BOARD OF DIRECTORS

FROM:

BRUCE BUEL 1388

DATE:

JUNE 19, 2008



APPROVE HIGH-EFFICIENCY CLOTHES WASHER WATER CONSERVATION PROGRAM

ITEM

Approve High-Efficiency Clothes Washer Program for District customers. [RECOMMEND ADOPTION].

BACKGROUND

In February 2008, the Board adopted the Water Conservation Program. This program includes funding for rebates to customers who purchase high-efficiency clothes washers (HEW).

The CUWCC administers rebate programs for its members who wish to participate. As part of the HEW rebate program, each rebate will be for \$150, of which the member (NCSD) only pays \$75 (a \$75/rebate savings for the NCSD). The CUWCC will stop accepting new participants into the rebate program in September, and there are a limited number of rebates available. One-hundred rebates were available to the District, and were reserved.

The CUWCC HEW rebate program provides support in the form of flyers and bill inserts (see attached). In addition, a participating member can access spreadsheet data from the CUWCC website detailing participants, status of each rebate request, date rebate issued, clothes washer purchased, etc.

Procedures for the HEW program are detailed in their Program Procedures (attached).

When District customers have used the 100 reserved CUWCC rebates, assessment will be made regarding the potential for continuing the program, administered by the District.

RECOMMENDATION

Staff recommends that your Honorable Board approve the High-Efficiency Clothes Washer Program.

ATTACHMENT

- HEW rebate program flyers and bill inserts (provided by CUWCC).
- HEW rebate Program Procedures.

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2006\06-25-08 D4 HEW REBATE PROGRAM,DOC

((date))

«CUSTOMER NAME» «ADDRESS» «CITY», «STATE» «ZIP» Smart Rebates is a statewide water rebate program administered by the California Urban Water Conservation Council, and funded by your local water utility and the California Department of Water Resources.



Dear Homeowner,

Our records indicate you may be eligible for a great statewide rebate program that can make a significant difference in your water bill:

Rebates are now available!

Ultra Low Flow Toilets (1.6 gal/flush or less)
 \$100 rebate per toilet

High-Efficiency Toilets (1.28 gal/flush or less)
 \$100 rebate per toilet

 High-Efficiency Clothes Washers (water factor of 6.0 or less)
 \$150 rebate per washer

Why you should take advantage of this program today:

- HELP THE ENVIRONMENT An average family of four can save more than 30,000 gallons of water per year by installing two new Ultra Low-Flush Toilets! New high efficiency washing machines use 50% less energy, require 50% less drying time, and use 35% - 50% less water!
- LIMITED TIME OFFER AND LIMITED FUNDING This program is only available for a short time in select areas. Rebates are offered on a first come, first served basis and are only available until funds are depleted.

Applications and eligible product lists are available at <u>www.cuwcc.org</u> or by calling 1-800-563-5874

To participate, you must be a customer of a participating water district. All fixtures and appliances must be purchased after March 1, 2007. Other Program restrictions and eligibility requirements apply. For program guidelines please visit www.cuwcc.org or call 1-800-563-5874. Not all models qualify for rebates and not all participating water utilities offer rebates for all fixtures and appliances. To see the rebates available in your area and a complete list of qualifying High-Efficiency Toilets, Ultra Low Flush Toilets, and High-Efficiency Washers go to www.cuwcc.org.

Actual savings may vary. Se habla español.

They replaced their existing water guzzling toilets with new High-Efficiency Toilets and installed new High-Efficiency Clothes Washers, that's all.

Smart Rebates is a water conservation program administered by the California Urban Water Conservation Council for residential customers of participating water utilities. Rebates are available for high-efficiency toilets, ultra-low-flush toilets, and high-efficiency clothes washers. These fixtures and appliances help lower water and sewer bills, reduce energy costs, and improve our environment.

California's growing population puts an ever-increasing strain on our limited water supply. One of the best ways to meet this increasing demand is for home owners to install the latest water-saving toilets and clothes washers available. Take advantage of these Smart Rebates and help lessen the demand on our resources by conserving water while saving money.

