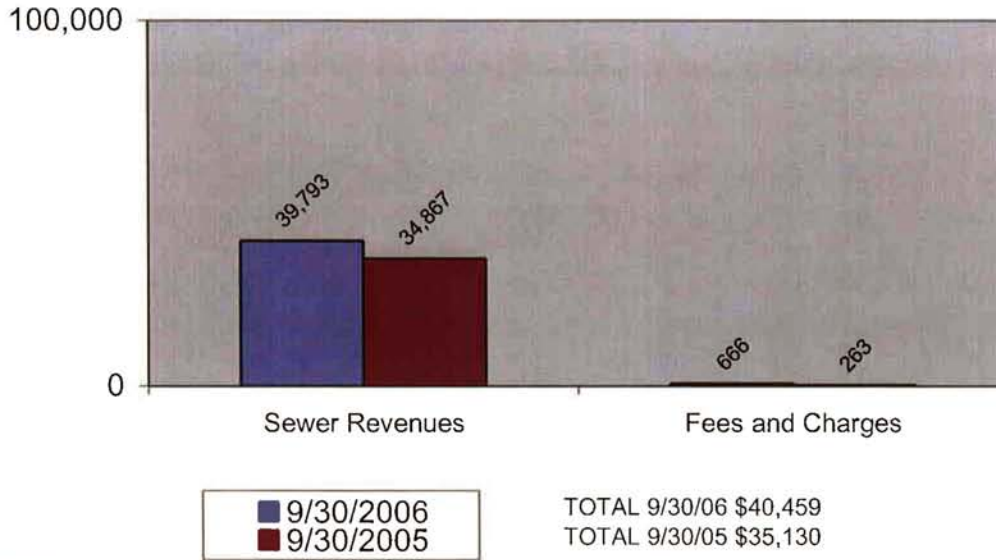
**NIPOMO COMMUNITY SERVICES DISTRICT  
BLACKLAKE WATER FUND #140  
REVENUES-SEPTEMBER 30, 2006 AND SEPTEMBER 30, 2005**



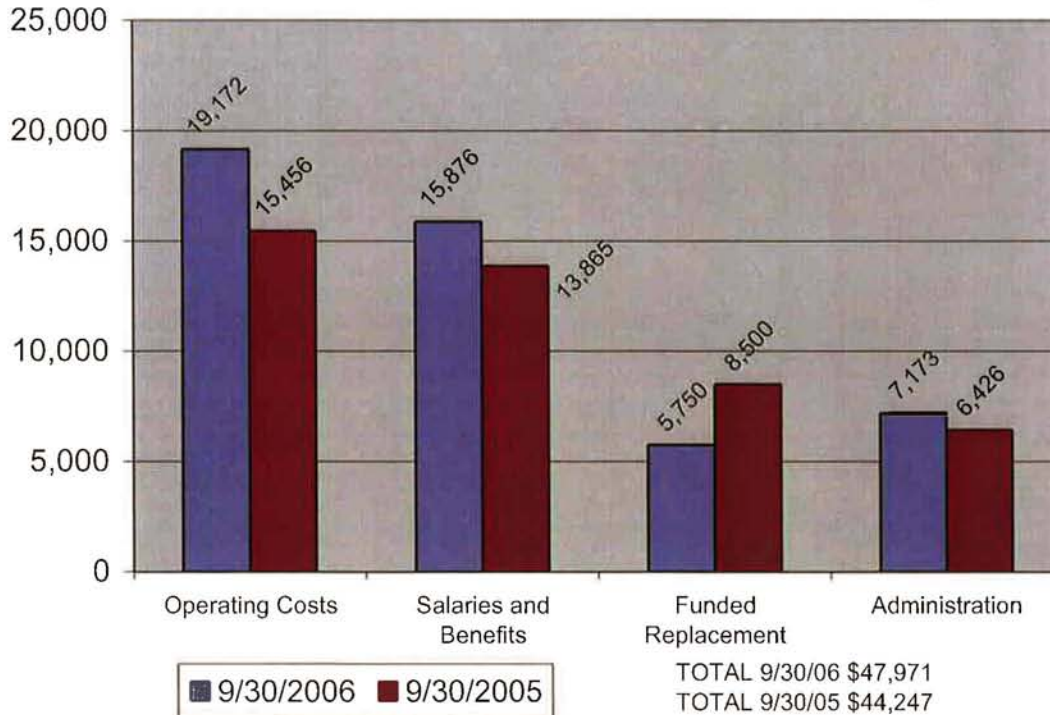
**NIPOMO COMMUNITY SERVICES DISTRICT  
BLACKLAKE WATER FUND #140  
EXPENDITURES-SEPTEMBER 30,, 2006 AND SEPTEMBER 30, 2005**




