

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BBB*
DATE: MAY 9, 2008

**AGENDA ITEM
D-3
MAY 14, 2008**

APPROVAL OF THE ENGINEER'S LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2008-2009

ITEM

Approval of resolutions granting approval of the engineer's levy report and declaration of intention to levy annual assessments for the Street Landscape Maintenance District No. 1 for Fiscal Year 2008-2009.

BACKGROUND

On April 9, 2008, the Board of Directors adopted Resolution 2008-1075 entitled:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2008-2009 PURSUANT TO THE PROVISIONS OF PART 2 OF THE DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

Peter Sevcik, District Engineer, was directed to prepare the annual levy report (attached). Pursuant to Proposition 218 and the Petition Requesting Formation of the Street Landscape Maintenance District, the annual levy may be increased by a percentage equal to the Consumer Price Index (CPI). While the CPI defines the maximum rate for the District may increase the levy each year, the actual amount to be assessed is based on the annual budget and may be less than the maximum rate. Property owners within the assessment district must approve any proposed assessment that exceeds the adjusted maximum rate based on the CPI.

It is recommended that the prior year's maximum assessment of \$376.75 be increased by the CPI.

Since inception, the annual assessments have been as follows:

Fiscal Year 2003-2004(first year of assessment)	\$345.00
Fiscal Year 2004-2005 (CPI increase)	\$346.96
Fiscal Year 2005-2006 (CPI increase)	\$354.94
Fiscal Year 2006-2007 (CPI increase)	\$365.34
Fiscal Year 2007-2008 (no increase proposed)	\$365.34
Fiscal Year 2008-2009 (CPI increase)	\$387.74

RECOMMENDATION

Staff recommends approval of two Resolutions-one approving the Engineer's Report and one declaring intention to levy annual assessments.

ATTACHMENT

Engineer's Annual Levy Report
Resolutions (2)

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2008-ENG LEVY**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
GRANTING APPROVAL OF THE ANNUAL ENGINEER'S LEVY REPORT FOR THE STREET
LANDSCAPE AND MAINTENANCE DISTRICT NO. 1
FOR FISCAL YEAR 2008-2009**

WHEREAS, the Board of Directors of the Nipomo Community Services District ("NCSD") has, by Resolution, ordered the preparation of an Engineer's Annual Levy Report by Peter Sevcik, District Engineer (hereinafter referred to as "Report") for the Nipomo Community Services District Street Landscape Maintenance District No. 1 (hereinafter referred to as "Street Landscape Maintenance District No. 1") pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division of the Streets and Highways Code of California, beginning with Section 22500 (hereinafter referred to as the "Act"); and

WHEREAS, the District and the associated assessments are in compliance with the provisions of California Constitution Article XIID; and

WHEREAS, the NCSD has now been presented with the Report as required by Section 22566 of said Act; and

WHEREAS, the NCSD has carefully examined and reviewed the Report as presented and is satisfied with the budget items and documents as set forth therein and is satisfied that the proposed assessments have been spread in accordance with the Petition for Street Landscape Maintenance District No. 1 and with benefits received from the improvements, operation, maintenance, and services to be performed within Street Landscape Maintenance District No. 1 as set forth in said Report.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT, NIPOMO, CALIFORNIA FOR THE LANDSCAPE MAINTENANCE DISTRICT NO. 1 AS FOLLOWS:

SECTION 1: That the above recitals are all true and correct and incorporated herein by reference.

SECTION 2: That the presented Report consists of the following:

- a. A Description of the Improvements
- b. The Annual Budget (Costs and Expenses of Services, Operation, and Maintenance)
- c. The Method of Apportionment that details the method of calculating each parcel's proportional special benefits and annual assessment.
- d. The District Roll containing the proposed assessment for each parcel within the District for fiscal year 2008-2009.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2008-eng levy

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
GRANTING APPROVAL OF THE ANNUAL ENGINEER'S
LEVY REPORT FOR THE STREET LANDSCAPE AND
MAINTENANCE DISTRICT NO. 1
FOR FISCAL YEAR 2008-2009

PAGE TWO

SECTION 3: The Report is hereby approved and ordered to be filed in the Nipomo Community Services District Offices as a permanent record and to remain open to public inspection.

SECTION 4: That the NCS D General Manager shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Engineer's Annual Levy Report.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services this 14th day of May, 2008 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Michael Winn, President
NIPOMO COMMUNITY SERVICES DISTRICT

ATTEST:

APPROVED AS TO FORM:

DONNA K. JOHNSON, Secretary
to the Board of Directors
Nipomo Community Services District

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

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NIPOMO COMMUNITY SERVICES DISTRICT
ENGINEER'S ANNUAL LEVY REPORT
STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1
FISCAL YEAR 2008-2009

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Introduction

Nipomo Community Services District ("NCSD") annually levies and collects special assessments to maintain improvements within Street Landscape Maintenance District No. 1 ("District"). The District was formed and annual assessments are established pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "1972 Act").

This Engineer's Annual Report ("Report") describes the District and the proposed assessments for the fiscal year 2008-2009. The assessments are based on the historical and estimated future costs to maintain the improvements that provide a direct and special benefit to properties within the District.

For the purposes of this Report, the word "parcel" refers to an individual property assigned its own Assessor Parcel Number by the San Luis Obispo County Assessor's Office. The San Luis Obispo County Auditor/Controller uses Assessor Parcel Numbers and specific Fund Numbers to identify properties assessed for special district benefit assessments on the tax roll.

Effect of Proposition 218

In November 1996, California voters approved Proposition 218 that established specific requirements for the on going imposition of taxes, assessments and fees. The provisions of the Proposition are now contained in the California Constitutional Articles XIIC and XIID.

All assessments described in this Report and approved by the Board of Directors are prepared in accordance with the 1972 Act and are in compliance with the provisions of the California Constitution Article XIID.

The assessments adopted include the District's annual inflationary adjustment to the maximum assessment rate. This annual inflationary adjustment to the maximum assessment rate is provided in this Report.

Description of the District and Services

The District (formed on April 9, 2003) provides and ensures the continued maintenance, servicing, administration and operation of landscaping located within the public rights-of-way and dedicated landscape easements in Tract 2409, a 28 lot subdivision commonly known as Vista Verde Estates, located off of West Tefft across from Dana Elementary School.

NIPOMO COMMUNITY SERVICES DISTRICT
ENGINEER'S ANNUAL LEVY REPORT
STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1
FISCAL YEAR 2008-2009

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Improvements within the District include the maintenance and operation and the furnishing of services and materials for landscaping which include trees, shrubs, grasses and other ornamental vegetation, and appurtenant facilities, including irrigation systems.