High-Efficiency Toilets (HETs) (1.28 gpf or less)

\$100

rebate per toilet

The average water savings for High-Efficiency Toilets (HETs) is estimated to be 19,000 gallons per year when replacing an average, nonefficient toilet and 4,000 gallons per year when replacing a ULFT. Limit three per dwelling unit. Ultra Low-Flush Toilets (ULFTs) (1.6 gpf or less)

\$100

rebate per toilet

The Ultra-Low-Flush Toilet (ULFT) uses 15,000 gallons LESS water annually than non-ULFTs. By replacing your toilet(s), you can save money on water and sewage costs. Limit three per dwelling unit.

High-Efficiency Clothes Washers (HEWs) (6.0 gallons per wash or less)

\$150

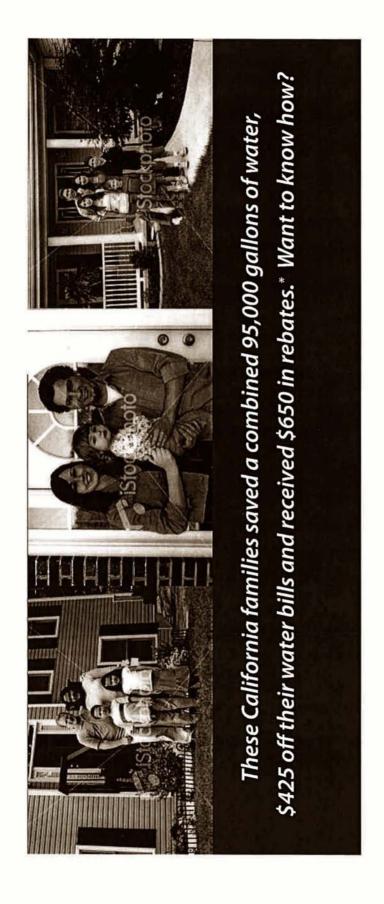
rebate per washer

The High-Efficiency Clothes Washer (HEW) uses 35-50% less water than non-efficient models. This reduction in water use means about 50% less energy needed to heat the water. Limit one per dwelling unit.

Applications and qualifying models lists are available at www.cuwcc.org or by calling 1-800-563-5874. All fixtures and appliances must be purchased on or after March 1, 2007. Other program restrictions and eligibility requirements apply. For program guidelines please visit www.cuwcc.org or call 1-800-563-5874. Not all models qualify for rebates and not all participating water utilities offer rebates for all fixtures and appliances. To see the rebates available in your area and a complete list of qualifying High-Efficiency Toilets, Ultra Low Flush Toilets, and High-Efficiency Washers go to www.cuwcc.org. *Savings based on installing 5 new high-efficiency toilets and 1 high-efficiency clothes washer. Actual savings may vary. Se habla Español.



Smart Rebates is a statewide water rebate program administered by the California Urban Water Conservation Council, and funded by your local water utility and the California Department of Water Resources.





Smart Rebates is a statewide water rebate program administered by the California Urban Water Conservation Council, and funded by your local water utility and the California Department of Water Resources.

Cash rebates on water conservation fixtures and appliances for residential customers throughout California.

Call 1-800-563-5874 or visit www.cuwcc.org for more information on how you can save money, save water and save California's precious resources.

Se habla español

PROGRAM PROCEDURES

Program Database

Smart Rebates processor shall develop and implement a Program database to track all facets of the Program, including but not limited to the data listed under Reporting Requirements below. Smart Rebates processor shall be responsible for maintaining the Program database, ensuring data integrity/security and database back up.

Customer Service

Customer service requirements to be met by Smart Rebates processor shall include, but are not limited to:

Providing all necessary training to Program staff who directly respond to and handle routine customer service issues to assure exemplary customer service and follow-up.

Resolving customer Service complaints and/or concerns within one business day, or at a minimum, responded to with a plan of action for resolution within one business day.

