


TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: FEBRUARY 9, 2007

AGENDA ITEM
E-3
FEB. 14, 2007

RETENTION OF GTA TO DESIGN BLACK LAKE POND #3 LINER REPLACEMENT

ITEM

Consider retention of Garing Taylor Associates to prepare design for Black Lake Pond #3 liner replacement [Recommend Adoption].

BACKGROUND

Your Honorable Board at your December 9, 2006 Strategic Plan Workshop reviewed the status of the liner for Black Lake WWTF Pond #3 and directed staff to report back at this meeting with an analysis of the cost for replacing the liner and a proposal for design of a replacement. As discussed at the Workshop, the current liner has exceeded its useful life and our discharge permit requires us to maintain liners that prevent seepage of the pond materials into the underlying groundwater. Attached is a proposal from Garing Taylor and Associates (GTA) describing the situation and proposing to complete the design on a time and materials basis with a not to exceed expenditure limit of \$19,600 (excluding construction management). The Black Lake Sewer Fund is expected to have sufficient reserves to pay for GTA's design cost.

The Board should note that staff did not seek competitive proposals from local engineering firms since GTA completed the design for the Black Lake Pond #2 Liner Replacement in 2004 and the work involved is very similar if not identical. It is staff's belief that GTA is uniquely qualified to perform this assignment and that GTA's cost quote for this assignment is likely to be lower than any other vendor.

GTA has provided a \$205,000 cost estimate for actual replacement of the liner. Prior to award of this contract, the District will need to comply with CEQA and process a sewer rate increase in coordination with the Black Lake community including the commission of a new rate study. Staff believes that staff and Director Trotter should initiate discussions with the Black Lake community and seek a proposal from Bob Reed to perform a rate study for subsequent Board consideration.

RECOMMENDATION

Staff believes that the District is obligated to replace the liner and that the GTA proposal is the most cost effective basis to initiate the process. Staff recommends that your Honorable Board authorize execution of an agreement with GTA to perform the scope of work set forth in the attached proposal on a time and materials basis with a not to exceed expenditure limit of \$19,600 and authorize the discussions with Black Lake and the request for Bob Reed to submit a proposal for a rate study for subsequent Board consideration.

ATTACHMENT –

- **GTA PROPOSAL**

T:\doc\board matters\board meetings\board letter 2007\Black Lake Pond 3 Liner Design



*Civil Engineering
Surveying
Project Development*

February 5, 2007

Nipomo Community Services District
148 S. Wilson Street
Nipomo, CA 93444

SUBJECT: Blacklake Pond Liner for Lagoon #3

Dear Bruce,

Per your request, Garing, Taylor & Associates proposes to provide Engineering, Design, Project Specifications, Bidding Package and Review for the replacement of the pond liner of Lagoon #3 at the Willow Road Wastewater Treatment Facility of the Nipomo CSD.

According to our conversation with Dan Migliazzo of your staff, the Lagoon #3 liner replacement is very similar to the recently completed replacement of the Lagoon #2 pond liner. We agree with this assessment and are therefore basing our estimate on the actual costs associated with the Lagoon #2 pond liner replacement project.

We estimate the construction contract cost to be approximately \$175,000. This would include all construction labor and construction materials necessary to complete the project. This also includes transportation or haul cost (\$35,000) to the City of Santa Maria Landfill site at E. Main St., Santa Maria, CA.

Jeff Clarin at the City of Santa Maria has said he cannot commit to receiving the proposed amount of bio-solids at this time. It is possible the City would be able to accept this material but since the City of Santa Maria is refurbishing their wastewater ponds this year, they can only commit to additional bio-solids after their needs are met. He said the estimated amount of 1100 cubic yards was perhaps small enough to squeeze in but we would have to check back about June 2007 for an update. If they do accept the material, disposal fees would need to be negotiated.

The composting firm of Engel and Gray was contacted but declined to accept this type of material for unstated reasons.

The option of stockpiling the bio-solids at the Southland WWTP may also exist.

If the Santa Maria site will not accept the material, a new transportation cost would need to be developed. There has been no actual commitment obtained thus far.

The following estimated engineering cost does not include firm disposal fees, environmental fees, permit fees from any agency, soil testing or inspection fees or any other unknown fees that may be imposed by any jurisdiction for any reason. Any fees of this nature will be paid by Nipomo CSD directly to the agency requesting such fees. The following fees do include efforts required to find a recipient for the bio-solids.

Page Two

Plans and specifications suitable for obtaining bids will be provided. Project will be appropriately advertised and all bids received will be reviewed. A bid summary will be prepared and recommendations for award of bid will be made.

GTA would provide the above design and bid preparation services for a sum not to exceed \$19,600.00. We would bill based upon actual time and materials expended at our current Fee Schedule (attached). Billings would be monthly and we expect to be paid each month based upon the invoices sent.

It is understood that the above amount does not include any Construction Management, Staking, Inspection, or Contingency Costs and that these services will be provided as noted below.


If Construction Management is desired we could provide that service for a sum not to exceed \$10,000. Our Construction Management offer includes: Hold pre-construction meeting to coordinate project details between Engineering, Nipomo CSD Management, and Contractors; Construction oversight of bio-solids, sand and pond liner removal and installation of new liner; Coordinate permits and test procedures to assure compliance with Federal, State, and Local requirements; Evaluate and recommend action for any additional work and / or change orders; Recommend and process progress payments to the Contractor; Oversee project closeout. We again would bill based upon actual time and materials expended at our current Fee Schedule.

If the above proposal is acceptable, please sign where indicated below and return a copy to me.

If you have any questions, please contact me.

Very truly,

GARING, TAYLOR & ASSOCIATES INC



Jim Garing, P.E.

APPROVAL: _____

Enclosure: Fee Schedule
 Job History Sheet
 Bid Summary

T:/ND04-075/Lagoon3proposal.doc



Civil Engineering
 Surveying
 Project Development

FEE SCHEDULE
 OCTOBER 1, 2006

Fee charges by GARING, TAYLOR & ASSOCIATES, INC. depend on the person or persons performing the work.

<u>CLASSIFICATION</u>	<u>OFFICE</u>	<u>RATE</u>
Principal, Expert Witness/Investigation		130.00/260.00
Civil Engineer		105.00/117.00*
Land Surveyor		97.00
Field Assistant		55.00
Designer		95.00
Planner		95.00
Civil Engineering Assistant III		95.00
Civil Engineering Assistant II		80.00
Civil Engineering Assistant I		67.00
Engineering Technician III		80.00
Engineering Technician II		70.00
Engineering Technician I		56.00
Specifications Technician I		72.00
Project Coordinator		65.00
Draftsperson II		54.00
Draftsperson I		51.00
Office Manager/Accounting		72.00
Administrative Assistant II		44.00/54.00
Administrative Assistant I		35.00/37.00
	<u>FIELD</u>	
Construction Inspector		95.00/105.00/117.00*
Survey Crew		135.00/150.00*

The above fees include office and field equipment and vehicles. Travel time may be charged for projects located at a significant distance from our office. Any costs for postage, shipping, courier services, photocopies, blueprints, telephone and fax charges, filing fees, current mileage charges as set by the Internal Revenue Service, recording fees, outside professional services, special equipment and other miscellaneous charges are additional unless stated otherwise by agreement.

Prevailing wage rates for field personnel will be Prevailing Wage* billed at the highest rate shown. Prevailing wage billing rates subject to changes in wage determinations by California Division of Labor and Federal Wage Rates.

OVERTIME

Authorized overtime is charged at one and one-half the normal rate and/or as otherwise provided by state and federal law.

Billings shall be paid monthly. Billings unpaid after 30 days will have a service charge of 0.83% per month (10% per year) added.

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Job History Sheet

Garing, Taylor & Associates, Inc.

Client: **NIPOMO CSD**
 Address: **NIPOMO CSD P O BOX 326 NIPOMO CA 93444**
 Phone: **929-1133** Fax:
 Contact: **DOUG JONES** Auth. By: **DJ**
 Work Loc: **NIPOMO**
 Proj Eng: **JG**
 Notes:

Job No.: **ND04-075**
 Credit Limit: **\$0.00**
 Job Status: **In progress**
**Black Lake Division: PS&E for Primary Basin
 Liner Replacement**