Method of Apportionment

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of landscaping and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

The formula used for calculating assessments of the District therefore reflect the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on the benefits to each parcel.

Benefit Analysis

The associated costs and assessments have been carefully reviewed, identified and allocated based on special benefit pursuant to the provisions of the California Constitution and 1972 Act. The improvements associated with the District have been identified as necessary, required and/or desired for the orderly development of the properties within the District to their full potential, consistent with the proposed development plans. As such, these improvements would be necessary and required of individual property owners for the development of such properties, and the ongoing operation, servicing and maintenance of these improvements would be the financial obligation of those properties. Therefore, the improvements and the annual costs of ensuring the maintenance and operation of the improvements are of direct and special benefit to the properties.

The method of apportionment (method of assessment) is based on the premise that each assessed parcel within the District receive special benefit from the improvements provided by the District. The desirability of properties is enhanced by the presence of local improvements in close proximity to those properties.

The special benefits associated with landscaped improvements are specifically:

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ENGINEER'S ANNUAL LEVY REPORT
STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1
FISCAL YEAR 2008-2009

- Enhanced desirability of properties through association with the improvements.
- Improved aesthetic appeal of properties providing a positive representation of the area.
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
- Environmental enhancement through improved erosion resistance, dust and debris control.
- Increased sense of pride in ownership of property within the District resulting in well-maintained improvements associated with the properties.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings.

Based on the preceding special benefits, it has been determined that the improvements provided through the District and for which parcels are assessed, contribute to aesthetic value and desirability of those properties. It has further been determined that these improvements, either individually or collectively are provided for the special benefit and enhancement of properties within the District and provide no measurable general benefit to properties outside the District or to the public at large.

Assessment Methodology

The maximum annual assessment that may be levied each fiscal year includes an annual inflationary adjustment to the maximum assessment rate based on the percentage change in the Consumer Price Index for Urban Wage Earners and Clerical Workers in San Francisco/San Jose for February 28 of the current year over the previous year's index on the same date. Although the maximum rate for the District may increase each year, the actual amount to be assessed is based on the annual budget and may be less than the maximum rate. The property owners must approve any proposed assessment that exceeds the adjusted maximum rate before it can be imposed.

The maximum assessment that may be levied in a fiscal year is increased annually by the following formula

<p>(Prior Year's Annual Maximum Assessment x CPI) Plus Prior Year's Annual Maximum Assessment</p>	}	= Current Year's Annual Maximum Assessment
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NIPOMO COMMUNITY SERVICES DISTRICT
ENGINEER'S ANNUAL LEVY REPORT
STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1
FISCAL YEAR 2008-2009

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The percentage change used is the annual change for the preceding 12 months. The annual inflation factor applied for the fiscal year 2008-2009 is based on the percentage change from February 2008 to February 2007 and has been identified as 2.92% (annual percentage change currently available).

Fiscal Year 2008-2009 District Budget

DESCRIPTION	2008-2009 BUDGET
Contract Landscape Maintenance	\$2,580
Plant attrition and normal loss	1,000
Water	3,150
Electricity	120
Reserve (1)	4,000
Administration	250
TOTAL COST	\$11,100
COST PER PARCEL	\$396.42

MAXIMUM ALLOWABLE ASSESSMENT PER PARCEL (APPLYING INFLATIONARY ADJUSTMENT)	
2007-2008 Maximum Assessment	(1) \$376.75
X CPI (2.92%)	(2) \$10.99

Maximum Assessment Allowable	(1) + (2) \$387.74 =====
2008-2009 Annual Assessment-Proposed	\$387.74 =====

(1) A reserve is budgeted in anticipation of increases in water rates and the potential for exchanging current landscaping for more drought resistant landscaping in the future.

NIPOMO COMMUNITY SERVICES DISTRICT
ENGINEER'S ANNUAL LEVY REPORT
STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1
FISCAL YEAR 2008-2009

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Lot Number	Assessor Parcel Number	Annual Assessment
1	092-512-001	\$387.74
2	092-512-002	\$387.74
3	092-512-003	\$387.74
4	092-512-004	\$387.74
5	092-512-005	\$387.74
6	092-512-006	\$387.74
7	092-512-007	\$387.74
8	092-512-008	\$387.74
9	092-512-009	\$387.74
10	092-512-010	\$387.74
11	092-512-011	\$387.74
12	092-512-012	\$387.74
13	092-512-013	\$387.74
14	092-512-014	\$387.74
15	092-512-015	\$387.74
16	092-512-016	\$387.74
17	092-512-017	\$387.74
18	092-512-018	\$387.74
19	092-512-019	\$387.74
20	092-512-020	\$387.74
21	092-512-021	\$387.74
22	092-512-022	\$387.74
23	092-512-023	\$387.74
24	092-512-024	\$387.74
25	092-512-025	\$387.74
26	092-512-026	\$387.74
27	092-512-027	\$387.74
28	092-512-028	\$387.74
	TOTAL	\$10,856.72



Peter V. Sevcik

PETER V. SEVCIK
DISTRICT ENGINEER

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2008-levy assmts**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT DECLARING ITS INTENTION TO
LEVY ANNUAL ASSESSMENTS FOR THE STREET LANDSCAPE AND
MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2008-2009**

WHEREAS, the Board of Directors of the Nipomo Community Services District ("NCS D") has, by previous Petition and Resolutions, formed the Nipomo Community Services District Street Landscape Maintenance District No. 1 (hereinafter referred to as "Street Landscape Maintenance District No. 1") and initiated proceedings for Fiscal Year 2006/07 pursuant to the provisions of the Landscaping and Lighting Act of 1972, Streets and Highways Code of California, beginning with Section 22500 (hereinafter referred to as "Act") that provides for the levy and collection of assessments by the County of San Luis Obispo for the Nipomo Community Services District to pay for the maintenance and services of all improvements and facilities related thereto; and

WHEREAS, the Street Landscape Maintenance District No. 1 and the associated assessments are in compliance with the provisions of California Constitution Article XIID; and

WHEREAS, the NCS D has appointed Peter Sevcik, District Engineer, for the purpose of assisting with the Annual Levy of the District and to prepare and file a Report in accordance with the Act, and that said Report has been prepared, filed, and presented to the Board of Directors.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT, FOR THE STREET LANDSCAPE AND MAINTENANCE DISTRICT NO. 1 PURSUANT TO CHAPTER 3, SECTION 22624 OF THE ACT AS FOLLOWS:

SECTION 1 Intention: The NCS D hereby declares that it intends to seek the Annual Levy of the District pursuant to the Act, over and including the land within the Street Landscape Maintenance District No. 1 boundary, and to levy and collect assessments on all such land to pay the costs of the following: the operation, maintenance, and servicing of landscaping and all appurtenant facilities and operations related thereto.