Providing a toll-free telephone number with incoming lines adequate for receiving inquiries and application requests. Customer assistance includes Program information, application requests, applicant status inquiries, inspection scheduling (if applicable), and rebate check research. The toll-free number will be made accessible to callers within the State of California. The telephone system shall have a multiline hunt group, call sequencing to handle multiple incoming calls in queue for response, and the ability of silent monitoring of calls by supervisors and managers. A message detailing Program qualifications, information and guidelines shall be provided for incoming calls. Providing adequate staff to answer calls made on the toll-free line as follows:

Monday through Friday (except federal holidays): 8:00 a.m. to 4:30 p.m. At all other times, including Smart Rebates processor employee events and other office closures (such as prior to holiday weekends), Smart Rebates processor shall provide a recorded message informing customers that the office is closed and the capability for the customer to leave a message for a return phone call. Such messages shall be returned the next business day.

Rebate Tasks and Procedures

Smart Rebates processor will determine if a rebate applicant is qualified and eligible to receive a rebate. The qualifications are as follows:

The applicant is a customer of a participating water supply agency: (1) customers will be instructed to provide a copy of a current water bill; (2)

Smart Rebates processor will contact the customer to obtain missing information (by phone,

email or regular mail); (3) Smart Rebates processor may contact the customer's water supply provider via telephone to obtain the water account number.

The initial goals by market sector and by device for each water agency will be loaded into Smart Rebates processor's database for tracking and reporting. Smart Rebates processor's database will be developed to accommodate revised allocations. Smart Rebates processor will make the necessary modifications to the database within five business days of the Council's request for an adjustment to the agency's allocation.

The Council may amend the list(s) by subsequently adding additional models. The Council will let Smart Rebates processor know the effective date of the new list. The new list will apply to devices purchased on or after the effective date of the new list.

All commercial ULFT and HEW devices eligible under the Metropolitan Water District of Southern California's Save-a-Buck Program (MWD) will be included on the Council's list of commercial ULFT and commercial HEW eligible products.

The customer purchased the qualifying device. Customers may provide: (1) a copy of the receipt that identifies the make, model number, and quantity of devices (all residential devices); or (2) the original receipt that identifies the make, model number, and quantity of devices (all commercial devices).

Smart Rebates processor will cross-reference the customer's address with previous participants' addresses to determine if a customer is resubmitting a duplicate application.

For commercial customers providing original receipts, Smart Rebates processor will return the original receipt to the customer if the customer provided a self-addressed, stamped envelope with their application.

The customer's verification on the application will include confirmation that the purchased device will retrofit non-water saving devices and will not be installed in new construction.

"Residential" sites include: single-family homes, duplexes, condominiums, and the individual units within a multi-family building.

Rebates for residential HEWs will be limited to one per dwelling unit. Rebates for residential ULFTs and HETs will be limited to three per dwelling unit.

"Commercial" sites include: multi-family common areas, industrial, institutional, and commercial properties.

Smart Rebates processor will data enter the customer information listed under Reporting Requirements below.

Smart Rebates processor shall process mail/faxes/e-mails pursuant to the following Program administration guidelines:

Applications will be mailed, faxed or e-mailed to customers as requested. Customers may submit applications and required documentation via mail, fax or e-mail.

Smart Rebates processor shall process received Program mail/faxes/e-mail upon receipt on a first-come, first-served basis. All submitted paperwork shall be reviewed through a quality control process to ensure correct data entry.

Applications will be date stamped upon receipt.

Customer information from complete applications will be data entered within three business days of receipt to enroll a customer in the Program. A complete application is one that has all required sections of the application filled out correctly and includes required documentation (copy of receipt or original receipt as applicable.)

An application submitted by a tenant for a ULFT or HET must also include owner authorization.

An application for a multi-family apartment building or multisuite office building must also include an installation unit tracking sheet identifying which device(s) were installed in which units.

BOARD OF DIRECTORS

FROM:

BRUCE BUEL 888

DATE:

June 18, 2008

AGENDA ITEM D-6

JUNE 25, 2008

ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS CO 06-0037 VILLAGE AT NIPOMO (MOORE)

ITEM

Acceptance of water and sewer improvements for CO 06-0037, Village at Nipomo (Moore) on South Mary Avenue at West Tefft Street [ADOPT RESOLUTION].