Date	Work By	Work Description & Location	Hours	Rate	Charges	Credits	Balance Due	Accum Cost
12/31/03		Balance Forward					\$0.00	\$0.00
08/09/04	RJG:602 Research	Res Re WWTP Liner	1.00	103.00	103.00		\$103.00	\$103.00
08/10/04	RJG:601 Coord	Coord DJ, Rob Miller	0.50	103.00	51.50		\$154.50	\$154.50
08/11/04	RJG:602 Research	Res & Coord on Liner	1.00	103.00	103.00		\$257.50	\$257.50
08/12/04	RJG:601 Coord	Coord Wallace re: BlackLake	0.50	103.00	51.50		\$309.00	\$309.00
08/13/04	RJG:602 Research	Review Wallace Plans	1.25	103.00	128.75		\$437.75	\$437.75
08/13/04	RJG:608 Client	Coord DJ	0.25	103.00	25.75		\$463.50	\$463.50
08/17/04	RJG:601 Coord	Coord File	0.25	103.00	25.75		\$489.25	\$489.25
08/25/04	RJG:602 Research	Check Site/Photo's	1.50	103.00	154.50		\$643.75	\$643.75
08/30/04	RJG:601 Coord	Coord Photo's	0.25	103.00	25.75		\$669.50	\$669.50
08/30/04		One Hour Photo Plus;ONE HOUR PHOTO PLUS			6.99		\$676.49	\$676.49
09/22/04	RJG:601 Coord	Coord Re. Plan	0.25	103.00	25.75		\$702.24	\$702.24
10/04/04		Received				676.49	\$25.75	\$702.24
10/07/04	RJG:601 Coord	File Rev/Coord Doug J.	0.50	103.00	51.50		\$77.25	\$753.74
10/13/04	MH:603 Doc Prep	Copy CADD Files	0.50	69.00	34.50		\$111.75	\$788.24
10/13/04	RJG:601 Coord	Coord Re. Wallace Plans	0.25	103.00	25.75		\$137.50	\$813.99
10/14/04	RJG:602 Research	File Res.	0.25	103.00	25.75		\$163.25	\$839.74
10/14/04		Blueprint Express #26648;BLUEPRINT EXPRESS			187.69		\$350.94	\$1,027.43
10/15/04	DCJ:601 Coord	w/JG	0.50	82.00	41.00		\$391.94	\$1,068.43
10/15/04	RJG:601 Coord	Coord Danny Re Design	1.25	103.00	128.75		\$520.69	\$1,197.18
10/18/04		Received				25.75	\$494.94	\$1,197.18
10/18/04		Courier Delivery to Wallace Group;COURIER SYSTEMS			6.50		\$501.44	\$1,203.68
10/20/04	DCJ:101 Plans	Project Review/Orientation CADD	3.50	82.00	287.00		\$788.44	\$1,490.68
10/21/04	DCJ:101 Plans	CADD	6.75	82.00	553.50		\$1,341.94	\$2,044.18
10/22/04	DCJ:101 Plans	CADD, Calls-NCSD & Supplies & GTA	5.75	82.00	471.50		\$1,813.44	\$2,515.68
10/25/04	DCJ:101 Plans	CADD	7.50	82.00	615.00		\$2,428.44	\$3,130.68
10/26/04	DCJ:101 Plans	CADD	7.00	82.00	574.00		\$3,002.44	\$3,704.68
10/26/04	DCJ:102 Specs	Specs	0.50	82.00	41.00		\$3,043.44	\$3,745.68
10/27/04	DCJ:101 Plans	CADD	5.25	82.00	430.50		\$3,473.94	\$4,176.18
10/27/04	DCJ:103 Estimates	Qty's Engrs Est.	2.25	82.00	184.50		\$3,658.44	\$4,360.68
10/27/04	JER:101 Plans	Plot per DJ	0.75	64.00	48.00		\$3,706.44	\$4,408.68
10/27/04	MRR:601 Coord	Coord w/ER	0.25	91.00	22.75		\$3,729.19	\$4,431.43
10/28/04	DCJ:101 Plans	CADD, email, Supplier Calls	4.00	82.00	328.00		\$4,057.19	\$4,759.43
10/28/04	DCJ:102 Specs	Specs	3.00	82.00	246.00		\$4,303.19	\$5,005.43
10/29/04	DCJ:101 Plans	CADD	1.00	82.00	82.00		\$4,385.19	\$5,087.43
10/29/04	DCJ:102 Specs	Specs	3.00	82.00	246.00		\$4,631.19	\$5,333.43
10/29/04	DCJ:103 Estimates	Quantities & Estimate	0.50	82.00	41.00		\$4,672.19	\$5,374.43
11/02/04	DCJ:101 Plans	Supplier Calls	0.25	82.00	20.50		\$4,692.69	\$5,394.93
11/02/04	DCJ:101 Plans	Email & Misc.	0.25	82.00	20.50		\$4,713.19	\$5,415.43
11/04/04	RJG:608 Client	Mtg w/MLB	0.25	103.00	25.75		\$4,738.94	\$5,441.18
11/05/04	DCJ:101 Plans	Supplier Calls, e-mail	0.50	82.00	41.00		\$4,779.94	\$5,482.18
11/09/04	RJG:601 Coord	Coord Danny	0.25	103.00	25.75		\$4,805.69	\$5,507.93
11/16/04	DCJ:101 Plans	CADD e-mail Suppliers	4.75	82.00	389.50		\$5,195.19	\$5,897.43

Job History Sheet

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 Contact: **DOUG JONES** Auth. By: **DJ**
 Work Loc: **NIPOMO**
 Proj Eng: **JG**
 Notes:

Job No.: **ND04-075**
 Credit Limit: **\$0.00**
 Job Status: **In progress**
**Black Lake Division: PS&E for Primary Basin
 Liner Replacement**

Date	Work By	Work Description & Location	Hours	Rate	Charges	Credits	Balance Due	Accum Cost
11/19/04	DCJ:101 Plans	Alternate Details, CADD	4.25	82.00	348.50		\$5,543.69	\$6,245.93
11/22/04	DCJ:101 Plans	CADD	2.00	82.00	164.00		\$5,707.69	\$6,409.93
11/22/04	DCJ:102 Specs	Specs	2.75	82.00	225.50		\$5,933.19	\$6,635.43
11/22/04	DCJ:103 Estimates	Est & Supplier Calls	3.00	82.00	246.00		\$6,179.19	\$6,881.43
11/23/04	DCJ:102 Specs	Specs	4.75	82.00	389.50		\$6,568.69	\$7,270.93
11/23/04	DCJ:103 Estimates	Engr Est, Quanties	1.00	82.00	82.00		\$6,650.69	\$7,352.93
11/23/04	MRR:601 Coord	Coord w/DJ; Cost Est	2.50	91.00	227.50		\$6,878.19	\$7,580.43
11/24/04	DCJ:101 Plans	NCSD & Suppller Emails	0.25	82.00	20.50		\$6,898.69	\$7,600.93
11/24/04	DCJ:102 Specs	Specs	2.25	82.00	184.50		\$7,083.19	\$7,785.43
11/29/04	DCJ:101 Plans	CADD	0.25	82.00	20.50		\$7,103.69	\$7,805.93
11/29/04	DCJ:102 Specs	Specs, Supplier Call, eMail	4.75	82.00	389.50		\$7,493.19	\$8,195.43
11/29/04	DCJ:103 Estimates	Estimates	0.25	82.00	20.50		\$7,513.69	\$8,215.93
11/30/04	DCJ:101 Plans	Emails,Supplier,GTA	1.25	82.00	102.50		\$7,616.19	\$8,318.43
11/30/04	DCJ:102 Specs	Specs, Product Research	1.50	82.00	123.00		\$7,739.19	\$8,441.43
11/30/04	MRR:601 Coord	Coord w/DJ;File to WWG	1.00	91.00	91.00		\$7,830.19	\$8,532.43
11/30/04	RJG:601 Coord	Coord w/Danny	0.25	103.00	25.75		\$7,855.94	\$8,558.18
12/06/04	DCJ:101 Plans	Consultant Follow-up	0.50	82.00	41.00		\$7,896.94	\$8,599.18
12/06/04	RJG:601 Coord	Coord Danny/Email	0.25	103.00	25.75		\$7,922.69	\$8,624.93
12/06/04	RJG:608 Client	Coord w/MLB	0.25	103.00	25.75		\$7,948.44	\$8,650.68
12/07/04	DCJ:101 Plans	Plans, Email	0.50	82.00	41.00		\$7,989.44	\$8,691.68
12/07/04	DCJ:102 Specs	Specs	1.50	82.00	123.00		\$8,112.44	\$8,814.68
12/07/04	DCJ:103 Estimates	Estimates	0.75	82.00	61.50		\$8,173.94	\$8,876.18
12/08/04	DCJ:102 Specs	Specs	2.00	82.00	164.00		\$8,337.94	\$9,040.18
12/14/04	DCJ:101 Plans	CADD, Fax Est	2.50	82.00	205.00		\$8,542.94	\$9,245.18
12/14/04	RJG:602 Research	Res for Mtg.	0.50	103.00	51.50		\$8,594.44	\$9,296.68
12/14/04	RJG:608 Client	Mtg w/MLB	0.50	103.00	51.50		\$8,645.94	\$9,348.18
12/16/04	DCJ:101 Plans	Supplier Calls	0.25	82.00	20.50		\$8,666.44	\$9,368.68
12/16/04	RJG:602 Research	Chk Liner Thick (0.015')	0.25	103.00	25.75		\$8,692.19	\$9,394.43
12/20/04	DCJ:101 Plans	Calls to Suppliers	0.25	82.00	20.50		\$8,712.69	\$9,414.93
12/21/04	DCJ:101 Plans	Supplier Calls, Layout Aeration	2.50	82.00	205.00		\$8,917.69	\$9,619.93
12/22/04	DCJ:101 Plans	CADD	0.50	82.00	41.00		\$8,958.69	\$9,660.93
12/22/04	DCJ:101 Plans	Electrical Consultant	0.25	82.00	20.50		\$8,979.19	\$9,681.43
12/22/04	DCJ:102 Specs	Specs	3.00	82.00	246.00		\$9,225.19	\$9,927.43
12/31/04		Postage Charges			1.52		\$9,226.71	\$9,928.95

Total Received	\$702.24
Total Misc. Credits	\$0.00

Job History Sheet

Garing, Taylor & Associates, Inc.