**NIPOMO COMMUNITY SERVICES DISTRICT  
BLACKLAKE SEWER FUND #150  
REVENUES-SEPTEMBER 30, 2006 AND SEPTEMBER 30, 2005**



**NIPOMO COMMUNITY SERVICES DISTRICT  
BLACKLAKE SEWER FUND #150  
EXPENDITURES-SEPTEMBER 30, 2006 AND SEPTEMBER 30, 2005**





TO: BOARD OF DIRECTORS  
 FROM: BRUCE BUEL   
 DATE: OCTOBER 25, 2006



**INVESTMENT POLICY –THIRD QUARTER REPORT**

**BACKGROUND**

The Board of Directors have adopted an Investment Policy for NCSD which states that the Finance Officer shall file a quarterly report that identifies the District's investments and their compliance with the District's Investment Policy. The quarterly report must be filed with the District's auditor and considered by the Board of Directors.

Below is the September 30, 2006 Quarterly Report for your review. The Finance Officer is pleased to report to the Board of Directors that the District is in compliance with the Investment Policy and that the objectives of safety, liquidity, and yield have been met. The District has the ability to meet cash flow requirements for the next six months.

**INVESTMENT POLICY-THIRD QUARTER REPORT 9/30/06**

Investment	Institution	Amount of Deposit <u>9/30/06</u>	Rate of Interest	Quarterly Interest Earned or Accrued 9/30/06	Amount of Deposit <u>9/30/05</u>	Rate of Interest	Quarterly Interest Earned or Accrued 9/30/05
Money Market	Mid State Bank	\$106,477.59	0.25%	\$19.19	\$61,221.07	0.25%	\$17.27
Savings	Mid State Bank	\$898.86	1.00%	\$2.26	\$892.66	0.50%	\$1.11
Pooled Money Investment	Local Agency Investment Fund (LAIF)	\$18,151,079.88	4.93%	\$233,903.43	\$16,366,284.12	3.18%	\$135,164.29

**RECOMMENDATION**

After Board consideration and public comment, it is recommended that your Honorable Board accept the quarterly report by motion and minute order.

**ATTACHMENT**

None

TO: BOARD OF DIRECTORS  
FROM: BRUCE BUEL *DB*  
DATE: OCT. 20, 2006

**AGENDA ITEM  
E-1  
OCT. 25, 2006**

STATUS REPORT: MARIA VISTA ESTATES REQUEST TO SET WATER METERS

**ITEM**

Receive Status Report on Maria Vista Estates (MVE) requests for NCSD to accept water and sewer improvements, to accept easements, and to set 77 water meters in Tracts 1802 & 1856 [Recommendation Pending].

**BACKGROUND**

MVE has submitted requests (previously supplied to the Board) for NCSD to accept, for ownership and long-term maintenance and operation, the Off-Site Water and Sewer Improvements and Subdivision Water and Sewer Improvements, to accept easements, and to set up to 77 water meters for lots 2 through 28 and lots 33 through 58 in Tract 1802 and lots 2 through 26 in Tract 1856. The Board held a special meeting on September 13, 2006, to discuss these requests and directed staff to prioritize inspection of MVE's works. Your Honorable Board also received updates on the project at your September 27, 2006 and October 11, 2006 Board Meetings. Staff has worked cooperatively with MVE to inspect their work and have held two meetings to discuss their progress. As of publication of this Board Letter, MVE has not advanced any of the four systems to appoint where they can be accepted and none of the respective easements are ready for Board acceptance, and thus water meters are not ready to be set. Staff will present an update at the Board Meeting.

**RECOMMENDATION**

Staff recommends that your Honorable Board receive an update on the status of MVE's efforts at the Board Meeting to determine if any of the systems under construction or any of the easements are ready for Board consideration. Should any of the systems satisfy the requirements set forth in the Agreements with MVE and with the District's Ordinances, Policies and Standard Specifications, staff will ask the Board to consider adoption of a Resolution of Acceptance for that system.

**ATTACHMENTS**

None.

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2006\MVE10-25-06.DOC



TO: BOARD OF DIRECTORS  
FROM: BRUCE BUEL *BB*  
DATE: October 20, 2006

**AGENDA ITEM  
E-2  
APRIL 12, 2006**

**AWARD HETRICK WATRLINE REPLACEMENT PROJECT BID**

**ITEM**

Award bid and authorize execution of construction contract with low bidder for Hetrick Waterline Replacement Project [RECOMMEND APPROVAL].