BACKGROUND

Upon completion of a developer's project, the District accepts improvements of the project after all requirements have been met. The developer (E.F. Moore & Company) for CO 06-0037, a commercial development located on South Mary Avenue at West Tefft Street, has installed the water and sewer system to District Standards and has met the District's standard conditions:

- · Installed the improvements
- Paid associated fees
- Provided the necessary paperwork, including the Offer of Dedication and the Engineer's Certification

The water system in South Mary Avenue adjacent to the project was up-sized to accommodate anticipated development and staff expects the developer will apply for a reimbursement agreement after the project is accepted by the District.

RECOMMENDATION

Staff recommends that your Honorable Board approve Resolution 2008-XXXX Accept CO 06-0037, accepting the offered water and sewer system improvements for CO 06-0037, Village at Nipomo project.

ATTACHMENTS

Resolution 2008-XXXX Accept CO 06-0037 Utility Plan

NIPOMO COMMUNITY SERVICES DISTRICT RESOLUTION NO. 2008-XXXX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING WATER AND SEWER IMPROVEMENTS FOR CO 06-0037 (MOORE)

WHEREAS, the District approved the construction plans on August 10, 2007, for the water and sewer improvements to be constructed; and

WHEREAS, the water and sewer improvements have been constructed and said improvements are complete and certified by the engineer; and

WHEREAS, on April 30, 2008, the Owner offered the water and sewer improvements to the Nipomo Community Services District; and

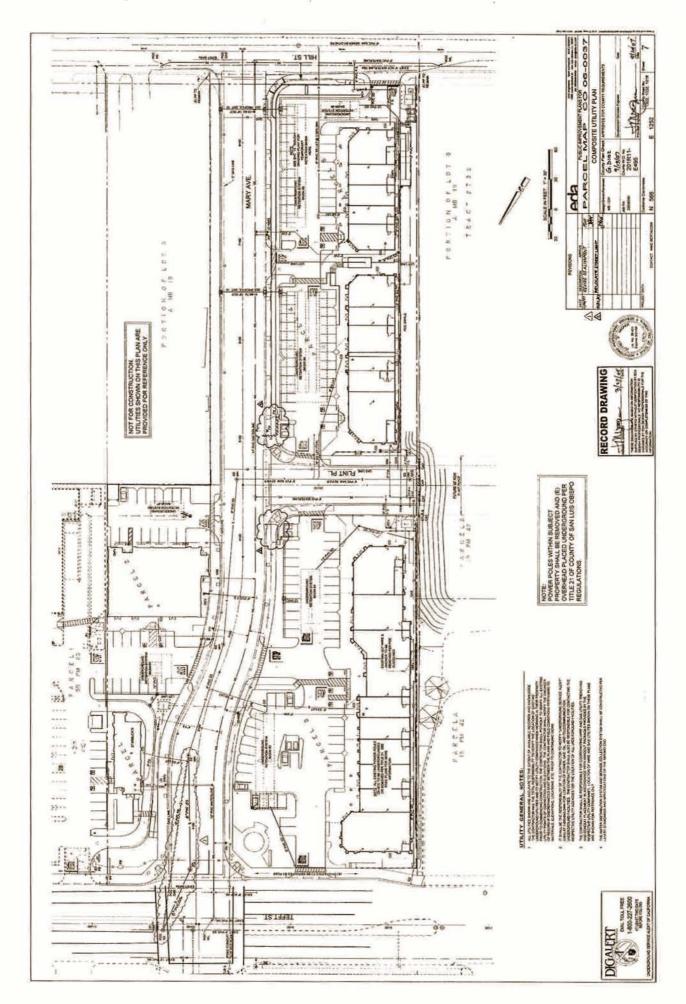
WHEREAS, this District has accepted such offer without obligation except as required by law; and

WHEREAS, all water and sewer fees for service, required in conformance with District ordinances, have been paid in full for CO 06-0037 (Moore).

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

That the water and sewer improvements to serve CO 06-0037 in Nipomo are

ATTEST:	APPROVED AS TO FORM:
	Michael Winn, President Nipomo Community Services District
the foregoing resolution is hereby adopted to	his 25 th day of June, 2008.
AYES: NOES: ABSENT: CONFLICT:	
On the motion by Director, sec call vote, to wit:	conded by Director, and on the following rol



BOARD OF DIRECTORS

FROM:

BRUCE BUEL 158

DATE:

JUNE 20, 2008

AGENDA ITEM D-7

JUNE 25, 2008

RETAIN REED GROUP TO UPDATE BLACKLAKE SEWER FINANCIAL PLAN

ITEM

Retain the Reed Group to update the Blacklake Sewer Financial Plan [RECOMMEND ADOPTION].