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Job No.: **ND04-075**
 Credit Limit: **\$0.00**
 Job Status: **In progress**
**Black Lake Division: PS&E for Primary Basin
 Liner Replacement**

Date	Work By	Work Description & Location	Hours	Rate	Charges	Credits	Balance Due	Accum Cost
12/31/04		Balance Forward					\$9,226.71	\$9,928.95
01/03/05	RJG:608 Client	Coord MLB	0.25	103.00	25.75		\$9,252.46	\$9,954.70
01/04/05	RJG:601 Coord	Coord Leo/Sludge	0.50	103.00	51.50		\$9,303.96	\$10,006.20
01/04/05	RJG:608 Client	Coord MLB	0.25	103.00	25.75		\$9,329.71	\$10,031.95
01/13/05	RJG:601 Coord	Coord Danny	0.25	103.00	25.75		\$9,355.46	\$10,057.70
01/17/05	DCJ:102 Specs	Specs Revise Per JG	1.25	82.00	102.50		\$9,457.96	\$10,160.20
01/17/05	DCJ:103 Estimates	Engr Est, Qtys	0.75	82.00	61.50		\$9,519.46	\$10,221.70
01/18/05	DCJ:101 Plans	CADD	0.50	82.00	41.00		\$9,560.46	\$10,262.70
01/18/05	DCJ:102 Specs	Specs	1.00	82.00	82.00		\$9,642.46	\$10,344.70
01/18/05	DCJ:103 Estimates	Estimates	0.50	82.00	41.00		\$9,683.46	\$10,385.70
01/18/05		Received				7855.94	\$1,827.52	\$10,385.70
01/19/05	DCJ:101 Plans	Emails, Misc CADD	1.25	82.00	102.50		\$1,930.02	\$10,488.20
01/19/05	MH:102 Specs	Specs	2.50	69.00	172.50		\$2,102.52	\$10,660.70
01/19/05	RJG:602 Research	Res. Est	0.50	103.00	51.50		\$2,154.02	\$10,712.20
01/20/05	DCJ:101 Plans	Emails, Calls, Research	0.50	82.00	41.00		\$2,195.02	\$10,753.20
01/20/05	MH:102 Specs	Quantities/Specs	1.25	69.00	86.25		\$2,281.27	\$10,839.45
01/21/05	DCJ:103 Estimates	Est, Contr/NCSD Calls, Email	1.25	82.00	102.50		\$2,383.77	\$10,941.95
01/24/05	RJG:601 Coord	Coord Danny	0.25	103.00	25.75		\$2,409.52	\$10,967.70
01/31/05	RJG:601 Coord	Coord w/MLB	0.25	103.00	25.75		\$2,435.27	\$10,993.45
01/31/05	RJG:601 Coord	Coord John Jenks	0.50	103.00	51.50		\$2,486.77	\$11,044.95
01/31/05	RJG:601 Coord	Coord w/MAM	0.25	103.00	25.75		\$2,512.52	\$11,070.70
01/31/05		Received				1370.77	\$1,141.75	\$11,070.70
02/24/05		Received				1141.75	\$0.00	\$11,070.70
02/28/05	DCJ:101 Plans	GTA,NCSD Calls, CADD	1.00	82.00	82.00		\$82.00	\$11,152.70
02/28/05	DCJ:103 Estimates	Quantities, Est	2.25	82.00	184.50		\$266.50	\$11,337.20
02/28/05	RJG:602 Research	Spec Review	1.25	103.00	128.75		\$395.25	\$11,465.95
03/01/05	RJG:602 Research	Specs & Plans/Final	0.50	103.00	51.50		\$446.75	\$11,517.45
03/02/05	DCJ:601 Coord	W/JG	0.25	82.00	20.50		\$467.25	\$11,537.95
03/02/05	DCJ:605 Public	W/Dan M on-site	1.00	82.00	82.00		\$549.25	\$11,619.95
03/03/05	DCJ:101 Plans	CADD Plan Recisions	1.50	82.00	123.00		\$672.25	\$11,742.95
03/03/05	DCJ:102 Specs	Spec,Est	0.75	82.00	61.50		\$733.75	\$11,804.45
03/03/05	RJG:608 Client	Mtg w/MLB	1.25	103.00	128.75		\$862.50	\$11,933.20
03/07/05	MH:102 Specs	Specs	2.00	69.00	138.00		\$1,000.50	\$12,071.20
03/17/05	DCJ:601 Coord	w/JG & Faxes	0.25	82.00	20.50		\$1,021.00	\$12,091.70
03/17/05	RJG:601 Coord	Coord Danny Re. New Additions	0.50	103.00	51.50		\$1,072.50	\$12,143.20
03/18/05	DCJ:101 Plans	Revisions per ND	3.50	82.00	287.00		\$1,359.50	\$12,430.20
03/21/05	DCJ:101 Plans	CADD Revs per JG Mtg	6.75	82.00	553.50		\$1,913.00	\$12,983.70
03/21/05	RJG:601 Coord	Coord w/Danny	0.50	103.00	51.50		\$1,964.50	\$13,035.20
03/22/05	DCJ:101 Plans	CADD-Alternates	3.00	82.00	246.00		\$2,210.50	\$13,281.20
03/22/05	DCJ:102 Specs	Specs	2.75	82.00	225.50		\$2,436.00	\$13,506.70
03/22/05	DCJ:103 Estimates	Est. & Quantities	2.00	82.00	164.00		\$2,600.00	\$13,670.70
03/23/05	DCJ:101 Plans	CADD & Emails	1.25	82.00	102.50		\$2,702.50	\$13,773.20
03/23/05	DCJ:102 Specs	Specs	3.50	82.00	287.00		\$2,989.50	\$14,060.20
03/24/05	MH:102 Specs	Specs	0.75	69.00	51.75		\$3,041.25	\$14,111.95
03/28/05	RJG:601 Coord	Coord Danny	0.25	103.00	25.75		\$3,067.00	\$14,137.70

Job History Sheet

Garing, Taylor & Associates, Inc.

Client: **NIPOMO CSD**
 Address: **NIPOMO CSD P O BOX 326 NIPOMO CA 93444**
 PI **929-1133** Fax:
 Contact: **DOUG JONES** Auth. By: **DJ**
 Work Loc: **NIPOMO**
 Proj Eng: **JG**

Job No.: **ND04-075**
 Credit Limit: **\$0.00**
 Job Status: **In progress**
**Black Lake Division: PS&E for Primary Basin
 Liner Replacement**

Date	Work By	Work Description & Location	Hours	Rate	Charges	Credits	Balance Due	Accum Cost
04/01/05	RJG:608 Client	Coord Plans/MLB	0.25	103.00	25.75		\$3,092.75	\$14,163.45
04/12/05	DCJ:101 Plans	Misc	0.25	82.00	20.50		\$3,113.25	\$14,183.95
04/12/05	DCJ:601 Coord	Coord w JSG	0.25	82.00	20.50		\$3,133.75	\$14,204.45
04/14/05	DCJ:101 Plans	Volume Calc's, CADD Backfill	3.00	82.00	246.00		\$3,379.75	\$14,450.45
04/14/05	RJG:601 Coord	Coord w/Danny	0.25	103.00	25.75		\$3,405.50	\$14,476.20
04/15/05	DCJ:101 Plans	CADD	2.75	82.00	225.50		\$3,631.00	\$14,701.70
04/15/05	DCJ:102 Specs	Specs	0.50	82.00	41.00		\$3,672.00	\$14,742.70
04/18/05		Received				395.25	\$3,276.75	\$14,742.70
04/19/05	RJG:602 Research	Plan Check	0.50	103.00	51.50		\$3,328.25	\$14,794.20
04/26/05	DCJ:101 Plans	CADD	0.50	82.00	41.00		\$3,369.25	\$14,835.20
04/26/05	DCJ:103 Estimates	Est & Qty's	1.50	82.00	123.00		\$3,492.25	\$14,958.20
04/29/05	DCJ:101 Plans	CADD	0.50	82.00	41.00		\$3,533.25	\$14,999.20
04/29/05	DCJ:102 Specs	Specs	1.00	82.00	82.00		\$3,615.25	\$15,081.20
04/29/05	DCJ:103 Estimates	Estimates	0.25	82.00	20.50		\$3,635.75	\$15,101.70
04/29/05	MH:102 Specs	Specs	2.00	69.00	138.00		\$3,773.75	\$15,239.70
04/30/05		Print Charges			6.44		\$3,780.19	\$15,246.14
05/02/05	RJG:602 Research	Meet Doug/ Zebbron Rep	0.75	103.00	77.25		\$3,857.44	\$15,323.39
05/11/05	DCJ:101 Plans	Misc.	0.25	82.00	20.50		\$3,877.94	\$15,343.89
05/11/05	MH:102 Specs	Finalize Specs & Notice to Paper	1.00	69.00	69.00		\$3,946.94	\$15,412.89
05/11/05	RJG:601 Coord	Coord out-to-Bid	0.25	103.00	25.75		\$3,972.69	\$15,438.64
05/11/05		Blueprint Express #27734;BLUEPRINT EXPRESS			113.95		\$4,086.64	\$15,552.59
05/12/05	SLK:603 Doc Prep	Prep Pkgs for Mailout	0.75	42.00	31.50		\$4,118.14	\$15,584.09
05/13/05		Burdine Printing #5262 - Specs;BURDINE PRINTING			142.59		\$4,260.73	\$15,726.68
05/16/05	RJG:601 Coord	File Check	0.25	103.00	25.75		\$4,286.48	\$15,752.43
05/16/05		Received				2671.75	\$1,614.73	\$15,752.43
05/18/05	RJG:602 Research	Check Site w/Dan	0.50	103.00	51.50		\$1,666.23	\$15,803.93
05/20/05	MH:102 Specs	Addendum #1 & Mailout	0.75	69.00	51.75		\$1,717.98	\$15,855.68
05/20/05	RJG:601 Coord	Coord Addendum & out	0.50	103.00	51.50		\$1,769.48	\$15,907.18
05/26/05	DCJ:102 Specs	Addn #2 & Fax	1.00	82.00	82.00		\$1,851.48	\$15,989.18
05/26/05	RJG:601 Coord	Coord Walk-Thru Addendum	0.75	103.00	77.25		\$1,928.73	\$16,066.43
05/27/05		Received				1108.44	\$820.29	\$16,066.43
05/31/05		Postage Charges			80.90		\$901.19	\$16,147.33
05/31/05		Print Charges			2.79		\$903.98	\$16,150.12
06/09/05	RJG:601 Coord	Coord ML/File/Contr.	0.50	103.00	51.50		\$955.48	\$16,201.62
06/14/05	MH:104 Eng Study	Bid Summary Analysis	1.00	69.00	69.00		\$1,024.48	\$16,270.62
06/14/05	RJG:602 Research	Bid Review/Coord ML	0.50	103.00	51.50		\$1,075.98	\$16,322.12
06/16/05	RJG:602 Research	Research on Bids	0.75	103.00	77.25		\$1,153.23	\$16,399.37
06/21/05	DCJ:103 Estimates	Emails & Est Review	0.25	82.00	20.50		\$1,173.73	\$16,419.87
06/24/05		Credit 5/02/05 Charge				77.25	\$1,096.48	\$16,419.87
06/24/05		Received				826.73	\$269.75	\$16,419.87
06/28/05	RJG:608 Client	Coord ML/email	0.25	103.00	25.75		\$295.50	\$16,445.62
06/30/05		Postage Charges			6.81		\$302.31	\$16,452.43
06/30/05		Print Charges			3.22		\$305.53	\$16,455.65
07/01/05		Courier Systems #111442;COURIER			7.50		\$313.03	\$16,463.15

Job History Sheet

Garing, Taylor & Associates, Inc.