**BACKGROUND**

On September 15, 2006, staff posted and published the attached Notice for contractors to bid on construction of the project. Your Honorable Board on October 11, 2006 adopted a Mitigated Negative Declaration and directed staff to file a Notice of Determination for the project in compliance with CEQA. Staff filed the Notice of Determination on October 13, 2006. On October 17, 2006 bids were opened from 10 bidders. As illustrated in the attached Summary of Bids, the low bidder was Papich Construction with a bid of \$118,384. Attached is Papich's bid. General Manager Bruce Buel, Josh Reynolds of Boyle, and Rob Carnes of Ground-Up Construction Management have all reviewed the low bid and have determined that the low bid is responsive and the low bidder is responsible. No party has filed a protest in regards to the process or the low bid.

FY 06-07 Budget includes \$275,000 for this project (Fund 700 – Town Water Capacity Charges). The Engineer's estimate for this project was \$200,000.

**RECOMMENDATION**

It is recommended that your Honorable Board award the bid to Papich Construction; authorize execution of a contract with Papich Construction for \$118,384 and authorize staff to issue the Notice to Proceed as soon as the contract is fully executed and all bonds and insurance documents and completed to the satisfaction of the General Manager. Staff further recommends that the General Manager be authorized to issue individual Change Orders for up to \$5,000 with an aggregate Change Order total not to exceed \$15,000.

**ATTACHMENTS**

1. Notice
2. Summary of Bids
3. Low Bid

## NOTICE INVITING BIDS

Hetrick Avenue Waterline Replacement Project

**NOTICE IS HEREBY GIVEN** that the Nipomo Community Services District ("District") invites and will receive sealed bids until Tuesday **OCTOBER 17, 2006 at 2:00 p.m. for the Hetrick Avenue Waterline Replacement Project ("Project")**. Bids shall be submitted in sealed envelopes, addressed and marked as follows:

**Nipomo Community Services District Office  
148 South Wilson Street  
Nipomo, CA 93444**

**BID FOR HETRICK AVENUE WATERLINE REPLACEMENT PROJECT**

Following the closure of the bid submittal period, bids will be publicly opened and read for performing work as follows:

Furnishing all labor, materials, equipment, services, permits, utilities, and performing all work necessary and incidental to the construction of the public work of improvement known as Hetrick Avenue Waterline Replacement Project according to the Contract Documents. The work shall include but is not limited to, traffic control, abandonment in place of existing pipeline, earthwork, trench resurfacing, shoring, excavation, to install a water pipeline, disconnect and connect existing and new fire lines, restore trenches and bore pits, complete and in satisfactory condition, all as shown on the plans and/or as specified herein.

The District will hold a pre-bid meeting on Tuesday October 3, 2006 at the NCSO Office, 148 South Wilson Street, Nipomo, CA 93444. Bidders are required to attend this meeting and sign in. Any bids received from contractors who do not attend the meeting will be returned unopened.

The contractor shall comply with federal, state, or local laws, ordinances, rules and regulations and standards relating to the performance of work. Contractor shall also perform work in accordance with applicable Standard Methods of the American Water Works Association unless waived by the District or an alternate method is approved.

Contractor shall complete the Project within **ninety (90)** calendar days from the date specified in the Notice to Proceed. The Contractor shall pay to the District liquidated damages in the sum of One Thousand Dollars (\$1,000) for each and every calendar day's delay in finishing the work in excess of the calendar day completion time.

Bidders may obtain copies of the bidding documents from the District Office or from Boyle Engineering Corporation, 1994 Pacific Street, Suite 204, San Luis Obispo, CA 93401. A \$50 deposit will be required for each set of documents. The deposit will be refunded if the documents are returned in good condition within fifteen days after the bid opening.

Bidding procedures are prescribed in the Contract Documents. Bids shall be executed upon the separately bound bid forms provided in the Contract Documents. Each bidder must submit security with its bid in one of the following forms: cash, cashier's check payable to the District, a certified check payable to the District, or a bid bond, in the form included with the bid documents, executed by an admitted surety insurer, made payable to the District in an amount equal to at least 10% of the total amount of the bid or proposal. The guaranty shall be forfeited should the bidder, if awarded the contract, fail to enter into the same, or fail to furnish in a timely manner the bonds and/or proof of insurance required under the Contract Documents.