SECTION 2 Description of Improvements and Any Substantial Changes Proposed: The improvements within the Street Landscape Maintenance District No. 1 include: the maintenance and operation of and the furnishing of services and materials for landscaping which includes trees, shrubs, grass, and other ornamental vegetation, and appurtenant facilities, including irrigation systems within the Street Landscape Maintenance District No. 1. The Engineer's Annual Levy Report describes all new improvements or substantial changes in existing improvements.

SECTION 3 Boundaries and Designation: The boundaries of the Street Landscape Maintenance District No. 1 are described as the boundaries previously defined in the formation documents of the original Street Landscape Maintenance District No. 1.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2008-levy assmts

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE STREET LANDSCAPE AND
MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2008-2009**

SECTION 4 Increase in Assessments: The assessment is proposed to remain the same as previous year.

SECTION 5 Engineers Report: The Report is on file with the Secretary of NCSD Board of Directors and contains a full and detailed description of the improvements, the boundaries of Street Landscape Maintenance District No. 1, and the proposed assessments upon assessable lots and parcels of land within Street Landscape Maintenance District No. 1.

SECTION 6 Notice: Pursuant to Section 22626 of the 1972 Act and 6061 of the Government Code, the NCSD shall give notice of the time and place of the Public Hearing to all property owners within Street Landscape Maintenance District No. 1 by causing the publishing of this Resolution once in the Times Press Recorder not less than ten (10) days before the date of the public hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the NCSD for the posting of notices.

SECTION 7 Time of Public Hearing: Notice is hereby given that a public hearing will be held by the Board of Directors of the Nipomo Community Services District on June 11, 2008, at 9:00 a.m. in the Regular Meeting Room located within the District Offices located at 148 South Wilson Street, Nipomo. California 93444.

SECTION 8 Incorporation of Recitals: The above Recitals are true and correct and incorporated herein by reference.

SECTION 9 Other Actions: The Board of Directors and such employees of the NCSD as are appropriate are authorized and directed to execute such other documents and take such further action as shall be consistent with the intent and purpose of this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services District this 14th day of May 2008.

AYES:
NOES:
ABSTAIN:
ABSENT:

Michael Winn, President
NIPOMO COMMUNITY SERVICES District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson, Secretary to the
Board of Directors
Nipomo Community Services District

Jon S. Seitz, District Legal Counsel
Nipomo Community Services District

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: May 8, 2008

**AGENDA ITEM
D-4
MAY 14, 2008**

CONSIDER ADOPTION OF FIRE PREVENTION POLICY

ITEM

Consider adoption of Fire Prevention Policy [ADOPT RESOLUTION].

BACKGROUND

Title 8, Section 3221, of the California Code of Regulations requires employers to have an effective fire prevention plan to ensure that employees are adequately trained and informed of the potential fire hazards associated with their work environment. The District currently does not have a written fire prevention policy.

Staff has prepared the attached Fire Prevention Policy based on Cal/OSHA's requirements and SDRMA's model fire safety policy. Once the policy is adopted, staff will proceed to conduct the appropriate training.

RECOMMENDATION

Staff recommends that your Honorable Board adopt the attached Resolution.

ATTACHMENT

Resolution 2008-XXXX with Exhibit "A" – Fire Prevention Policy

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2008-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING A FIRE PREVENTION POLICY**

WHEREAS, the Nipomo Community Services District (herein "District") does not have a Fire Prevention Policy, and

WHEREAS, Staff has determined that the District needs a Fire Prevention Policy to ensure that employees are adequately trained and informed of the potential fire hazards associated with their work environment; and

WHEREAS, the draft Fire Prevention Policy has been circulated for employee comment; and

WHEREAS, the Fire Prevention Policy attached as Exhibit "A" to this Resolution has been reviewed by the Board of Directors of the Nipomo Community Services District.

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

1. The policy attached hereto as Exhibit "A" is hereby adopted as the Fire Prevention Policy of the Nipomo Community Services District.
2. Effective Date. This Resolution and the attached Fire Prevention Policy shall take effect immediately.

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

AYES:

NOES:

ABSENT:

CONFLICT:

the foregoing resolution is hereby passed and adopted this 14th day of May, 2008.

Michael Winn
President of the Board
Nipomo Community Services District

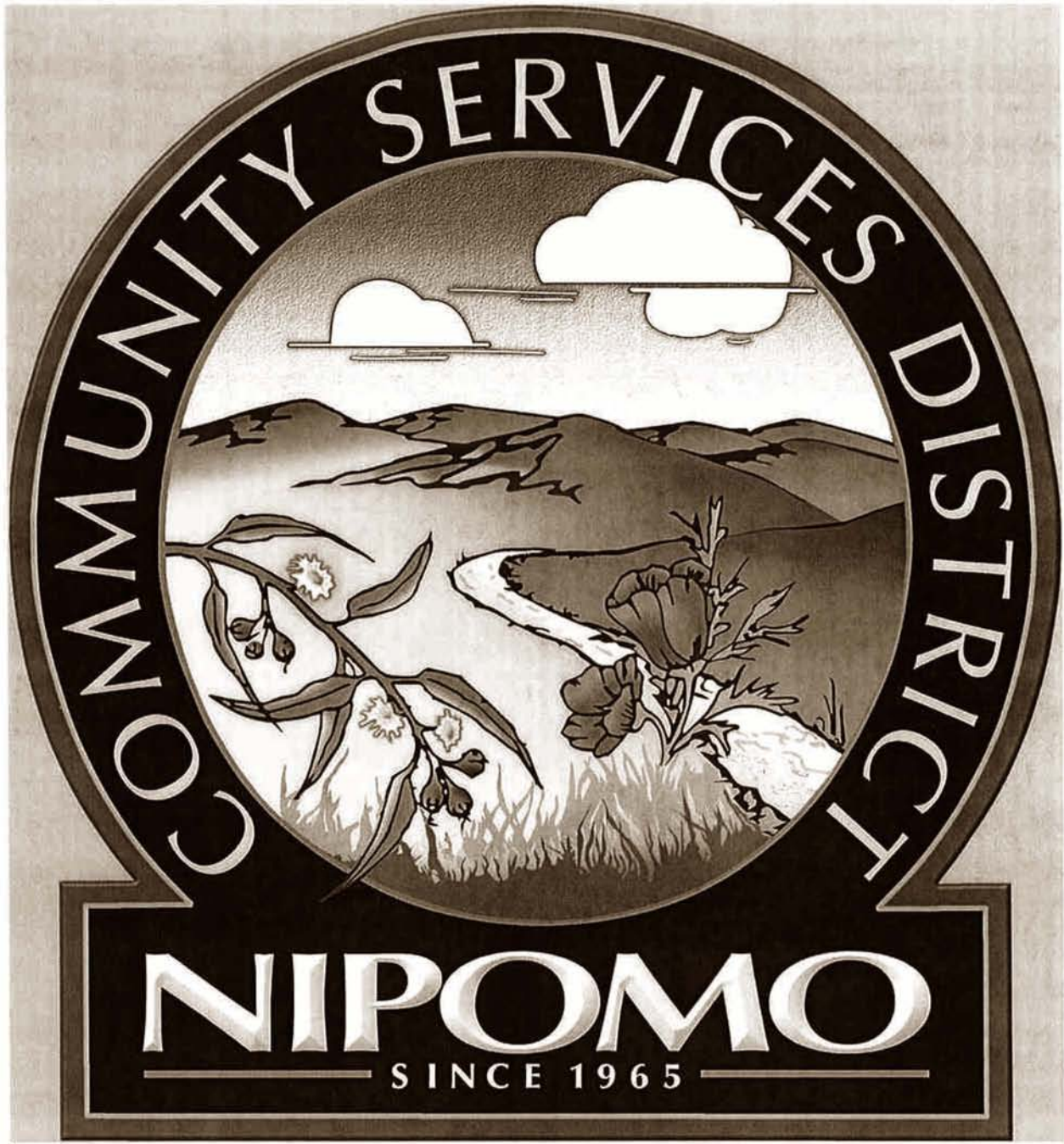
ATTEST:

APPROVED:

Donna K. Johnson
Secretary to the Board

JON S. SEITZ
District Legal Counsel

**NCSD SAFETY POLICIES AND PROCEDURES
FIRE PREVENTION POLICY**



NCSD SAFETY POLICIES AND PROCEDURES

FIRE PREVENTION POLICY

I. PURPOSE

This Policy describes the general requirements of NCSD's Fire Protection Policy to prevent fire in and around property occupied by employees.

II. APPLICABILITY

This Policy applies to all NCSD employees and all NCSD facilities whether owned, rented, or otherwise occupied.

III. POLICY

This Plan is written in accordance with the California Code of Regulations, Title 8, Section 3221, which establishes the elements that are required in the Plan.

IV. RESPONSIBILITY

A. Utility Superintendent and Assistant General Manager shall:

1. Ensure that the FIRE PROTECTION POLICY is implemented. The Utility Superintendent and Assistant General Manager have the authority to delegate any or all portions of this Policy to subordinates, but the Superintendent and Assistant General Manager will be held responsible for compliance.
2. Implement the FIRE PROTECTON POLICY.
3. Annually budget for items related to fire protection equipment and training.
4. The Utility Superintendent shall review and approve all Hot Work Permits.

B. Employees shall:

1. Adhere to all aspects of this policy and immediately report all incidents of fire to their supervisor.

C. District Engineer/Safety Officer shall:

1. Update and maintain the FIRE PROTECTION POLICY on an annual basis.

V. POTENTIAL FIRE HAZARDS

Examples of potential fire hazards include:

- a. Overloaded electrical circuits.
- b. Incorrectly wired electrical circuits.
- c. Use of electrical extension cords as permanent wiring.
- d. Inadequate protection of electrical cords from damage.
- e. Accumulation of trash and waste.
- f. Storage of combustible materials close to water heaters, furnaces, space heaters, hot lamps, hot plates, or outside close to buildings.

NCSD SAFETY POLICIES AND PROCEDURES

FIRE PREVENTION POLICY

- g. Improper storage of flammable liquids to include storing such liquids in unapproved containers, unapproved storage cabinets and in areas where ignition sources reside, such as in rooms with natural gas-operated water heaters.
- h. Lack of preventive maintenance and lubrication of machinery and equipment.
- i. Inadequately maintained heating, ventilation and air conditioning systems.
- j. Open flames during welding, cutting or brazing.
- k. Lack of a hot work permit program for times when hot work is done outside of the approved hot work shop.
- l. Smoking in unauthorized facilities and/or near flammable liquid storage or dispensing systems.
- m. Static electricity build up during dispensing of flammable liquids.
- n. Use of space heaters without tip-over shut off protection.
- o. Lack of explosion-proof electrical apparatus in areas where there can be a build up of flammable vapors.

VI. PREVENTATIVE MEASURES - HOUSEKEEPING

Housekeeping procedures employed by NCSD to minimize potential for a fire emergency include such activities as:

- a. Immediately cleaning up and proper environmental disposal of all spills of flammable liquids.
- b. Maintenance of electrical equipment to include:
 - 1) Keeping electrical circuits from becoming overloaded.
 - 2) Requesting additional electrical outlets and power if needed.
 - 3) Avoiding the use of electrical extension cords.
 - 4) Identifying problems with electrical wiring and outlets and making the necessary repairs.
 - 5) Ensuring that flammable vapors are kept away from electrical ignition points.
 - 6) Not placing anything on top of electrical cords.
- c. All use and storage locations (including tanks) of flammable liquids are properly posted, warning people in the area of the fire and explosion dangers.
- d. Keeping the quantity of flammable liquids to a minimum to reduce the risk of fire. Only quantities of flammable liquids, permitted by the local Fire Marshal, are allowed to be stored within NCSD buildings without being stored in a flammable liquids cabinet or a flammable liquids storage room.
- e. Storing flammable liquids in UL-approved safety cans (made of heavy-duty metal construction with a self-closing spout and a flame arrester in the spout) and/or UL-approved flammable liquid cabinets, and in areas where there are no ignition sources.
- f. Keeping all containers of flammable liquids closed when not in use to prevent potential release of flammable vapors that could ignite.

NCS D SAFETY POLICIES AND PROCEDURES

FIRE PREVENTION POLICY

- g. Storing oily rags in UL-approved safety cans and in areas where there are no ignition sources.
- h. Not storing anything in Heating Ventilation and Air Conditioning (HVAC) utility rooms.
- i. Not storing any combustible materials within 36" of water heaters, furnaces, space heaters, hot lamps, and hot plates.
- j. Not storing pallets outside within 25 feet of any structure. Storing pallets no higher than six feet high.
- k. Only using space heaters that have automatic "tip-over" devices that shut off the units in the event they should topple over.
- l. Enforcement of the "no smoking" rule in all NCS D facilities. Smoking is permitted only in designated areas.
- m. Enforcement of the "no smoking" rule in areas where flammable liquids are stored or where flammable liquids are dispensed.