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 Work Loc: **NIPOMO**
 Proj Eng: **JG**
 Notes:

Job No.: **ND04-075**
 Credit Limit: **\$0.00**
 Job Status: **In progress**
**Black Lake Division: PS&E for Primary Basin
 Liner Replacement**

Date	Work By	Work Description & Location	Hours	Rate	Charges	Credits	Balance Due	Accum Cost
		SYSTEMS						
07/25/05	RJG:601 Coord	Coord Zhao, Butch	0.25	103.00	25.75		\$338.78	\$16,488.90
07/26/05	RJG:601 Coord	Samples to Creekside	1.00	103.00	103.00		\$441.78	\$16,591.90
07/26/05	RJG:602 Research	Check site w/Zhao and Sample	1.75	103.00	180.25		\$622.03	\$16,772.15
07/27/05	RJG:602 Research	Specs & Plans	0.75	103.00	77.25		\$699.28	\$16,849.40
07/27/05	RJG:608 Client	Coord M.LeBrun	0.25	103.00	25.75		\$725.03	\$16,875.15
07/28/05	RJG:601 Coord	Coord Re Sludge, Coord on Warrenty	0.50	103.00	51.50		\$776.53	\$16,926.65
07/28/05	RJG:601 Coord	Coord Re. Lab	0.25	103.00	25.75		\$802.28	\$16,952.40
08/01/05	RJG:602 Research	Res Re. Drng Basin	0.75	103.00	77.25		\$879.53	\$17,029.65
08/01/05		Received				305.53	\$574.00	\$17,029.65
08/02/05	DCJ:101 Plans	CADD	0.75	82.00	61.50		\$635.50	\$17,091.15
08/02/05	RJG:601 Coord	Coord Danny	0.50	103.00	51.50		\$687.00	\$17,142.65
08/02/05	RJG:601 Coord	Research	0.25	103.00	25.75		\$712.75	\$17,168.40
08/02/05	RJG:608 Client	Coord ML	0.50	103.00	51.50		\$764.25	\$17,219.90
08/03/05	DCJ:101 Plans	CADD Revise	2.00	82.00	164.00		\$928.25	\$17,383.90
08/03/05	DCJ:102 Specs	Specs	3.00	82.00	246.00		\$1,174.25	\$17,629.90
08/03/05	DCJ:103 Estimates	Est/Qty's	1.50	82.00	123.00		\$1,297.25	\$17,752.90
08/03/05	RJG:601 Coord	Coord Danny	0.25	103.00	25.75		\$1,323.00	\$17,778.65
08/03/05	DCJ:102 Specs	Specs	0.50	82.00	41.00		\$1,364.00	\$17,819.65
08/05/05	RJG:601 Coord	Coord Spec's w/DJ	0.25	103.00	25.75		\$1,389.75	\$17,845.40
08/08/05	RJG:602 Research	Chk Latest Plans & Specs	1.50	103.00	154.50		\$1,544.25	\$17,999.90
08/08/05	SLK:603 Doc Prep	Spec Revisions	0.25	42.00	10.50		\$1,554.75	\$18,010.40
08/09/05	DCJ:101 Plans	Files	0.25	82.00	20.50		\$1,575.25	\$18,030.90
08/09/05	DCJ:102 Specs	Corresp.	0.25	82.00	20.50		\$1,595.75	\$18,051.40
08/09/05	RJG:601 Coord	Coord Re. Plans & Spec changes	0.50	103.00	51.50		\$1,647.25	\$18,102.90
08/09/05	SLK:603 Doc Prep	Changes to Specs	0.50	42.00	21.00		\$1,668.25	\$18,123.90
08/10/05	RJG:601 Coord	Spec Coord/Check	0.25	103.00	25.75		\$1,694.00	\$18,149.65
08/15/05	DCJ:101 Plans	CADD & Corresp.	0.50	82.00	41.00		\$1,735.00	\$18,190.65
08/15/05	RJG:601 Coord	Coord out-to-bid	0.50	103.00	51.50		\$1,786.50	\$18,242.15
08/15/05	RJG:608 Client	Coord ML/Creek Rept.	0.50	103.00	51.50		\$1,838.00	\$18,293.65
08/16/05	MH:102 Specs	Specs Finalize	3.00	69.00	207.00		\$2,045.00	\$18,500.65
08/16/05		Blueprint Express #28226;BLUEPRINT EXPRESS			90.09		\$2,135.09	\$18,590.74
08/18/05		Postage for Specs;U S POST OFFICE			56.34		\$2,191.43	\$18,647.08
08/19/05		Burdine Printing #5902 - Specs;BURDINE PRINTING			105.22		\$2,296.65	\$18,752.30
08/22/05	RJG:601 Coord	Coord ML Mail Res.	0.50	103.00	51.50		\$2,348.15	\$18,803.80
08/23/05	RJG:601 Coord	Coord w/Dan	0.25	103.00	25.75		\$2,373.90	\$18,829.55
08/29/05	MH:603 Doc Prep	Addn #1 Prep & Mail	0.50	69.00	34.50		\$2,408.40	\$18,864.05
08/29/05	RJG:601 Coord	Coord Addendum/Dan	0.50	103.00	51.50		\$2,459.90	\$18,915.55
08/29/05		Received				496.75	\$1,963.15	\$18,915.55
08/31/05	RJG:601 Coord	Coord Contractors	0.75	103.00	77.25		\$2,040.40	\$18,992.80
08/31/05	DCJ:102 Specs	Specs/Addendum	4.75	82.00	389.50		\$2,429.90	\$19,382.30
08/31/05		Postage Charges			68.88		\$2,498.78	\$19,451.18
08/31/05		Print Charges			2.57		\$2,501.35	\$19,453.75
09/01/05	MH:102 Specs	Prep & Fax Addn #2	1.00	72.00	72.00		\$2,573.35	\$19,525.75

Job History Sheet

Garing, Taylor & Associates, Inc.

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 Contact: **DOUG JONES** Auth. By: **DJ**
 Work Loc: **NIPOMO**
 Proj Eng: **JG**

Job No.: **ND04-075**
 Credit Limit: **\$0.00**
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**Black Lake Division: PS&E for Primary Basin
 Liner Replacement**

Notes:

Date	Work By	Work Description & Location	Hours	Rate	Charges	Credits	Balance Due	Accum Cost
09/02/05	DCJ:101 Plans	Corresp.	0.50	86.00	43.00		\$2,616.35	\$19,568.75
09/06/05	RJG:608 Client	To NCSD for Bid Opening/ML & Dan	1.50	108.00	162.00		\$2,778.35	\$19,730.75
09/06/05		Creek Environmental Lab, Inc. Invoice;CREEK ENVIRONMENTAL LABORATORIES INC			3990.00		\$6,768.35	\$23,720.75
09/07/05	MH:104 Eng Study	Bid Summary Analysis	3.00	72.00	216.00		\$6,984.35	\$23,936.75
09/19/05	RJG:601 Coord	Coord John Z Letter of Award	0.50	108.00	54.00		\$7,038.35	\$23,990.75
09/20/05	MH:603 Doc Prep	Prep Contracts & Award Ltr	1.00	72.00	72.00		\$7,110.35	\$24,062.75
09/28/05	RJG:601 Coord	Coord Contr/Out	0.50	108.00	54.00		\$7,164.35	\$24,116.75
09/30/05		Postage Charges			11.15		\$7,175.50	\$24,127.90
09/30/05		Print Charges			15.44		\$7,190.94	\$24,143.34
10/05/05	RJG:601 Coord	Coord Sansone	0.25	108.00	27.00		\$7,217.94	\$24,170.34
10/10/05	RJG:602 Research	Review Submittals Coord Sansone	1.25	108.00	135.00		\$7,352.94	\$24,305.34
10/11/05	RJG:601 Coord	Coord Sansone	0.25	108.00	27.00		\$7,379.94	\$24,332.34
10/11/05	RJG:601 Coord	Sludge Coord/File	0.25	108.00	27.00		\$7,406.94	\$24,359.34
10/12/05	RJG:601 Coord	Coord Sansone Re. Submittals/ok	0.50	108.00	54.00		\$7,460.94	\$24,413.34
10/14/05		Received				2501.35	\$4,959.59	\$24,413.34
10/18/05	RJG:601 Coord	Coord Re Schedule	0.25	108.00	27.00		\$4,986.59	\$24,440.34
10 5	RJG:608 Client	Coord ML/Sansone	0.25	108.00	27.00		\$5,013.59	\$24,467.34
10/27/05	RJG:601 Coord	Coord Sansone, ML	0.50	108.00	54.00		\$5,067.59	\$24,521.34
10/31/05		Received				4689.59	\$378.00	\$24,521.34
11/01/05	RJG:601 Coord	Coord Re Soils	0.50	108.00	54.00		\$432.00	\$24,575.34
11/01/05	RJG:602 Research	Ck Site, See Matt	1.00	108.00	108.00		\$540.00	\$24,683.34
11/02/05	RJG:601 Coord	Coord Sansone	0.25	108.00	27.00		\$567.00	\$24,710.34
11/03/05	RJG:601 Coord	Coord w/Matt @ Sansone	0.50	108.00	54.00		\$621.00	\$24,764.34
11/07/05	RJG:601 Coord	Coord Sansone	0.25	108.00	27.00		\$648.00	\$24,791.34
11/08/05	RJG:601 Coord	Coord Matt/Souza	0.25	108.00	27.00		\$675.00	\$24,818.34
11/09/05	RJG:602 Research	Check Site	0.75	108.00	81.00		\$756.00	\$24,899.34
11/10/05	RJG:601 Coord	Coord Sansone Re. Liner	0.25	108.00	27.00		\$783.00	\$24,926.34
11/14/05	RJG:601 Coord	Coord Sansone/Dan	0.25	108.00	27.00		\$810.00	\$24,953.34
11/16/05	RJG:601 Coord	Coord Dan/RSG	0.25	108.00	27.00		\$837.00	\$24,980.34
11/16/05	RSG:105 ConstMgmt	Insp. Liner	1.25	86.00	107.50		\$944.50	\$25,087.84
11/21/05	RJG:601 Coord	Coord RSG	0.25	108.00	27.00		\$971.50	\$25,114.84
11/21/05	RSG:105 ConstMgmt	Inspect Basin, Coord Sansone	1.50	86.00	129.00		\$1,100.50	\$25,243.84
11/21/05		Received				378.00	\$722.50	\$25,243.84
11/22/05	RJG:601 Coord	Coord Sansone	0.25	108.00	27.00		\$749.50	\$25,270.84
11/28/05	RJG:602 Research	Check Site, Coord Dan	1.00	108.00	108.00		\$857.50	\$25,378.84
11/29/05	RJG:601 Coord	Coord Sansone	0.25	108.00	27.00		\$884.50	\$25,405.84
12/01/05	RJG:602 Research	Review Billing	0.25	108.00	27.00		\$911.50	\$25,432.84
12/02/05	RJG:602 Research	Check Progress Payment & Fwd.	0.75	108.00	81.00		\$992.50	\$25,513.84
12/12/05	RJG:602 Research	Check Site w/ML	0.75	108.00	81.00		\$1,073.50	\$25,594.84
12 5	RJG:601 Coord	Partial Pay email	0.25	108.00	27.00		\$1,100.50	\$25,621.84
12/16/05		Received				884.50	\$216.00	\$25,621.84
12/23/05	RJG:602 Research	Res on Final	0.50	108.00	54.00		\$270.00	\$25,675.84
12/31/05		Postage Charges			0.60		\$270.60	\$25,676.44
01/04/06	RJG:601 Coord	Coord Sansone	0.25	108.00	27.00		\$297.60	\$25,703.44

Job History Sheet

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Notes:

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01/31/06		Received				270.60	\$27.00	\$25,703.44
02/28/06		Write off per JG				27.00	\$0.00	\$25,703.44
Total Received						\$25,599.19		
Total Misc. Credits						\$104.25		

**Bid Summary for
Lagoon Liner Replacement Project,
Black Lake Wastewater Treatment Plant, Lagoon #1
for the Nipomo Community Services District**

W.O. #ND04-075
Bids Opened: September 6, 2005 @ 2:00 PM

	Estimated Quantity	Unit of Measure	Engineer's Estimate	Sansone Company, Inc.	R. Baker, Inc.	Specialty Constr., Inc.
Base Bid						
1. Mobilization/Demobilization	LUMP	SUM	\$4,000.00	\$8,060.00	\$6,300.00	\$22,700.00
2. Clearing & Grubbing (Incl. Vegetation, Sludge Removal, Aeration System, and Liner Removal)	LUMP	SUM	\$26,000.00	\$55,804.00	\$23,110.00	\$43,800.00
3. Haul Sludge & Sand to Southland WWTP	LUMP	SUM	\$10,000.00	\$23,712.00	\$16,300.00	\$32,800.00
4. Earthwork - Export: Liner Backfill Excavate backfill at footings, Lagoon Reshaping & Compaction	LUMP	SUM	\$15,000.00	\$26,684.00	\$55,175.00	\$21,200.00
5. Lagoon Preparation	LUMP	SUM	\$2,500.00	\$3,198.00	\$7,640.00	\$8,150.00
6. 40 mil High Density Polyethylene Lay-In Liner	31,500	S.F.	\$34,650.00	\$21,105.00	\$31,185.00	\$22,680.00
7. Stainless Steel Battens & Hardware	635	L.F.	\$3,175.00	\$12,592.05	\$17,780.00	\$17,780.00
8. Penetration Seal Boots	3	each	\$1,050.00	\$673.80	\$1,500.00	\$831.00
9. Finish Project	LUMP	SUM	\$3,000.00	\$342.00	\$10,250.00	\$7,600.00
	BASE BID TOTAL		\$99,375.00	\$152,170.85	\$169,240.00	\$177,541.00
Alternate A						
10. DELETE Haul to Southland WWTP	LUMP	SUM	(\$9,000.00)	(\$23,712.00)	(\$16,300.00)	(\$32,830.00)
11. Haul Sludge & Sand to Santa Maria Landfill	LUMP	SUM	\$16,000.00	\$32,723.00	\$36,550.00	\$56,374.00
	BASE BID TOTAL w/Alternate A		\$106,375.00	\$161,181.85	\$189,490.00	\$201,085.00
Alternate B						
12. DELETE Haul to Southland WWTP	LUMP	SUM	(\$9,000.00)	(\$23,712.00)	(\$16,300.00)	(\$32,830.00)
13. Haul Sludge & Sand to Cold Canyon Landfill	LUMP	SUM	\$21,000.00	\$36,516.00	\$40,770.00	\$62,454.00
	BASE BID TOTAL w/Alternate B		\$111,375.00	\$164,974.85	\$193,710.00	\$207,165.00
Alternate C						
14. 45 mil Hypalon Lay-In Liner	31,500	S.F.	\$50,400.00	\$41,265.00	\$66,150.00	\$65,205.00
15. DELETE 40 mil High Density Polyurethane Lay-In Liner	-31,500	S.F.	(\$34,650.00)	(\$21,105.00)	(\$31,185.00)	(\$22,680.00)
	BASE BID TOTAL w/Alternate C		\$115,125.00	\$172,330.85	\$204,205.00	\$220,066.00
Alternate D						
16. 45 mil Hypalon Lay-In Liner	31,500	S.F.	\$50,400.00	\$41,265.00	\$66,150.00	\$65,205.00
17. DELETE 40 mil High Density Polyethylene Lay-In Liner	-31,500	S.F.	(\$34,650.00)	(\$21,105.00)	(\$31,185.00)	(\$22,680.00)
18. DELETE Haul to Southland WWTP	LUMP	SUM	(\$9,000.00)	(\$23,712.00)	(\$16,300.00)	(\$32,830.00)
19. Haul Sludge & Sand to Santa Maria Landfill	LUMP	SUM	\$16,000.00	\$32,723.00	\$36,550.00	\$56,374.00
	BASE BID TOTAL w/Alternate D		\$122,125.00	\$181,341.85	\$224,455.00	\$243,610.00
Alternate E						
20. 45 mil Hypalon Lay-In Liner	31,500	S.F.	\$50,400.00	\$41,265.00	\$66,150.00	\$65,205.00
21. DELETE 40 mil High Density Polyurethane Lay-In Liner	-31,500	S.F.	(\$34,650.00)	(\$21,105.00)	(\$31,185.00)	(\$22,680.00)
22. DELETE Haul to Southland WWTP	LUMP	SUM	(\$9,000.00)	(\$23,712.00)	(\$16,300.00)	(\$32,830.00)
23. Haul Sludge and Sand to Cold Canyon Landfill	LUMP	SUM	\$21,000.00	\$36,516.00	\$40,770.00	\$62,454.00
	BASE BID TOTAL w/Alternate E		\$127,125.00	\$185,134.85	\$228,675.00	\$249,690.00

Amount differs from amount in Base Bid

2560
13.82

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: FEBRUARY 9, 2007

AGENDA ITEM
E-4
FEB. 14, 2007

REVIEW OF BOARD BYLAWS

ITEM

Review of Board Bylaws [Develop Proposal for Subsequent Consideration].

BACKGROUND

Your Honorable Board at your January 24, 2007 Meeting received a copy of the Board Bylaws and agreed to discuss those bylaws at this meeting. In addition, District Legal Counsel has indicated that the re-write to the State's CSD Law will require select revisions and he has provided a redlined version of the Bylaws, which illustrate the changes he believes are necessary.

RECOMMENDATION

Staff recommends that your Honorable Board discuss District Legal Counsel's proposed revisions; discuss any additional revisions; and agree on concepts for proposed amendments at this meeting so that staff can bring back the language for proposed amendments at a subsequent meeting.

ATTACHMENT –

- * REDLINED VERSION FROM DISTRICT LEGAL COUNSEL

T:\doc\board matters\board meetings\board letter 2007\Board Bylaws

NIPOMO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTOR
2007 UPDATE
BY-LAWS
(ATTACHMENT "A" TO RESOLUTION 2007-____)

1. **OFFICERS OF THE BOARD OF DIRECTORS**

- 1.1 The officers of the Board of Directors are the President and Vice President.
- 1.2 The President of the Board of Directors shall serve as chairperson at all Board meetings. He/She shall have the same rights as the other Directors of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.
- 1.3 In the absence of the President, the Vice President of the Board of Directors or his/her designee shall serve as chairperson over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining Directors present shall select one of themselves to act as chairperson of the meeting.
- 1.4 The President and Vice President of the Board shall be elected annually at the last regular meeting of each calendar year.
- 1.5 The term of office for the President and Vice President of the Board shall commence on January 1 of the year immediately following their election.