Pursuant to Section 1770, et seq. of the California Labor Code, the successful bidder and all subcontractors shall pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations.

Pursuant to Public Contract Code Section 22300, the Contractor may, at its option, choose to substitute securities meeting the requirements of Public Contract Code Section 22300 for monies earned by the Contractor and withheld by the District to ensure the performance of the Contract.

All bidders shall be licensed under the provisions of the Business and Professions Code to do the type of work contemplated in the project. In accordance with provisions of Public Contract Code Section 3300, the District has determined that the Contractor shall possess a valid Class A (General Engineering) License at the time that the bid is submitted. Failure to possess the specified license shall render the bid non-responsive.

The successful bidder will be required to furnish a payment bond in the amount equal to one hundred percent (100%) of the Contract Price, as well as a faithful performance bond, in the amount equal to one hundred percent (100%) of the Contract Price. The bonds shall be on the forms included in the Contract Documents.

Each bidder shall submit with its bid a statement setting forth its experience on the forms included in the Contract Proposal.

Telephones will not be available to bidders for the preparation of the bids or for calling in bid results. Bid forms received after the designated time will not be accepted. Bidders and their authorized agents are invited to attend the bid opening.

No bidder may withdraw its bid for a period of ninety (90) days after the date set for the opening of bids.

Basis of Award: the District will award the contract, if a contract is awarded, to the responsive, responsible bidder that submits the lowest Base Bid for the Project.

The District reserves the right to reject any or all bids; to make any awards or any rejections in what it alone considers to be in the best interest of the District, and waive any informalities or irregularities in the bids. The contract will be awarded, if at all, to the responsible bidder that submits the lowest responsive bid. The District will consider the pricing on all alternate items in determining the low bid.

The successful bidder must insure that employees and applicants for employment are not discriminated against on the basis of age, color, race, national origin, ancestry, religion, sex, sexual preference, marital status, and shall comply with the Americans with Disabilities Act.

Date: September 15, 2006

BY ORDER OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT

Publication Dates: 9/17/06, 9/18/06, 9/23/06

T:\DOCUMENTS\DISTRICT PROJECTS\HETRICK WATERLINE IMPROVEMENTS\CONSTRUCTION\nOTICE INVITING BIDS.DOC

**HETRICK AVENUE WATERLINE REPLACEMENT PROJECT - BID SUMMARY**

Bid Opening at 2pm on Tuesday October 17, 2006 at NCSD Office

#	BIDDERS NAME	TOTAL BASE BID	SUBMITTALS	COMMENTS
1	Fluid Resource Management	\$120,607	Complete	Addendums Not Acknowledged
2	V. Lopez	\$183,850	Complete	
3	Sansome	\$144,447	Complete	
4	Raminha	\$197,272	Complete	
5	Papich	\$118,384	Complete	
6	Granite Construction	\$203,943	Complete	
7	Authurs	\$203,700	Complete	
8	Specialty Construction	\$142,847	Complete	
9	MGE Underground	\$185,593	Complete	
10	Baker	\$157,705	Complete	



**CONTRACT PROPOSAL  
TO  
NIPOMO COMMUNITY SERVICES DISTRICT**

**FOR**

**HETRICK AVENUE WATERLINE REPLACEMENT PROJECT**

Name of Bidder PAPICH CONSTRUCTION  
Business Address 1686 SUITE "D" RAMONA AVE. GROVER BEACH, CA - 93433  
Telephone (805) 473-3016 Fax (805) 481-5966

TO THE GOVERNING BODY OF THE NIPOMO COMMUNITY SERVICES DISTRICT

Pursuant to and in compliance with your Notice Inviting Bids for the project described above, and the other Contract Documents relating thereto, the undersigned Bidder, being fully familiar with the terms of the Contract Documents, the current general prevailing wage rates, local conditions affecting the performance of the Project, the character, quality, quantities and scope of the work, and the cost of the work at the place of performance, hereby proposes and agrees, within the time stipulated in the Contract Documents, to furnish to the Nipomo Community Services District all of the transportation, materials, equipment, tools, excavation, sheeting, shoring, bracing, supports, plant and other facilities, labor, services, permits, utilities, and other items necessary to conduct and complete said work, all in strict conformity with the Contract Documents, including Addenda Nos. 1, 2, and 3 on file at the District Office, for the total price of dollars (\$ 118,384.00 ), which is in agreement with the unit prices in the Bid Schedule, hereinafter set forth.