VII. PREVENTATIVE MEASURES - MAINTENANCE

The Utility Superintendent and Assistant General Manager coordinate the proper maintenance of equipment and systems installed in the workplace to prevent accidental ignition of combustible materials and the immediate suppression of a fire in accordance with established procedures. Examples of such maintenance include:

- a. A regular schedule of ongoing preventive maintenance of machinery and equipment (including HVAC systems) to ensure inspection, maintenance and proper lubrication.
- b. Maintenance of sufficient electrical power to handle each facility's and function's electrical needs, including areas where space heaters are used.
- c. Checking electrical outlets and circuits to ensure they are correctly wired.
- d. Ongoing maintenance of the NCS D's Hot Work Permit Program to include a fire watch at all times that open flames are present.
- e. Following all safety precautions when welding, cutting and/or brazing.
- f. Repair of identified electrical wiring and outlet problems.
- g. Ensuring all electrical fixtures, switches, and circuits inside flammable liquid storage rooms are explosion-proof devices.
- h. Maintaining all flammable liquid storage rooms with ventilation systems that meet National Fire Protection Association (NFPA) codes.
- i. Maintaining a protected and ventilated dispensing area for filling containers with flammable liquids.
- j. Dispensing flammable liquids from drums using either a laboratory-tested hand pump or acceptable methods of gravity dispensing.
- k. Installation and maintenance of explosion-proof electrical apparatus in areas where there is a potential build up of flammable liquids.
- l. Grounding of flammable liquid dispensing drums.

NCSD SAFETY POLICIES AND PROCEDURES

FIRE PREVENTION POLICY

- m. Bonding of flammable liquid dispensing drums to smaller flammable liquid containers to reduce the build up of static electricity.
- n. Using closed piping systems when pumping large quantities of flammable liquids.
- o. Only using machines that produce sparks (such as machines used for grinding, cutting, drilling and sanding operations) in areas where there are no flammable or combustible materials.
- p. Fire protection systems within the NCSD are inspected and tested by authorized service contractors on a quarterly basis. Action is taken immediately if any system or part of a system is not working properly

VIII. TYPES OF FIRE PROTECTION EQUIPMENT OR SYSTEMS

The NCSD main office and operations center buildings are equipped with automatic fire and smoke detection systems as well as fire extinguishers.

IX. INSTRUCTIONS TO EMPLOYEES: WHAT TO DO IN THE EVENT OF A FIRE

Employees are to call 911 first in the event they spot a fire and initiate the NCSD's emergency evacuation system.

Fire extinguishers are installed in NCSD facilities in accordance with local fire code requirements, but employees are encouraged not to attempt to fight a fire. They are instructed to let Fire Department personnel fight the fire.

X. TRAINING

- a. The Utility Superintendent and Assistant General Manager shall ensure that all employees receive initial training during New Employee Orientation and annual refresher training regarding the fire hazards of the materials and processes to which they are exposed and what they are to do in a fire.
- b. Only suitably trained employees shall be authorized to transfer or withdraw flammable liquids.
- c. All training to be is documented.

XI. HOT WORK

- a. Hot work, as referred to in this policy, is defined as any work involving cutting, brazing, welding, or soldering. The Utility Superintendent shall approve areas for hot work and all hot work shall be approved by a completed Hot Work Permit.
- b. Only suitably trained employees shall be authorized to perform hot work or perform fire-watch duties.

NCSD SAFETY POLICIES AND PROCEDURES

FIRE PREVENTION POLICY

Instructions:

The employee performing the inspection of the work site must complete the NCSD Hot Work Permit form prior to the start of any Hot Work and the Hot Work Permit must be approved and signed by Utility Superintendent. The employee performing the hot work must sign and post the permit at the jobsite for the duration of the Hot Work. After the Hot Work is completed, send a copy of the completed permit to the NCSD Safety Officer/District Engineer.

Location : _____ Nature of Job: _____

Required Safety Precautions Checklist:

- Available hose streams, and fire extinguishers are in service and operable.
- Hot Work equipment is in good repair.

Requirements within 35 feet of work:

- Flammable liquids, dust, lint and oily deposits are removed.
- Explosive atmosphere in area is eliminated.
- Floors are swept clean.
- Combustible floors are wet down, and covered with damp or fire-resistive sheets.
- Other combustibles are removed when possible.
- All wall and floor openings are covered.

Work on walls or ceilings:

- Construction is noncombustible and without combustible covering or insulation.
- Combustibles on other side of walls are moved away.

Work on enclosed equipment:

- Enclosed equipment is cleaned of all combustibles.
- Containers have been purged of flammable liquids/vapors.

Fire Watch/Hot work area monitoring:

- Fire Watch will be provided during and for at least 30 minutes after work, including any breaks.
- Fire Watch is supplied with suitable fire extinguishers and fire fighting equipment.
- Fire Watch is trained in the use of fire extinguishing equipment and in sounding emergency alarm.

Other Precautions Taken:

I verify the above location has been examined and that the precautions checked on the Required Safety Precautions Checklist have been taken to prevent fire.

Signature of Employee performing the Hot Work: _____

Signature of Person performing Fire Watch: _____

Job's start date: _____ Job's start time: _____

Utility Superintendent Approval – permission is granted to perform this work.

Utility Superintendent Name: _____ Date: _____

Job's completion date: _____ Job's completion time: _____

Final Check: _____ Employee Signature: _____

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: MAY 8, 2008

**AGENDA ITEM
D-5
MAY 14, 2008**

**RETAIN SCIENCE DISCOVER TO IMPLEMENT 2008-2009
WATER CONSERVATION CLASSROOM EDUCATION PROGRAM**

ITEM

Authorize General Manager to execute the *Cooperative Agreement to Fund the Development of the Water Conservation Education Program by Science Discovery* with Los Osos Community Services District, Golden State Water Company, and S&T Mutual Water Company [RECOMMEND ADOPTION].

BACKGROUND

Staff has participated in a number of discussions, moderated by Kari Wagner of the Wallace Group, with Mark Zimmer (Operations Superintendent for Golden State Water, Nipomo and Los Osos), John Schempf (General Manager for Los Osos CSD) and David Tolley (President of S&T Mutual Water), regarding the concept of utilizing the education services of Science Discovery for classroom presentations on water conservation. The concept involves sharing costs of development between the four water suppliers, with individual suppliers paying for classroom presentations in the elementary schools in the supplier's area.

The Water Conservation Program, as directed and adopted by the Board, strongly focuses on public education and outreach, and the Science Discovery presentations program is listed in the Water Conservation Program as one of the education/outreach measures. The budget for the program, approved by the Board, includes funding for the Science Discovery program.

Mike diMilo, the director of Science Discovery, made a presentation to the NCSD Board on March 26, 2008.

Director Michael Winn attended and observed a Science Discovery classroom presentation.