2. **MEETINGS**

- 2.1 Subject to holiday and scheduling conflicts, regular meetings of the Board of Directors shall commence at 9:00 a.m. on the second and fourth Wednesday of each calendar month in the Board Room at the District Office located at 148 South Wilson, Nipomo, CA. The Board of Directors reserves the right to cancel and/or designate other dates, places, and times for Director meetings due to scheduling conflicts and holidays.
- 2.2 Special Meetings.
Special meetings may be called by the President or three (3) Directors with a minimum of twenty-four (24) hours public notice. Special meeting agenda shall be prepared and distributed pursuant to the procedures of the Brown Act by the General Manager or the Assistant Administrator in consultation with the President or in his or her absence, the Vice president or those Directors calling the meeting;
- 2.3 Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.
- 2.4 No action or discussion may be taken on an item not on the posted agenda; provided, however, matters deemed to be emergencies or of an urgent nature may be added to the agenda under the procedures of the Brown Act. Pursuant to the Brown Act:
 - (a) Directors may briefly respond to statements or questions from the public;
 - (b) Directors may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information, or request staff to report back at a subsequent meeting;
 - (c) A Director or the Board, by motion may take action to direct staff to place a matter on a future agenda;
 - (d) Directors may make brief announcements or make a brief report on his/her own activities under the Director Comment portion of the Agenda.

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2005 UPDATE
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- 2.5 The President, or in his/her absence the Vice President (or his/her designee), shall be the presiding officer at District Board meetings. He/She shall conduct all meetings in a manner consistent with the policies of the District. He/She shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board. He/She shall announce the Board's decision on all subjects. He/She shall vote on all questions and on roll call votes his/her name shall be called last.
- 2.6 Three (3) Directors of the Board shall constitute a quorum for the transaction of business. When a quorum is lacking for a regular, adjourned, or special meeting, the President, Vice President, or any Director shall adjourn such meeting; or, if no Director is present, the District Secretary shall adjourn the meeting.
- 2.7 Except as otherwise specifically provided by law, a majority vote of the total membership of the Board of Directors is required for the Board of Directors to take action.
- 2.8 A roll call vote shall be taken upon the passage of all ordinances and resolutions, and shall be entered in the minutes of the Board, showing those Directors voting aye, those voting no, those abstaining, those not voting because of a conflict of interest, and absent. A roll call vote shall be taken and recorded on any motion not passed unanimously by the Board. Silence shall be recorded as an affirmative vote.
- 2.9 Votes of abstention shall be counted as a no vote.
- 2.10 Any person attending a meeting of the Board of Directors may record the proceedings with an audio or video tape recorder or a still or motion picture camera in the absence of a reasonable finding that the recording cannot continue without disruptive noise, illumination, or obstruction of view that constitutes or would constitute a disruption of the proceedings.
- 2.11 All video tape recorders, still and/or motion picture cameras shall remain stationary and shall be located and operated from behind the public speakers podium once the meeting begins. The President retains the discretion to alter these guidelines, including the authority to require that all video tape recorders, still and/or motion picture cameras be located in the back of the room.

3. AGENDAS

- 3.1. The General Manager, in cooperation with the Board President, shall prepare the agenda for each regular and special meeting of the Board of Directors. Any Director may call the General Manager and request an item to be placed on the regular meeting agenda no later than 4:30 p.m. one week prior to the meeting date. Such a request must be also submitted in writing either at the time of communication with the General Manager or delivered to the office within the next working day.
- 3.2 A block of 20 minutes time shall be set aside to receive general public comment. Comments on agendized items should be held until the appropriate item is called. Unless otherwise directed by the President, public comment shall be presented from the podium. The person giving public comment shall state his/her name and whether or not he/she lives within the District boundary prior to giving his/her comment. Public comment shall be directed to the President of the Board and limited to three minutes unless extended or shortened by the President at his/her discretion.
- 3.3 Those items on the District Agenda which are considered to be of a routine and non-controversial nature are placed on the "Consent Agenda". These items shall be approved, adopted, and accepted, etc. by one motion of the Board of Directors; for example, approval of Minutes, approval of Warrants, various Resolutions accepting

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NIPOMO COMMUNITY SERVICES DISTRICT
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developer improvements, minor budgetary items, status reports, and routine District operations.

- (a) Directors may request that any item listed under "Consent Agenda" be removed from the "Consent Agenda", and the Board will then take action separately on that item. Members of the public will be given an opportunity to comment on the "Consent Agenda"; however, only a member of the Board of Directors can remove an item from the "Consent Agenda". Items which are removed ("pulled") by Directors of the Board for discussion will typically be heard after other "Consent Agenda" items are approved unless a majority of the Board chooses an earlier or later time.
- (b) A Director may ask questions on any item on the "Consent Agenda". When a Director has a minor question for clarification concerning a consent item which will not involve extended discussion, the item may be discussed for clarification and the questions will be addressed along with the rest of the "Consent Agenda". Directors are encouraged to seek clarifications prior to the meeting if possible.
- (c) When a Director wishes to consider/"pull" an item simply to register a dissenting vote, the Director shall inform the presiding officer that he/she wishes to register a dissenting vote on a particular item without discussion. The item will be handled along with the rest of the Consent Agenda, and the District Secretary shall register a "no" vote in the minutes on the item identified by the Director.

4. PREPARATION OF MINUTES AND MAINTENANCE OF TAPES

- 4.1 The minutes of the Board shall be kept by the District Secretary and shall be neatly produced and kept in a file for that purpose, with a record of each particular type of business transacted set off in paragraphs with proper subheads;
- 4.2 The Minutes of the Board of Directors shall record the aye and no votes taken by the members of the Board of Directors for the passage or denial of all ordinances, resolutions or motions. (61045(d))
- 4.3 The District Secretary shall be required to make a record only of such business as was actually considered by a vote of the Board and, except as provided in Sections 4.4 and 4.6 below, shall not be required to record any remarks of Directors or any other person;
- 4.4 Any Director may request for inclusion into the minutes brief comments pertinent to an agenda item, only at the meeting in which the item is discussed. In addition, the minutes shall include brief summaries of public comment, the General Manager's report, matters of concern to District legal counsel, District committee reports, and Directors' reports. Materials submitted with such comments shall be appended to the minutes at the request of the General Manager, District Counsel, the Board President, or any Director.
- 4.5 The District Secretary shall attempt to record the names and general place of residence of persons addressing the Board, the title of the subject matter to which their remarks related, and whether they spoke in support or opposition to such matter.
- 4.6 Whenever the Board acts in a quasi-judicial proceeding such as in assessment matters, the District Secretary shall compile a summary of the testimony of the witnesses.
- 4.7

Deleted: Any record of a District meeting made for whatever purpose at the direction of the District shall be subject to inspection pursuant to the California Public Records Act. District electronic records may be retained indefinitely, pursuant to the discretion of the Board.¶

5. **DIRECTORS**

- 5.1 Directors shall prepare themselves to discuss agenda items at meetings of the Board of Directors.
- 5.2 Members of the Board of Directors shall exercise their independent judgment on behalf of the interest of the entire District, including the residents, property owners and the public as a whole (61042(c)).
- 5.3 Information may be requested from staff or exchanged between Directors before meetings, within such limitations as required by the Brown Act. Information that is requested or exchanged shall be distributed through the General Manager, and all Directors will receive a copy of all information being distributed.
- 5.4 Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.
- 5.5 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.
- 5.6 Except during open and public meetings the use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the Directors to develop a collective concurrence as to action to be taken on an item by the Board of Directors is prohibited.

6. **AUTHORITY OF DIRECTORS**

- 6.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.
- 6.2 Directors do not represent any fractional segment of the community but are, rather, a part of the body which represents and acts for the community as a whole.
- 6.3 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

7. **AUTHORITY OF THE GENERAL MANAGER**

The General Manager shall be responsible for all of the following:

- 7.1. The implementation of the policies established by the Board of Directors for the operation of the District.
- 7.2 The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the employee relations system established by the Board of Directors.
- 7.3 The supervision of the District's facilities and services.
- 7.4 The supervision of the District's finances.

8. **DIRECTOR GUIDELINES**

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- 8.1 Directors, by making a request to the General Manager or Assistant Administrator, shall have access to information relative to the operation of the District, including but not limited to statistical information, information serving as the basis for certain actions of Staff, justification for Staff recommendations, etc. If the General Manager or the Assistant Administrator cannot timely provide the requested information by reason of information deficiency, or major interruption in work schedules, work loads, and priorities, then the General Manager or Assistant Administrator shall inform the individual Director why the information is not or cannot be made available.
- 8.2 In handling complaints from residents or property owners within the District, or other members of the public, Directors are encouraged to listen carefully to the concerns, but the complaint should be referred to the General Manager for processing and the District's response, if any.
- 8.3 Directors, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, should refer said concerns directly to the General Manager.
- 8.4 When approached by District personnel concerning specific District policy, Directors should direct inquiries to the General Manager or Assistant Administrator. The chain of command should be followed. If a Director concludes that a personnel issue is not being adequately addressed in this manner, he/she should refer it to the Board's personnel committee for further consideration, in accordance with District Personnel Policy.
- 8.5 Directors and General Manager should develop a working relationship so that current issues, concerns and District projects can be discussed comfortably and openly.
- 8.6 When responding to constituent request and concerns, Directors should respond to individuals in a positive manner and route their questions to the General Manager, or in his/her absence, to the Assistant Administrator.
- 8.7 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

9. **DIRECTOR COMPENSATION**

- 9.1 Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular, adjourned or special meeting of the Board of Directors attended by him/her.
- 9.2 Each Director is authorized to receive fifty dollars (\$50.00) as a compensation for each standing committee or ad hoc committee meeting of the District attended by him/her.
- 9.3 Each Directors is authorized to receive one hundred dollars (\$100) per day as compensation for representation of the District at a public meeting or public hearing conducted by another public agency and/or participation in a training program on a topic that is directly related to the District, provided that the Board of Directors has previously approved the member's participation at a Board of Director's meeting and the member delivers a written report to the Board of Directors at the District's next regular meeting regarding the member's participation.
- 9.4 In no event shall Director compensation exceed \$100 per day.
- 9.5 Director compensation shall not exceed six full days in any one calendar month.