Bidder declares that the only persons or parties interested in this proposal are those named herein, and that this proposal is made without collusion with any person, firm or corporation. Bidder proposes and agrees, if the proposal is accepted, that Bidder will execute a contract with the District, in strict conformity to the Contract Documents, in the form set forth in the Contract Documents, and will perform the entire Work for the prices set forth in the attached Bid Schedule, upon which the award of contract is made.

**PROPOSED SUBCONTRACTORS**

Pursuant to California Public Contract Code Section 4100 et seq., the following list gives the name, business address, and portion of work (description of work to be done) for each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvements, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specifically fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or, in the case of bids or offers for the construction of streets or highways, including bridges, in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater. Additional supporting data may be attached to this page. Each page shall be sequentially numbered, headed "Proposed Subcontractors," and shall be signed.

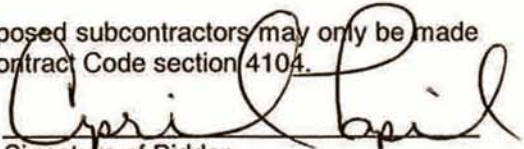
NAME	BUSINESS ADDRESS	DESCRIPTION AND COST OF WORK	% OF WORK	*STATUS
TOSTE GRADING & PAVING	2715 GREEN PLACE, ARROYO GRANDE, CA. 93420	PAVING \$11,000.00	9%	<input checked="" type="checkbox"/>

\*STATUS      **Required for federally funded projects only.**

M = Minority Owned Business Enterprise  
W = Women Owned Business Enterprise  
DV = Disabled Veteran

**The Prime Contractor shall perform at least 60% of the work with its own forces.**

After the award of contract, substitutions of the above-listed proposed subcontractors may only be made with the prior approval of the District in accordance with Public Contract Code section 4104.

  
Signature of Bidder

PAPICH CONSTRUCTION  
Company Name of Bidder

10/17/06  
Date



**BIDDER INFORMATION**

All bidders/proposers are required to provide the following information for all DBE and non-DBE contractors, who provided a proposal, bid, quote, or were contacted by the proposed prime. This information is also required from the proposed prime contractor, and must be submitted with their bid/proposal. The District will use this information to maintain and update a "Bidder's" List to assist in the overall annual DBE goal setting process. *To the extent permitted by law, all information submitted will be held in strict confidence and will not be shared without your consent.*

**Prime Contractor:**

Firm Name: PAPICH CONSTRUCTION Phone (805) 473-3016  
Business Address: 1686 SUITE "D" Fax: (805) 481-5966  
RAMONA AVE.  
GROVER BEACH, CA 93433  
License No. \_\_\_\_\_  
and Classification 767055 A Years in Business: 7  
Contact Person: HARDY ENSIGN  
Is the firm currently certified as a DBE by CalTrans?  No  Yes Cert. Number: \_\_\_\_\_  
Gross Annual Receipts for last year:  
 < \$1 million  < \$5 million  < \$10 million  < \$15 million  > \$15 million  
Type of work/ services/ materials provided for this job:  
 Contractor  Supplier  Manufacturer  Trucking  Broker  
 Other (describe): \_\_\_\_\_  
Contractor Specialty for this job:  
 Roadway Construction (including signing, paving, sawcutting, and concrete)  
 Roadway Painting/Striping  
 Roadway Lighting & Electrical Signals  
 Bridge & Tunnel Construction  
 Water, Sewer, & Pipeline Construction  
 Power & Communication Transmission Line (including conduit construction)  
 Landscaping/Irrigation  
 Other Heavy Construction (including parks, reclamation, reservoir, water & sewer treatment facilities)  
 Masonry (including retaining walls and foundations)  
 Concrete Retaining Walls  
 Building Construction  
 Other (describe): \_\_\_\_\_

**Sub-Contractors/ Suppliers/ Others:**

Firm Name: TOSTE GRADING & PAVING Phone: 489-1791  
Business Address: 2715 GREEN PLACE Fax: 473-0970  
ARROYO GRANDE, CA. 93420  
License No. and Classification 318439 A Years in Business: 30

Contact Person:

Is the firm currently certified as a DBE by CalTrans?  No  Yes Cert. Number: \_\_\_\_\_

Gross Annual Receipts for last year:

< \$1 million  < \$5 million  < \$10 million  < \$15 million  > \$15 million

Type of work/ services/ materials provided for this job:

Contractor  Supplier  Manufacturer  Trucking  Broker  
 Other (describe):

Contractor Specialty for this job:

- Roadway Construction (including signing, paving, and concrete)  
 Roadway Painting/Striping  
 Roadway Lighting & Electrical Signals  
 Bridge & Tunnel Construction  
 Water, Sewer, & Pipeline Construction  
 Power & Communication Transmission Line (including conduit construction)  
 Landscaping/Irrigation  
 Other Heavy Construction (including parks, reclamation, reservoir, water & sewer treatment facilities)  
 Masonry (including retaining walls and foundations)  
 Concrete Retaining Walls  
 Building Construction  
 Other (describe):

This form can be duplicated if necessary to report all bidders (DBEs and non-DBEs) information.