BACKGROUND

Your Honorable Board previously set a Protest Hearing for an increase in sewer user charges in the Blacklake Sewer Division and then withdrew the notice. The Board at that time directed staff to update the draft financial plan with current data and to propose rates based on all residential units instead of separate rates for single-family and multiple-family residences. Attached is a proposal from the Reed Group to perform this work as an amendment to their previous agreement. It should be noted that the \$20,900 Not-to-Exceed Fee Limit is predicted on three trips to Nipomo and multiple revisions to the Financial Plan.

RECOMMENDATION

Staff recommends that your Honorable Board authorize execution of an amendment to the existing agreement with the Reed Group to perform the services set forth in the attached proposal on a time and materials basis with a not-to-exceed expenditure limit of \$20,900.

ATTACHMENTS

Reed Proposal

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2008\BLsewerFINplan.DOC



June 10, 2008

Bruce Buel Nipomo Community Services District 148 South Wilson Street P. O. Box 326 Nipomo, CA 93444-0326

Subject:

Proposed Contract Amendment for Blacklake Sewer Financial

Plan and Rate Update

Dear Bruce,

The Reed Group, Inc. has been working with the District to prepare a variety of water and sewer financial plans and rate/fee updates. Recently, you asked that we amend the scope of services to include updating the financial plan and sewer rates for the Blacklake sewer system. A description of the proposed scope amendment, along with cost and schedule information, is presented below

Scope of Services - Blacklake Sewer Financial Plan and Rate Update

In 2007, The Reed Group, Inc. assisted the District in preparing a five-year financial plan and rate recommendations for the Blacklake sewer system. Recommendations of that effort were contained in a report dated August 24, 2007. That study included a recommendation to increase the sewer rate by 50 percent in April 2008, with smaller increases in subsequent years. For a variety of reasons, the District did not adopt the recommended rate increases. At this time, the Blacklake sewer system is still under financial strain and the District would like to update and revise the financial plan and consider a new rate strategy. The proposed contract amendment would cover this new task.

Specifically, this contract amendment will include:

• Updating the five-year financial plan model for the Blacklake sewer system using the FY 08-09 budget, FY 07-08 year-end fund/reserve balances, capital improvement plans, and other information provided by the District. The model will be extended through FY 12-13 and will be used to develop a financial strategy and determine annual sewer rate revenue requirements.



- Using cost of service analyses, prepare sewer rate recommendations, including developing an alternative rate structure to unify residential sewer rates, to meet revenue needs and address rate structure issues raised by staff and the Board of Directors.
- Conducting up to two workshops with the Board of Directors and/or Blacklake customers.
- Preparing a draft report describing financial plan assumptions and information, and describing sewer rate calculations. The report will describe how the sewer rates meet cost of service requirements.
- Finalizing Blacklake sewer financial plan and sewer rate recommendations in a final report based on staff comments and Board direction.
- Assisting District staff in preparing a notice of public hearing for the proposed Blacklake sewer rates
- Presenting Blacklake sewer rate recommendations during a public hearing to adopt the rates.

Estimated Cost for Water Rate Structure Analysis

At this time, we estimate that the cost of the requested Blacklake sewer financial plan and rate update to be \$20,900, including expenses. Expenses for three trips to the District are included in this estimate. However, in an effort to minimize travel costs we will strive to conduct the study such that preliminary analyses and recommendations can be presented to the Board of Directors on the same day the Board is considering water system capacity charges (currently scheduled for August 13, 2008). My hourly billing rate for 2008 is \$215 and is subject to revision each January. As you know, it is our practice to bill only for the actual time and expense required for the project subject to the not-to-exceed limit of our agreement.

Information Request

In order to facilitate the start of this project, below is a list of information that will be needed to begin the Blacklake sewer financial plan and rate update. We have already received the proposed FY 08-09 budget document.