10. **DIRECTOR REIMBURSEMENT**

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10.1 Each Director is entitled to reimbursement for their actual and necessary expenses, including the cost of programs and seminars, incurred in the performance of the duties required or authorized by the Board.

- (a) It is the policy of the District to exercise prudence with respect to hotel/motel accommodations. It is also the policy of the District for Directors and staff to stay at the main hotel/motel location of a conference, seminar, or class to gain maximum participation and advantage of interaction with others whenever possible.

If lodging is in connection with a conference or organized education activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of the Board of Directors at the time of booking. If the group rate is not available, the Director shall use lodging that is comparable with the group rate. Personal phone calls, room service, and other discretionary expenditures are not reimbursable.

Deleted: Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at group rate is available to the member of the Board of Directors at the time of booking (Govt Code §53232.2(d)).

- (b) Members of the Board of Directors shall use government and group rates offered by a provider of transportation for travel when available. (53232.2(e)). Directors using his/her private vehicle on District business, shall be compensated at the prevailing IRS per diem mileage rate.
- (c) Any Director traveling on District business shall receive in addition to transportation and lodging expenses, a per diem allowance to cover ordinary expenses such as meals, refreshments and tips. The amount set for per diem shall be considered fair reimbursement. The per diem shall include \$10.00 for breakfast, \$10.00 for lunch, and \$20.00 for dinner, for a daily total of \$40.00.
- (d) All travel and other expenses for District business, conferences, or seminars outside of the State of California shall require separate Board authorization, with specific accountability as to how the District shall benefit by such expenditure.

Deleted: , and the Director shall neither be required to account for use of the per diem, return the unused portions, nor claim additional expenses for these items.

10.2 All expenses that do not fall within the reimbursement policy set forth in 10.1, above, shall be approved by the Board of Directors, at a public meeting, before the expense is incurred (53232.3(c)).

10.3 Board members shall submit an expense report on the District form within ten (10) calendar days after incurring the expense. The expense report shall be accompanied by receipts documenting each expense except for per diem allowances (53232.3(d)).

10.4 Members of the Board of Directors shall provide brief reports on meetings attended at the expense of the District at the next regular meeting of the Board of Directors.

11 COMMITTEES

11.1 Ad Hoc Committees

The Board President shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc

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committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

11.2 Standing Committees

- (a) The Board may create standing committees at its discretion. Standing committees shall be advisory committees to the Board of Directors and shall not commit the District to any policy, act or expenditure. Each standing committee may consider District-related issues, on a continuing basis, assigned to it by the Board of Directors. Members of the standing committees shall be appointed by the Board of Directors.
- (b) All standing committee meetings shall be conducted as public meetings in accordance with the Brown Act and Sections 2, 3 and 4 of these By-Laws. Summary notes for each meeting of each committee shall be forwarded to the NCSB Board of Directors as a public record.

12. CORRESPONDENCE DISTRIBUTION POLICY

Time permitting, the following letters and other documents shall be accumulated and delivered to the Board of Directors on Monday of each week and/or with agenda packet.

- 12.1 All letters approved by the Board of Directors and/or signed by the President on behalf of the District; and
- 12.2 All letters and other documents received by the District that are of District-wide concern, as determined by District staff.

13. CONFLICTS AND RELATED POLICY

State laws are in place which attempt to eliminate any action by a Director or the District which may reflect a conflict of interest. The purpose of such laws and regulations is to insure that all actions are taken in the public interest. Laws which regulate conflicts are very complicated. The following provides a brief policy summary of various conflict related laws. Directors are encouraged to consult with District Legal Counsel and/or the FPPC at 1-800-ASK-FPPC (1-800-275-3772), prior to the day of the meeting, if they have questions about a particular agenda item.

13.1 Conflict of Interest

Each Director is encouraged to review the District Conflict Code on an annual basis. The general rule is that an official may not participate in the making of a governmental decision if it is: reasonably foreseeable that the decision will have a material financial effect on the official or a member of his or her immediate family or on an economic interest of the official, and the effect is distinguishable from the effect on the public generally. Additionally, the FPPC regulations relating to interests in real property have recently been changed. If the real property in which the Director has an interest is located within 500 feet of the boundaries of the property affected by decision, that interest is now deemed to be directly involved in the decision.

13.2 Interest in Contracts, Government Codes Section 1090

The prohibitions of Government Code Section 1090 provide that the Board of Directors may not contract with any business in which another Director has a financial interest.

13.3 Incompatible Office

The basic rule is that public policy requires that when the duties of two offices are repugnant or overlap so that their exercise may require contradictory or inconsistent

action, to the detriment to the other public interest, their discharge by one person is incompatible with that interest. When a Director is sworn in for such a second office, he/she is simultaneously terminated from holding the first office.

14. **EVALUATION OF CONSULTANTS**

The District's legal counsel shall be evaluated by the Board of Directors annually during the months of May and June of each year. The District's consulting engineer shall be evaluated by the General Manager during the months of May and June of each year and reported to the Board of Directors during the month of July of each year.

15. **CONTINUING EDUCATION**

Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Subject to budgetary constraints, there is no limit to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

16. **BOARD BY-LAWS REVIEW POLICY**

Subject to 3.1 the Board By-Laws Policy shall be reviewed annually at the first regular meeting in February. The review shall be provided by District Counsel and ratified by Board action.

17. **RESTRICTIONS ON RULES**

The rules contained herein shall govern the Board in all cases to which they are applicable, and in which they are not inconsistent with State or Federal laws.

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL ~~BB~~
DATE: FEBRUARY 9, 2007

AGENDA ITEM
E-5
FEB. 14, 2007

DEVELOP POSITION ON SALE OF SLO COUNTY WATER ENTITLEMENTS

ITEM

Develop position on sale of SLO County Flood Control and Water Conservation District (FC&WC District) Water Entitlements to the Central Coast Water Authority (CCWA) and forward position to SLO County and CCWA [RECOMMEND APPROVAL].

BACKGROUND

FC&WC District and CCWA are negotiating an agreement that would enable CCWA to buy some of the FC&WC District's unused state water entitlement (approximately 16,000 acre feet per year) in dry years to augment CCWA's ability to deliver water to its members. Attached is a copy of the FC&WC District's adopted Policy on Excess Entitlements.

Although such annual sales would provide revenue to the FC&WC District, staff believes that all in-county use needs should be met first, that any such sales should be strictly on a one year basis with no long term commitment, and the adoption of any such agreement should comply with CEQA with full opportunity for interested parties (including WRAC) to comment.

Additionally, NCSD may wish to purchase a portion of the FC&WC District's excess entitlements and NCSD should have priority pursuant to Section 2 of the Excess Entitlements Policy as compared to the proposed sale with a Priority 5.

RECOMMENDATION

Staff recommends that your Honorable Board discuss the concepts set forth above, agree on a position, and authorize the President to execute a letter to be forwarded to the two agencies.

ATTACHMENT –

- * FW&WC DISTRICT EXCESS WATER ENTITLEMENT POLICY

State Water Project
Proposed Excess Entitlement Policies
January 2003

Excess Entitlement - Definition

The District State Water Project "Excess" Entitlement is the portion of the District's total entitlement that is not contracted to others for their deliverable or drought buffer uses.

Priority of Use

1. Prior to transferring the excess entitlement for any other use, contractors of state water entitlement with capacity in Phase II of the Coastal Aqueduct shall have the first right to utilize the excess entitlement for "drought buffer" (reliability) purposes under the terms of a drought buffer agreement.
2. Preference shall be given to local agencies and water purveyors regardless of whether a transfer is on an annual, multi-year, or a permanent basis.
3. No permanent transfer of the excess entitlement for use outside District boundaries shall be made prior to a final update of the District's Master Water Plan adopted by the Board of Supervisors, and then only if the transfer is consistent with the then adopted Master Plan. (See 'Note' below)
4. No multi-year transfer for use outside District boundaries shall be made with a term in excess of five years prior to a final update to the District's Master Water Plan adopted by the Board of Supervisors, and then out of District transfers can only take place if the transfer is consistent with the adopted Master Plan.
5. On any out -of-District transfer, preference shall be given to those that provide: a) revenues that recover current costs and some or all of the District's past costs, b) maintain the District's right to use the water in the future, or c) which are used for environmental mitigation.
6. The Public Works Director is authorized to determine the annual amount of the excess entitlement to transfer to the State Water Project "Turnback Pools" established under the existing terms of State Water Agreements. In making that determination, the Public Works Director shall first consider local needs and how the use of the Turnback Pool might impact other potential transfers.

Note:

These policies were adopted by the Board of Supervisors "with the understanding there will be no permanent sales outside the District."

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BBB*
DATE: February 9, 2007

**AGENDA ITEM
E-6
FEB. 14, 2007**

WATER ALLOCATION OPTIONS

ITEM

Review District water allocation policy options and develop proposal for subsequent consideration [Provide Policy Direction Regarding Action at Subsequent Meeting].