**THIS FORM MUST BE SUBMITTED WITH BID**



**CONTRACTOR'S EXPERIENCE AND FINANCIAL QUALIFICATIONS**

The following statements as to the experience and financial qualifications of the bidder are to be submitted with the Contract Proposal, as a part thereof. The truthfulness and accuracy of the information is guaranteed by the bidder.

The bidder has been engaged in the contracting business, under the present business name, for 7 years. Experience in work of a nature similar to that covered in the Proposal extends over a period of 7 years.

The names of all persons interested in the foregoing proposals as principals are as follows: (NOTE: If Bidder or other interested person is a corporation, state the legal name of the corporation, along with the names of the president, secretary, treasurer, and manager thereof; if a general partnership, state true name of the firm, also the names of all individual partners composing the firm; if a limited partnership, the names of all general partners and limited partners; and if Bidder or other interested person is an individual, state first and last names in full.)

Entity Name	Individual's Name	Title
PAPICH CONSTRUCTION, INC	JASON PAPICH	PRESIDENT
PAPICH CONSTRUCTION, INC	APRIL PAPICH	SECRETARY / TREASURER / CFO

Contractor's License Number: 767055

License Renewal Date: 7/31/08

**List ALL Projects Completed in Last Three Years, with Contact Information  
Attach additional pages if needed**

Project Name/Owner Name	Description of Work/Contract Amount	Contact Name and Telephone Number
DOVE CREEK CENTEX HOMES	GRADING, PAVING, UTILITIES \$ 14,593,963.00	GRANT ROBBINS (805) 548-0333
VILLAGGIO B+K HOMES	GRADING, PAVING, UTILITIES \$ 1,019,021.00	CRAIG SMITH (805) 938-1371

**List AT LEAST TWO Projects of Like Magnitude, Comparable Difficulty and Rates of Progress,  
with Contact Information  
Attach additional pages if needed**

Project Name/Owner Name	Description of Work/Contract Amount	Contact Name and Telephone Number
RESERVOIR #1 REPLACEMENT CITY OF ARROYO GRANDE	NEW WATER TANK & PIPING \$ 1,976,962.00	MIKE LINN 473-5444
SIDEWALK REPLACEMENT/UTILITY CITY OF PISMO BEACH	NEW SIDEWALKS & UTILITIES \$ 1,240,796.00	PUBLIC WORKS DEPT. 773-4656

The bidder, as a contractor, has never failed to satisfactorily complete a contract awarded to the Contractor, except as follows: (name any and all exceptions and reasons therefor). Attach additional pages if needed.

Project Name/Owner Name	Description of Work	Explanation



## PAPICH CONSTRUCTION COMPANY, INC

### LARGE PUBLIC WORKS PROJECTS

- |    |   |  |              |
|----|---|--|--------------|
| 1. | Tajiguas Landfill<br>Owner: Santa Barbara Cty<br>Contract Value \$2,885,812                                   | Goleta, CA<br>Contact: John Haines<br>Completed in 2005            | 805-882-3600 |
| 2. | Reservoir #1 Replacement<br>Owner: City of Arroyo Grande<br>Contract Value \$1,976,962                        | Arroyo Grande, CA<br>Contact: Mike Linn<br>Completed in 2005       | 805-473-5444 |
| 3. | County Government Center<br>Owner: Kajima Construction (GC)<br>Contract Value \$1,089,522                     | San Luis Obispo, CA<br>Contact: Sylvia Zaere<br>Completed in 2005  | 323-269-0020 |
| 4. | Bena Landfill<br>Owner: County of Kern<br>Contract Value \$9,251,108  | Edison, CA<br>Contact: Bryan Smith<br><del>In Progress</del>       | 661-862-8908 |
| 5. | Sidewalk Replacement/Utility<br>Owner: City of Pismo Beach<br>Contract Value \$1,240,796                      | Pismo Beach, CA<br>Contact: Public Works Dept<br>Completed in 2004 | 805-773-4656 |
| 6. | West Green Canyon Storm Drain<br>Owner: Santa Barbara County Flood Control Dept<br>Contract Value \$2,813,413 | Santa Maria, CA<br>Completed in 2005                               | 805-568-3440 |
| 7. | East/West Channel Storm Drain<br>Owner: City of Lompoc<br>Contract Value: \$1,969,025                         | Lompoc, CA<br>Contact: Mike Luther<br>In Progress                  | 805-875-8272 |