- Blacklake customer data from the utility billing system including APN, location, sewer class code, and 12-month usage history (FY 07-08).
- Five-year Blacklake sewer capital improvement plan.

* * * * *



If the above work is approved it would amend, and be completed in accordance with other terms of, the Agreement for Rate Studies approved by the District on May 9, 2007. Please let me know if you have any questions regarding this proposal. We appreciated the opportunity to be of continued service to the District.

Sincerely,

Robert Reed

The Reed Group, Inc.

BOARD OF DIRECTORS

FROM:

BRUCE BUEL 150

DATE:

June 18, 2008

AGENDA ITEM D-8 JUNE 25, 2008

ACCEPTANCE OF EASEMENT AND WATER AND SEWER IMPROVEMENTS TRACT 2732 (GEIHS)

ITEM

Acceptance of easements and water and sewer improvements for TRACT 2732 (Geihs) on Hill Street [ADOPT RESOLUTION].

BACKGROUND

Upon completion of a developer's project, the District accepts improvements of the project after all requirements have been met. The developer (Nipomo Oaks) for Tract 2732, a twenty-four (24) unit residential development located on Hill Street, has offered for dedication the attached easement for the water and sewer system; has installed the water and sewer system to District Standards; and has met the District's standard conditions:

- Installed the improvements
- Paid associated fees
- Provided the necessary paperwork, including the Offer of Dedication and the Engineer's Certification

The sanitary sewer system in Hill Street was extended from South Frontage Road to the westerly edge of the project and staff expects the developer will apply for a reimbursement agreement after the project is accepted by the District.

RECOMMENDATION

Staff recommends that your Honorable Board approve Resolution 2008-XXXX Accept Tract 2732, accepting the offered water and sewer system easement and the water and sewer system improvements for TRACT 2732.

ATTACHMENTS

Resolution 2008-XXXX Accept Tract 2732
Easement and Agreement Affecting Real Property dated April 18, 2008
Vicinity Map
Utility Plan

RECORDING REQUESTED BY: Nipomo Community Services District

WHEN RECORDED RETURN TO: Nipomo Community Services District P. O. Box 326 Nipomo, CA 93444

Tract 2732

EASEMENT AND AGREEMENT AFFECTING REAL PROPERTY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, NIPOMO OAKS, a GENERAL PARTERNSHIP,

referred to hereinafter as "Owner(s) or Grantor(s)", hereby grants to the NIPOMO COMMUNITY SERVICES DISTRICT, referred to hereinafter as "District", a utility easement herein "Easement or Easement Area" over and under the below described private streets:

PRIVATE ACCESSES CARY PLACE, NIPOMO OAKS LANE, AND JEROME COURT AND UTILITY EASEMENT AS SHOWN ON FINAL MAP FOR TRACT 2732

The location of the easement is further described in the drawing attached hereto as Exhibit "A.

The Easement granted herein shall be subject to the following:

PURPOSE

The purpose of the Easement is the present and future construction, reconstruction, operation, repair, and maintenance of District facilities, including sewer pipelines, water pipelines, and other utilities operated by the District, from and after said utilities are dedicated and accepted by the District (herein "District Facilities"), in such manner and size and with such accessory parts and structures, as the District or its successors in interests from time to time deem necessary.