A Draft Cooperative Agreement has been received by Staff (see attachments). The cost to the District for development, annual operating cost, and 12 classroom presentations, FY 2008-2009, is \$5178.25. Please refer to the *Cooperative Agreement* table, page 2, for a breakdown of cost sharing.

RECOMMENDATION

Staff recommends that your Honorable Board authorize the General Manager to execute a *Cooperative Agreement* with GLM Landscape Maintenance Services.

ATTACHMENTS

- *Cooperative Agreement to Fund the Development of the Water Conservation Education Program by Science Discovery.*
- *Proposal to Provide Water Conservation Education to Schools.*

**COOPERATIVE AGREEMENT TO FUND THE DEVELOPMENT OF THE
WATER CONSERVATION EDUCATION PROGRAM
BY SCIENCE DISCOVERY**

Water is a precious commodity. For this reason, making efforts to conserve water is a priority for the Los Osos Community Services District, Nipomo Community Services District, Golden State Water Company (Los Osos and Nipomo areas) and S&T Mutual Water Company, who together provide water service to hundreds of customers within the Los Osos and Nipomo areas. Each water purveyor is striving to find new ways to reduce their dependency on their water supply and ultimately reduce the per capita demand.

A proposal has been provided to these water purveyors to develop and implement a Water Conservation Education Program for elementary schools in the Los Osos and Nipomo areas (see attached proposal). The proposal is provided by Science Discovery, whose mission statement is:

Science Discovery will implement a water conservation school education program of exceptional quality. Class presentations will meet the educational objectives of the water purveyors AND correlate with the California Academic Science Standards, meeting the needs of the local teachers.

A large number of the customers in the Los Osos and Nipomo areas have kids in elementary school. Educating our children to conserve water is vital to the future of water conservation. After a classroom presentation, these students will take home valuable insight on how they can change their habits, as well as their family's habits, and ultimately reduce the amount of water they use on a daily basis.

Excessive water use is not just one entity's concern, it is everyone's concern. For this reason, the water purveyors in Los Osos and Nipomo are joining together to help develop the material that will be used by Science Discovery to teach the students how they, too, can conserve water and make an impact in Los Osos and Nipomo.

Based on the proposal issued by Science Discovery, the fees to develop this program are provided in the following Table. The fees are based on the following:

- S&T MWC will only contribute 5% of the costs associated with the components attributed to the design of the puzzle pieces and the presentations within Los Osos. The remaining 95% of the costs will be distributed to the other water purveyors.
- All water purveyors will share in the costs for the Design and Fabrication of the puzzle pieces.
- LOCSD has requested some additional modifications to the puzzle pieces. This cost will only be born by LOCSD.
- The operating costs are an annual fee. The operating fees associated with Los Osos will be born equally by LOCSD and GSWC-Los Osos. The operating fees associated with Nipomo will be born equally by NCSD and GSWC-Nipomo.
- Class presentations in Nipomo will cost \$112 per program and will be born equally by NCSD and GSWC-Nipomo. Class presentations in Los Osos will cost \$105 per program and will be born equally by LOCSD and GSWC-Los Osos.

May 8, 2008

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*****DRAFT*****

	All Water Purveyors	Los Osos (LOCSD, GSWC, S&T MWC)	Nipomo (NCSD, GSWC)	
Project Development Costs				
Design and Fabrication of Five Water Puzzle Pieces	\$ 9,500.00			
Develop Class Presentation		\$ 2,700.00	\$ 2,700.00	
Write and Distribute Teacher Newsletter		\$ 925.00	\$ 975.00	
Total	\$ 9,500.00	\$ 3,625.00	\$ 3,675.00	
LOCSD Modifications (LOCSD Only)		\$ 325.00		
Grand Total	\$ 9,500.00	\$ 3,950.00	\$ 3,675.00	
Cost Sharing				
LOCSD	\$ 2,256.25	\$ 2,046.88		\$ 4,303.13
GSWC - Los Osos	\$ 2,256.25	\$ 1,721.88		\$ 3,978.13
GSWC - Nipomo	\$ 2,256.25		\$ 1,837.50	\$ 4,093.75
NCSD	\$ 2,256.25		\$ 1,837.50	\$ 4,093.75
S&T MWC (5%)	\$ 475.00	\$ 181.25		\$ 656.25
Total	\$ 9,500.00	\$ 3,950.00	\$ 3,675.00	\$ 7,125.00
Annual Operating Costs (Projected)				
Los Osos (GSWC & LOCSD)		\$ 550.00		
Nipomo (GSWC & NCSD)			\$ 825.00	
Annual Presentation Costs (Projected)				
Los Osos (GSWC & LOCSD) – 8 @ \$105 each		\$ 840.00		
Nipomo (GSWC & NCSD) – 12 @ \$112 each			\$ 1,344.00	

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In a joint effort, the four water purveyors are working with Science Discovery to provide the best tools for the students in Los Osos and Nipomo for water conservation. Each of the water purveyors will accept agreements with Science Discovery to share the costs. The final costs for each of the water purveyors is as follows:

LOCSD	\$ 4,998.13
GSWC – Los Osos	\$ 4,673.13
GSWC – Nipomo	\$ 5,178.25
S&T MWC	\$ 656.25

Below is acknowledgment from each of the water purveyors of their participation in this cooperative agreement and commitment to support the development of the Water Conservation Education Program developed by Science Discovery.