**BID SCHEDULE**

**Hetrick Avenue Waterline Replacement Project**

Pursuant to NOTICE INVITING BIDS, and INFORMATION TO BIDDERS, the undersigned hereby proposes and agrees that on award by the Nipomo Community Services District in accordance with the provisions of the Contract Documents, to execute the Agreement, with necessary bonds and insurance, to furnish and install any and all transportation, materials, equipment, tools, excavation, utilities, sheeting, shoring, bracing and supports, plant and other facilities, and all management, superintendence, permits, labor and services for the Hetrick Avenue Waterline Replacement Project, in accordance with the Contract Documents therefor adopted and on file with the Nipomo Community Services District, within the time hereinafter set forth and at the price or prices set forth in this Bid as follows:

Item	Description	Estimated Quantity	Unit of Meas.	Unit Price	Item Total
1	Mobilization	1	LS	\$ <u>2,640.00</u>	\$ <u>2,640.00</u>
2	Traffic Control and Regulation	1	LS	\$ <u>8,434.00</u>	\$ <u>8,434.00</u>
3	Sheeting, Shoring & Bracing	1	LS	\$ <u>1,500.00</u>	\$ <u>1,500.00</u>
4	12-in PVC Watermain	920	LF	\$ <u>43.70</u>	\$ <u>40,204.00</u>
5	Fire Hydrant Assembly	2	EA	\$ <u>3,940.00</u>	\$ <u>7,880.00</u>
6	Abandon Existing Pipe in Place	1	LS	\$ <u>838.00</u>	\$ <u>838.00</u>
7	Live Oak Ridge Tie-in	1	LS	\$ <u>10,383.00</u>	\$ <u>10,383.00</u>
8	Willow Road Tie-in	1	LS	\$ <u>8,981.00</u>	\$ <u>8,981.00</u>
9	Tie-in to Existing 12-in PVC	1	LS	\$ <u>3,324.00</u>	\$ <u>3,324.00</u>
10	Asphalt Concrete Pavement Removal and Replacement	5,700 sf	SF	\$ <u>6.00</u>	\$ <u>34,200.00</u>

**GRAND TOTAL**

\$ 118,384.00 ✓  
OR  
✓

TOTAL BASE BID: Items 1 through 10 inclusive and all work incidental thereto and connected therewith:

\$ 118,384.00 (In Figures)

ONE HUNDRED EIGHTEEN THOUSAND THREE HUNDRED EIGHTY

FOUR DOLLARS (In Words)

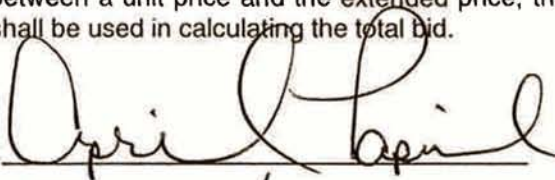
(continued on next sheet)



Bid amount of each of the above bid items must be filled in and completed in ink.

In the event of a conflict between numbers given in figures and in words, the words shall control. In the event of a conflict between a unit price and the extended price, the unit price correctly multiplied by the estimated quantity shall be used in calculating the total bid.

Signature of Bidder:



Title: Secretary, Treasurer / C.F.O.

Company Name (printed): PAPICH CONSTRUCTION

**PROPOSED MAJOR MATERIAL SUPPLIERS**

The bidder is required to furnish the following information on major materials and manufacturers. No changes will be allowed in materials or manufacturers without the prior approval of the Engineer.

**\*\*NOT REQUIRED FOR HETRICK AVENUE WATERLINE REPLACEMENT PROJECT\*\***

Item	Supplier

  
\_\_\_\_\_  
Signature of Bidder

**PAPICH CONSTRUCTION**  
\_\_\_\_\_  
Company Name of Bidder

**10/17/06**  
\_\_\_\_\_  
Date



**NONCOLLUSION AFFIDAVIT  
(TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID)**

State of California

County of SAN LUIS OBISPO ss.