MAINTENANCE AND REPAIR OF DISTRICT FACILITIES

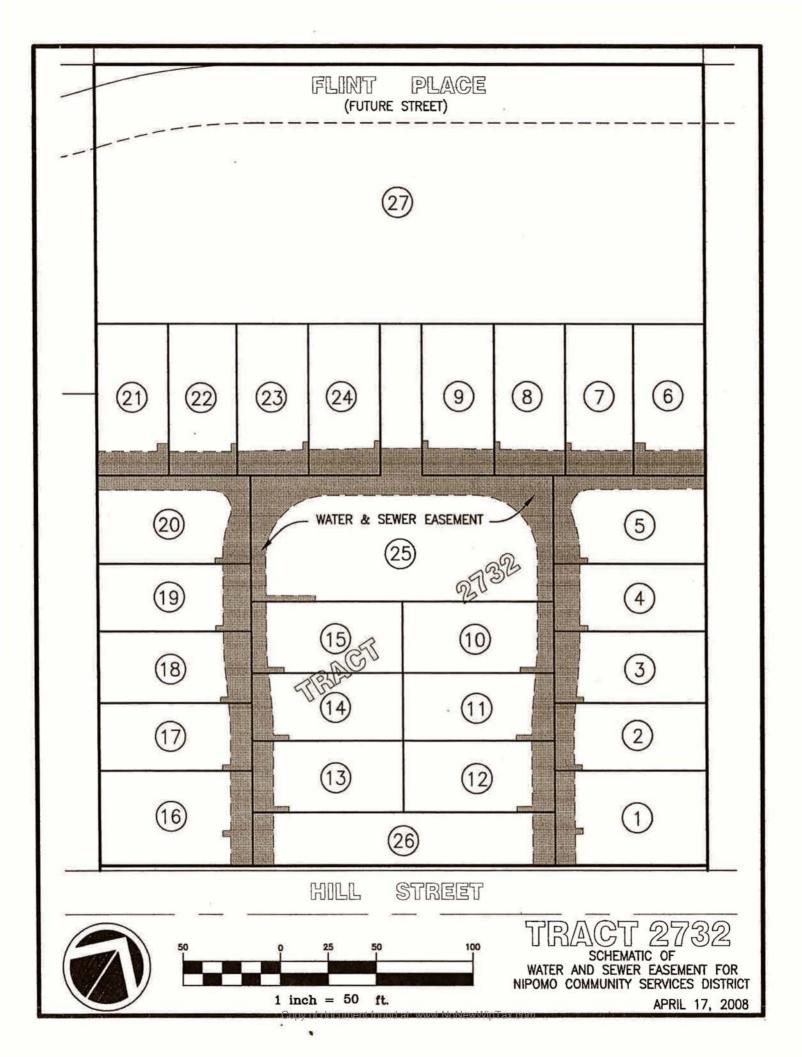
The District's obligation for maintenance and repair of the Easement Area is limited to that portion of the Easement that is affected by the District reconstruction, operation, repair and maintenance of District Facilities.

MISCELLANEOUS

- A. The Easement granted herein shall run with the land and be binding on the successors and assigns of the Grantor(s) and shall inure to the benefit of the District and its successors and assigns.
- B. This Easement shall be governed by the laws of the State of California. Any litigation regarding the Easement or its contents shall be filed in the County of San Luis Obispo, if in state court, or in the federal court nearest to San Luis Obispo County, if in federal court.
- C. This Easement shall be recorded in the Official Records of the County Recorder's Office, San Luis Obispo County.
- D. In the event of any controversy or claims relating to this Easement or breach thereof the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees and costs.

AUTHORITY TO EXECUTE.

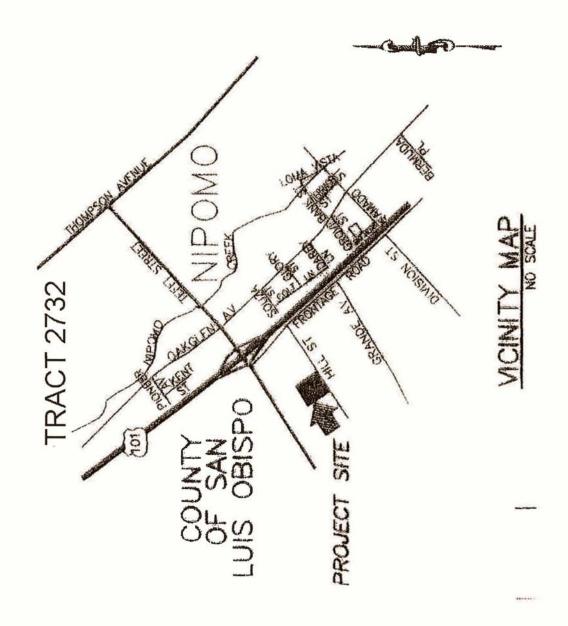
All parties to this Easement warrant and represent that they have the power and authority to grant and accept this Easement and its terms and conditions in the names, titles, and capacities herein stated and on behalf of any entities, persons, or firms represented or purported to be represented by such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