John Schempf
General Manager
Los Osos Community Services District

Bruce Buel
General Manager
Nipomo Community Services District

Mark Zimmer
Golden State Water Company

David Tolley
S&T Mutual Water Company

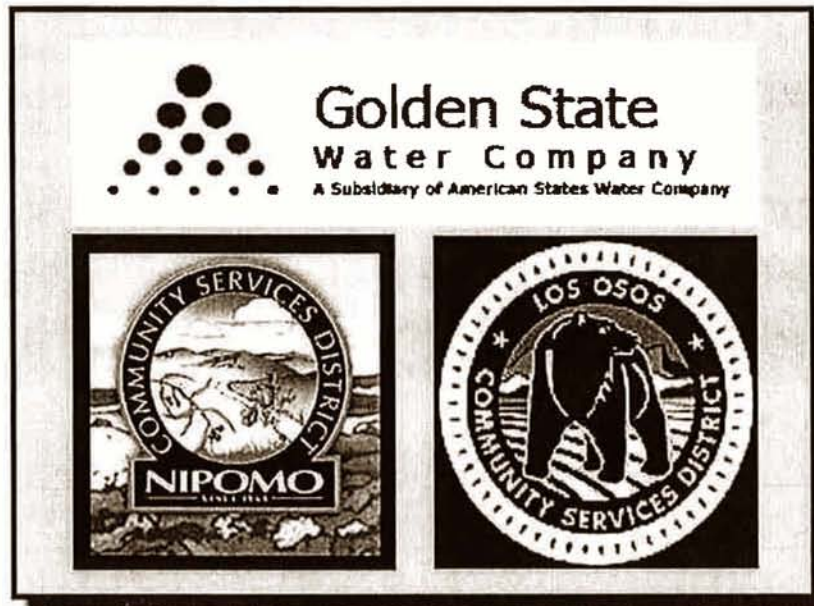
May 8, 2008

3 of 3

*****DRAFT*****

Proposal To Provide
Water Conservation Education To Schools

for



Submitted By

Science Discovery

242 Luneta Dr.
San Luis Obispo, CA 93405
Phone: 781-8341 Fax: 781-8343
E-mail: sciencediscovery@sbcglobal.net

Introduction

The purpose of this proposal is to outline all components as proposed by Science Discovery, to provide a school based water conservation education program for the Golden State Water Company, Los Osos Community Services District, S&T Water Company and Nipomo Community Services District (hereafter referred to as *Partners*).

Science Discovery has been developing school education programs, exhibits, and curricula since 1994. We specialize in water conservation and recycling education, but also do work in the fields of storm water pollution prevention. The company is a sole proprietorship, owned by Michael di Milo.

Our Vision Statement

Science Discovery works to unite natural resource topics with people of all ages. We strive to make these connections in ways that are thought-provoking, engaging and meaningful. We educate and motivate, creating a connection to the resources that sustain us all.

This vision is carried out by a staff of experienced educators who conduct outreach programs in schools for various clients, and a skilled group of craftsmen who blend their skill to fabricate one-of-kind exhibits, classroom displays and models. Our education staff has over 68 years of education experience combined.

Some current and past clients include:

San Luis Obispo County Integrated Waste Mgmt. Authority
Santa Barbara County Water Agency
Atascadero Mutual Water Company
Monterey Regional Waste Management District
City of Paso Robles
County of San Luis Obispo, Public Works Dept.
City of San Luis Obispo
Goleta Water District

Last, we approach each project as a unique opportunity to be creative, meet or exceed our clients' expectations, and work in a subject area in which we are sincerely dedicated and enthusiastic!

Our Mission Statement for This Project

Science Discovery will implement a water conservation school education program of exceptional quality. Class presentations will meet the educational objectives of the Nipomo CSD AND correlate with the California Academic Science Standards, meeting the needs of local teachers.

Experience Applicable To This Proposal

Science Discovery has been involved in school education for the past 11 years. We have been *the* education contractor of choice for the City of San Luis Obispo and Paso Robles, for water education. Teacher demand for our programs, has grown to levels unmatched anywhere in California. During the 2006-07 school year, Science Discovery administered 671 class presentations and field trips in the areas of water and solid waste. This is notable considering a relatively small student population of approximately 35,000 within San Luis Obispo County.

The unique qualities of our class programs and field trips have led to the high level of demand. Science Discovery designs, writes and field-tests all class presentations. Additionally, we design and fabricate all models, displays and exhibits. The end result of this level of customization is program content that meet our client's needs and exceed teacher expectations. While it is more work to do things this way, the results are worth the extra effort.

Science Discovery staff works exclusively in the field of school education programs. This level of specialization, along with our past and current success in classroom education, makes us uniquely qualified to excel at this project.

Our Education Team

Mike di Milo founded Science Discovery in 1994. He has a BS in Natural Resources Management from Cal Poly San Luis Obispo. Mike has a strong background in education and business. Mike works with all Science Discovery clients which includes projects in school education, exhibits, curriculum and video production. Mike's forte is developing methods to deliver a clients message in ways that are meaningful and creative to the intended audience.

Lynne Haley has worked in the education field for over 32 years. She has a teaching credential and a Masters in Education. Lynne has been with Science Discovery for nine years. Her scope of work includes a wide variety of projects including water, recycling, museum exhibits and curriculum. Lynne enjoys the challenge of developing creative ways to relate science topics to students of all ages.

David Lindsey has a BA in Social Science from Humboldt State University. He has been a naturalist / educator for Kern County Schools and Sequoia Natural History Association. Currently, David leads field trips and class presentations for grades K-12, and helps local schools vermicompost their school lunch waste. David received an award in Sequoia National Park for excellence in environmental interpretation.

Randy Allen is our digital media expert. Whether it's filming, editing, or audio work, he can do it. Randy's work includes public service announcements, commercials and educational films. He has been working with Science Discovery for six years.

Insurance

Science Discovery is insured for general liability with The Hartford Company. Coverage is for \$1,000,000.00. All employees are covered under a workers compensation policy with State Compensation Insurance Fund. Additionally, a policy covering all employees while driving on company business, is in effect with The Hartford Company.

Scope Of Services For This Proposal

1. Develop Class Presentation Focusing on Water Conservation
2. Design and Fabricate Visuals For Class Presentation
3. Write, Print and Distribute Teacher Newsletter
4. Program Administration

Class Presentation Development

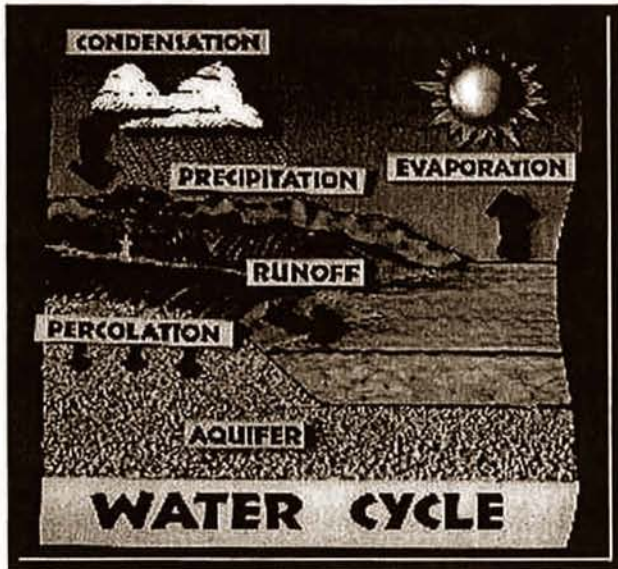
The presentation will be designed for grades 3-5, as these grades incorporate water curriculum, as directed by the California Academic Science Standards. The program will be approximately 45 minutes in length. Science Discovery will write an outline for the presentation and incorporate specific topics as requested by the Partners. We suggest that the core topics include the following: 1. The Water Cycle 2. Groundwater Supply 3. Water Use & Conservation (indoor) 4. Water Conservation (outdoor). The program will be interactive to maximize student participation and learning.