APRIL PAPICH, being first duly sworn, deposes and says that he or she is ~~SECRETARY~~ / [title] ~~TREASURER~~ / ~~CEO~~ of PAPICH CONSTRUCTION, INC., the party making the foregoing bid, that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Signed: April Papich

Date: 10-17-00

Bidder's Name: April Papich  
PAPICH CONSTRUCTION

**BID BOND**

KNOWN ALL PERSONS BY THESE PRESENTS that, Papich Construction hereinafter called the PRINCIPAL, and Fidelity & Deposit Company of Maryland, a corporation duly organized under the laws of the State of Maryland, having its principal place of business at 801 N. Brand Blvd., Suite, Penthouse, Glendale, CA in the State of and authorized to do business in the State of California, hereinafter call the SURETY, are held and firmly bound unto the Nipomo Community Services District, hereinafter called the OBLIGEE, on order, in the sum of Ten Percent of Amount Bid Dollars (\$ 10%) (being at least ten percent (10%) of the total amount of PRINCIPAL's proposal) lawful money of the United States, for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH THAT:

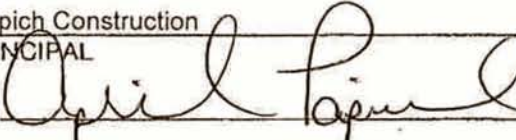
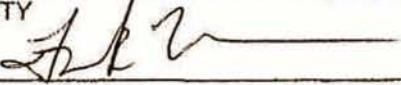
WHEREAS, the PRINCIPAL has submitted its Proposal for the project entitled Hetrick Avenue Waterline Replacement Project to the OBLIGEE, said Proposal, by reference thereto; being hereby made a part hereof.

NOW, THEREFORE, if said Proposal is rejected or, in the alternate, if said Proposal is accepted and the PRINCIPAL signs and delivers a Contract and furnishes a Performance Bond and Payment Bond, in the form and within the time required by the Proposal and the Contract Documents, then this obligation shall become null and void, otherwise the same shall remain in full force and effect and upon default of the PRINCIPAL shall be forfeited to the OBLIGEE, it being expressly understood and agreed that the liability of the SURETY for any and all default of the PRINCIPAL shall be the amount of this obligation as herein stated, as liquidated damages. Such forfeiture and liquidated damages under this bond shall be without prejudice to the OBLIGEE'S right to pursue any excess actual damages from the PRINCIPAL for breach of contract or otherwise.

The SURETY, for value received, hereby agrees that the obligations of said SURETY and its bond shall not be impaired or affected by any extension of the time within which the OBLIGEE may accept such Proposal, and the SURETY hereby waives notice of any such extension.

In the event suit is brought upon this bond by the OBLIGEE and judgment is recovered, the SURETY shall pay, in addition to the sum set forth above, all costs incurred by the OBLIGEE in such suit, including reasonable attorney's fees and expert witness fees, to be fixed by the court.

Signed this 11th day of October, 2006

Papich Construction  
PRINCIPAL  
BY   
Fidelity & Deposit Company of Maryland  
SURETY  
BY   
Frank Morones Attorney-In-Fact

Note: Signature of person executing for SURETY must be notarized and evidence of corporate authority attached.



**CONTRACTOR'S CERTIFICATE REGARDING WORKER'S COMPENSATION**

Contract with the Nipomo Community Services District for the construction of:

**Hetrick Avenue Waterline Replacement Project**

Labor Code Section 3700:

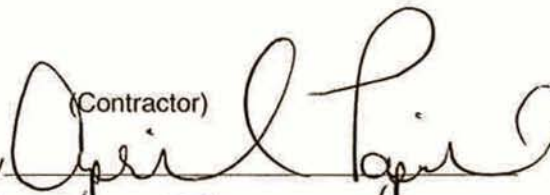
"Every employer, except the State, and all political subdivisions or institutions thereof, shall secure the payment of compensation in one or more of the following ways:

(a) By being insured against liability to pay compensation by one or more insurers, duly authorized to write compensation insurance in this State.

(b) By securing from the Director of Industrial Relations a certificate on consent to self-insure, which may be given upon furnishing proof satisfactory to the Director of Industrial Relations of ability to self-insure and to pay any compensation that may become due to employees."

I am aware of the provisions of Section 3700 of the Labor Code, which require every employer to be insured against liability for worker's compensation or to undertake self-insurance. In accordance with the provisions of that code, I will comply with such provisions before commencing the performance of the work of this contract.

Dated: 10/17/06, 2006

(Contractor)  
By   
Secretary, Treasurer / C.F.U.  
(Official Title)

(SEAL)