BACKGROUND

In September, your Honorable Board directed staff to bring back information on the Groundwater Basin, current consumption by use class and information on commercial use. On October 11, 2006 your Honorable Board received SAIC's Technical Memorandum #1 and discussed the three topics of concern. On October 25, 2006 your Honorable Board received SAIC's Technical Memorandum #2 and discussed answers to questions raised regarding Technical Memorandum #1. On November 15, 2006, your Honorable Board received a presentation by Brad Newton of SAIC and discussed staff's recommended Allocation Processes. This item was set on this agenda so your Honorable Board could review options and propose concepts for inclusion in a draft Ordinance that could be introduced as early as March 14, 2007. Please note that your Board on January 24, 2007 separated out annexation issues into a separate discussion.

Following is a discussion of the topics of concern identified at the November 15, 2006 Board Meeting.

• **ANNUAL ALLOCATION LIMIT (EXISTING ALLOCATION PROGRAM) –**

ISSUE: The issue before your Honorable Board is whether the 51 acre feet per year limitation on new demand should be revised, and if so, what new limitation should be substituted. SAIC has opined that there is 121,000 acre feet of useable storage available and that the average drawdown of that storage over the past six years has been 500 acre feet per year. If all 51 acre feet were appropriated each year for the next five years the storage drawdown per year would increase from 551 acre feet per year up to 755 acre feet per year with a cumulative total drawdown of 3,265 acre feet. The Water Year 2006-07 Allocation Summary suggests that the current rate of new residential growth is approximately 27 acre feet per year, but this rate does not include commercial projects and it does not account for grandfathered projects. Your Honorable Board on November 15, 2006 agreed to consider reducing the limit from 51 acre feet per year to 27 acre feet per year and also to receive a proposal from Director Eby. Attached is a memorandum from Director Eby proposing that the annual allocation limit be set at 34.3 acre feet per year.

OPTIONS: Following are options for Board Consideration:

- A. Existing Limit: 51 acre feet per year
- B. Wirsing Motion: 27 acre feet per year
- C. Ed Eby Proposal: 34.3 acre feet per year
- D. Other: ? acre feet per year

RECOMMENDATION: Staff requests that your Honorable Board select one value as a proposal for subsequent consideration in a draft ordinance.

- DIVISION OF ANNUAL LIMIT AMONGST CATEGORIES (EXISTING ALLOCATION)

ISSUE: The issue before your Honorable Board is whether the existing division of the annual usage amongst categories should be revised if is so, what division estimates should be substituted. Currently, the Board has allocated 3.3 acre feet per year to Low Income Housing, 32.5 acre feet per year to Single Family uses; 5 acre feet per year to Secondary Dwellings; and 10.2 acre feet per year to Multi-Family. Attached is a memo from Director Eby outlining some options.

OPTIONS: Following are options for Board Consideration:

- A. Existing Division (only valid if 51 acre feet limit retained)
- B. Proportional Reduction (maintain percentage share for lower limits)
- C. Low Income Preference Reduction (retain 3.3 afy for LOW INCOME HOUSING and then maintain percentage share for remaining categories)
- D. Eby Proposal (divide total as a function of unserved land in each respective zone)
- E. Other

RECOMMENDATION: Staff requests that your Honorable Board select one formula as a proposal for subsequent consideration in a draft ordinance.

- USE GROUP LIMITATIONS ON FUTURE RESIDENTIAL UNITS (EXISTING)

ISSUE: The issue before your Honorable Board is whether the existing usage estimates for the various categories of land use should be revised if is so, what usage estimates should be substituted. Attached is a copy of the staff analysis of FY05-06 consumption by residential use class. As illustrated on the attached analysis, the current customers are using more water than the targets set forth in the allocation ordinance, however, new construction should be more water efficient than the average of existing customers. It should be noted that staff is still evaluating the impact of zero reads on the average.

OPTIONS: Following are options for Board Consideration:

- A. Existing Values (See chart)
- B. Actual Values (See Chart)
- C. Other

RECOMMENDATION: Staff requests that your Honorable Board select one formula as a proposal for subsequent consideration in a draft ordinance.

- CERTIFICATION USAGE TARGETS (EXISTING ALLOCATION)

ISSUE: The issue before your Honorable Board is whether the target use values in the water usage certification should be revised if is so, what usage estimates should be substituted.

OPTIONS: Following are options for Board Consideration:

- A. Retain Existing Values
- B. Use Actual Values
- C. Use Actual Values minus X% (For Example, 15%)

RECOMMENDATION: Staff requests that your Honorable Board select one value as a proposal for subsequent consideration in a draft ordinance.

- TRACKING NON-RESIDENTIAL DEMAND (EXISTING ALLOCATION)

ISSUE: The issue before your Honorable Board is whether the District should start adding a non-residential surcharge from every allocation commitment. As noted on the comparison sheet, the aggregate of all FY05-06 commercial use constitutes 5.06% of the aggregate of all FY05-06 residential use.

OPTIONS: Following are options for Board Consideration:

- A. Start Adding the Additional Usage
- B. Continue to not Add the Additional Usage
- C. Tract Non-Residential Use in some other manner

RECOMMENDATION: Staff requests that your Honorable Board select one approach as a proposal for subsequent consideration in a draft ordinance.

- REQUIRING A SEPARATE METER/CHARGE FOR SECONDARY UNITS

ISSUE: The issue before your Honorable Board is whether the District should require a separate meter and a separate capacity charge for the addition of a secondary unit to an existing residential lot now that the County is requiring separate meters.

OPTIONS: Following are options for Board Consideration:

- A. Require separate meter and charge
- B. Continue to issue Will Serve Letters without new meter or charge
- C. Other

RECOMMENDATION: Staff requests that your Honorable Board select one value as a proposal for subsequent consideration in a draft ordinance.

RECOMMENDATION

Staff recommends that your Honorable Board provide policy direction on each of the issues set forth above so that staff can draft an Ordinance for subsequent Board consideration. Staff also recommends that the draft ordinance be circulated to SLO County, the HBA, and to low income housing advocates so that these parties can provide feedback to the Board before the Board considers adoption.

ATTACHMENT

- Director Eby's Memorandum regarding the Annual Allocation Limit
- Staff's Analysis of FY05-06 Water Usage
- Director Eby's Memorandum regarding Allocation Distribution

T:\DOCUMENTS\BOARD MATTERS\2006 BOARD LETTERS\ALLOCATION REVIEW 070214.DOC

Bruce Buel

From: edeby@charter.net
Sent: Monday, December 04, 2006 5:51 PM
To: Bruce Buel
Subject: Reallocation Scheme

Attachments: Reallocation06.xls; ATT28342.txt



Reallocation06.xls (23 KB) ATT28342.txt (66 B)

Bruce,

Attached is an allocation scheme that has the same philosophical intent as we talked about today. The numbers and dates are a little different, but it is based on the following:

- 1) When the original allocation policy was put into effect in September/October 2004, Supplemental Water was to be a reality in 2 1/2 to 3 years. Three complete years from then would end 9/30/07. This limits the cumulative additional drain on the NMMA to 153 AF.
- 2) Our latest NET (no earlier than) date is late 2009, so I used 9/30/09.
- 3) I divided the last 3 years in the reallocation scheme into equal yearly allocations, leaving 20.6 AFY still available for this year.

We should have a better estimate of the NET by the end of Boyle's 7 month study based on what we discussed today. If we change the allocation policy in the near term, and we are wrong about the NET, we can revise it in 7 months using the same 153 AFY cap. At any rate the proposed reallocation scheme isn't likely to cause grief to anyone since we haven't used the 34.3 in any of the last 3 years.

Please let me know if you have any questions about the scheme.

Ed

Reallocation Scheme Providing Same Cumulative Water Use Between 10-1-04 and Arrival of Supplemental Water

2004 Allocation	10/1/04 to 9/30/05	10/1/05 to 9/30/06	10/1/06 to 9/30/07	10/1/07 to 9/30/08	10/1/08 to 9/30/09
Yearly Allocation Budget	51	51	51		
Cumulative from 2004 Allocation Policy	51	102	153		
Actual Allocations	24.7	25.3	13.7		
Cumulative Allocations	24.7	50	63.7		
Reallocation with Same Cumulative Total					
Allocations to Date	24.7	25.3	13.7		
Cumulative Actual Allocations	24.7	50	63.7		
Reallocation			34.3	34.3	34.3
Allocations Remaining Available for Year			20.6	34.3	34.3
Cumulative Total - Actual(<i>Projected</i>)	24.7	50	63.7(84.3)	118.6	152.9

COMPARISON OF ALLOCATION USE LIMITS, UWMP ESTIMATES & OBSERVED AVERAGES

USE GROUP	ALLOCATION LIMIT (AF/DU/YR)	FY05-06 OBSERVED AVERAGE USE (AF/DU/YR)	UWMP ESTIMATES (AF/DU/YR)	
MULTI-FAMILY		0.18	0.25	0.146
DUPLEX		0.3	0.32	NA
SF (<4,500sf Lot)		0.3	0.42	0.473
SF (4,500 to 10,000sf)		0.45	0.6	0.473
SF (>10,000sf)		0.55	0.98	0.619

TOTAL COMMERCIAL USE AS A PERCENTAGE OF RESIDENTIAL USE = 5.06%

Bruce Buel

From: edeby@charter.net
Sent: Monday, December 04, 2006 5:58 PM
To: Bruce Buel
Subject: Allocation Distribution

Bruce,

The other part of the allocation scheme that needs examination is how the allocations are distributed among the various zoning categories. We should know how many acres of each kind of zoning in the NCS boundaries are unserved. That would tell us the potential demand in each category. From that we could proportion the allocations to those categories.

Of course, the allocation calculations should use the current actual usage, rather than the "ideal" usage found in the UWMP, which should be corrected.
Ed