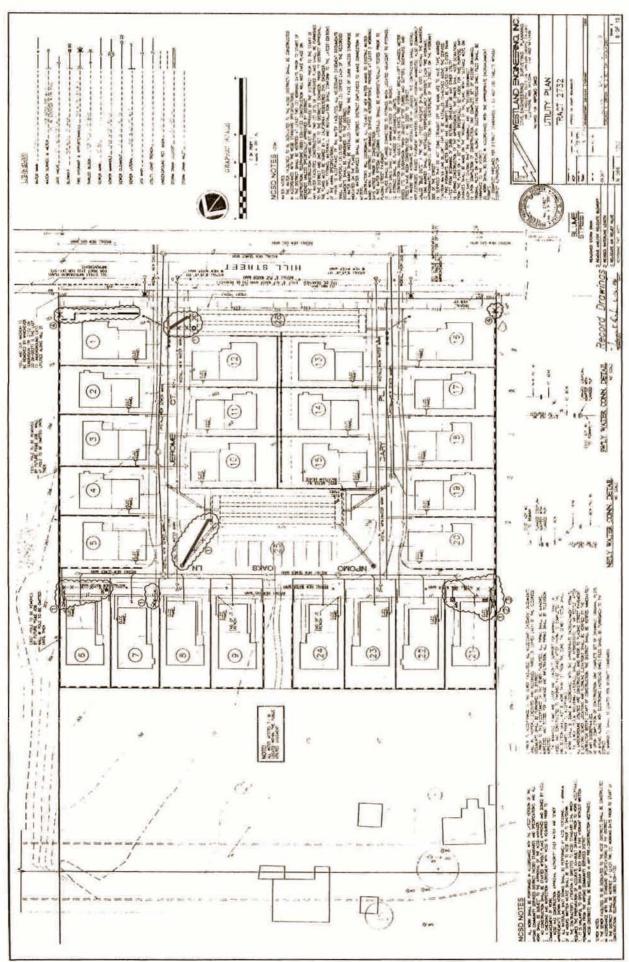


	antor(s) hereto have executed this	
Easement on /B Apri/, 2008.		
GRANTOR(S): NIPOMO OAKS, a GEN Cary L. Geihs, General Partner	James J. Bednar, General Partner	
Date: 18 April 2008	Date: April 18 2008	
CERTIFICATE OF ACCEPTANCE GOVERNMENT CODE §2781		
This is to certify that the Nipomo	Community Services District, Grantee,	
herein, by Board action on	, 2008, accepts for public	
purposes the real property, or interest d	lescribed in the foregoing Easement and	
Agreement, dated, 20	008, from Grantors, and consents to the	
recordation thereof.		
	Nipomo Community Services District	
ATTEST:	By: Name: Michael Winn Title: President, Nipomo Community Services District Board of Directors	
Donna K. Johnson, Secretary Nipomo Community Services District Board of Directors		

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California		
County of SAN LUIS OBISPO	S.	
On April 18, 2008 before me, CANDYSE OGEIHS AND JAMES J. BEDNAR, who	CROW, NOTARY PUBLIC, personally appeared CARY L.	
CANDYSE CROW COMM. #1815761 NOTARY PUBLIC-CALIFORNIA SAN LUIS OBISPO COUNTY My Comm. Expires October 23, 2009	proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/(hey) executed the same in his/her/their authorized capacity(tes), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true	
	and correct. WITNESS my hand and official seal.	
(Seal)	Signature of Notary Public	
对于是有效的 计可分子	OPTIONAL	
Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.		
CAPACITY CLAIMED BY SIGNER (PRINCIPA	AL) DESCRIPTION OF ATTACHED DOCUMENT	
☑ Individual☐ Corporate Officer	EASMENT AND AGREEMENT AFFECTING REAL PROPERTY	
Title	Title or Type of Document	
Partner(s) Limited	4	
General	Number of Pages	
Attorney-in-Fact	N/A	
☐ Trustee(s) ☐ Guardian/Conservator	Date of Document	
Other:	N/A	
Absent Signer (Principal) is Representing:	Signer(s) Other Than Name(s) Above	





Copy of document found at www.NoNewWipTax.com