As part of the class presentation development, Science Discovery will compile a "water educators notebook", comprising facts, resources, and all other pertinent information for delivering this program in Los and Nipomo.

Design & Fabricate Visuals

We propose to fabricate a time tested set of visuals, called the *Water Puzzle*. Pictured below, each puzzle piece represents a major topic of the presentation. These visuals introduce color, texture and visual interest, keeping students stimulated, focused and ready to learn.

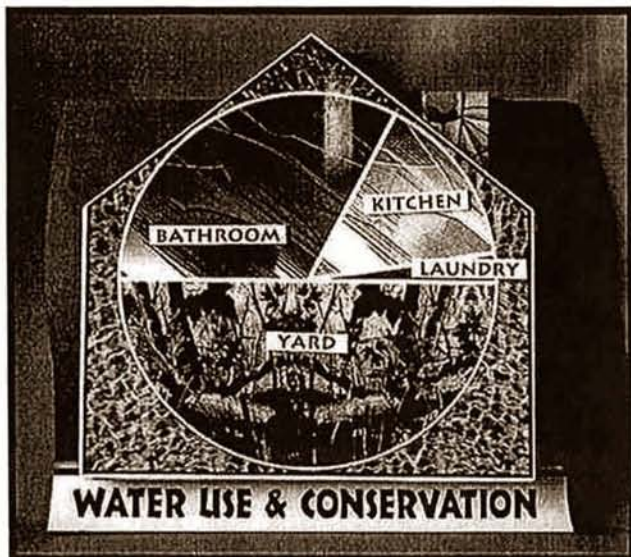
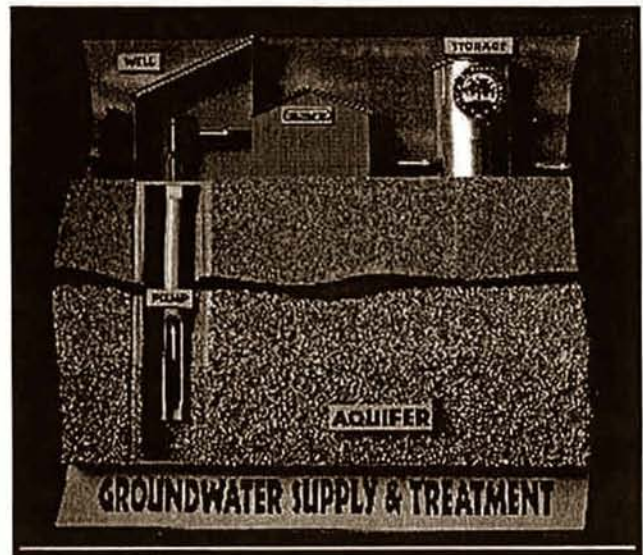
The Water Puzzle



The *Water Cycle* is approximately 32"x40" in size and sits on an easel so that it can be easily viewed by students from all sections of the class.

The labels are applied by students as each part of the cycle is explained.

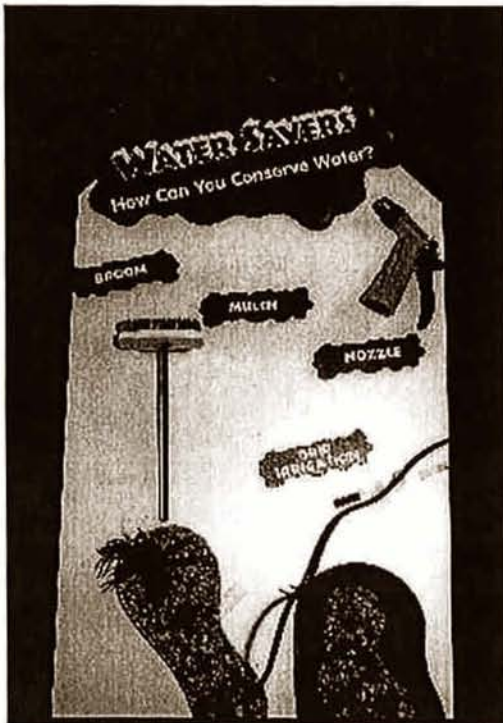
The second puzzle piece viewed is all about groundwater. Note that the left part of this piece mirrors the right edge of the water cycle.



The *Water Use & Conservation* puzzle piece introduces water use by location, and how to conserve water *in* the home. The front part of the house is removed, revealing a bathroom in which students install a low flow shower head, learn to check a toilet for leaks, and how to conserve water when brushing or washing.



The outdoor water conservation puzzle piece is used. Here, students learn about conserving water by using nozzles, mulching, drip irrigation and watering early or late in the day.



The water savers board is used with the outdoor conservation puzzle piece seen above. Students apply these items to the yard in order to reduce water-wasting activities, while encouraging conservation.

Write and Distribute Teacher Newsletter

Science Discovery will prepare a four page newsletter, introducing the water conservation program to local teachers. The newsletter will include a description of the new program along with photos, science correlations for grades 3-5 and a sign-up form. Partners will have the opportunity to review and edit the newsletter before final copying and distribution. It is our recommendation that a brief presentation be made at staff meetings at each of the three elementary schools for the highest possible demand for this program.

Program Administration

This aspect of the program includes all communications with teachers and Partners staff, minor improvements in the program, cleaning presentation materials, phone, fax and postage costs.

Project Development Costs

Design & Fabrication of Five Water Puzzle Pieces, (All Partners):	\$9,500.00
(Includes large portfolios cases and storage boxes for transporting)	
Los Osos CSD Modifications:	\$325.00
Develop Class Presentation for Los Osos, (LOCSD, GSWC, S&TWC):	\$2,700.00
Develop Class Presentation for Nipomo, (Nipomo CSD & GSWC):	\$2,700.00
Los Osos, Write and Distribute Teacher Newsletter (LOCSD, GSWC, S&TWC):.....	\$925.00
Includes Attending Teacher Staff Meetings	
Does not include copy/print cost	
Nipomo, Write and Distribute Teacher Newsletter (Nipomo CSD, GSWC):.....	\$975.00
Includes Attending Teacher Staff Meetings	
Does not include copy/print cost	
*Total:	<u>.\$17,125.00</u>

**** Annual Operating Costs, Nipomo**

Class Presentations: 12 @ 112.00/program:	\$1,344.00
Program Administration 1.5 hrs/month @ 55.00/hr :	\$825.00
(10 month year)	

**** Annual Operating Costs, Los Osos**

Class Presentations: 8 @ 105.00/program:	\$840.00
Program Administration: 1.0 hours/month @ \$55.00/hr	\$550.00
(based on 10 months/year)	

*Does not include applicable California sales tax
**Projected