

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JULY 9, 2008



CONSENT AGENDA

The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately.

**Questions or clarification may be made by the Board members
without removal from the Consent Agenda.**

- D-1) APPROVE WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Approve Minutes of 6/25/08 Regular Meeting
- D-3) APPROVE PROPOSAL TO SCAN UTILITY BILLING HISTORIC RECORDS
[RECOMMEND APPROVAL]
- D-4) AMEND ASSISTANT GENERAL MANAGER JOB TITLE [ADOPT RESOLUTION]
- D-5) AUTHORIZE EXECUTION OF WATERLINE INTERTIE PROJECT DESIGN SERVICES
AGREEMENT [RECOMMEND ADOPTION]
- D-6) AUTHORIZE PROCESSING OF WATERLINE INTERTIE PROJECT CONSTRUCTION
MANAGEMENT REQUEST FOR PROPOSAL [RECOMMEND ADOPTION]
- D-7) ADOPT PROJECT DEVELOPMENT GUIDELINES [RECOMMEND APPROVAL]

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2008\CONSENT AGENDA\CONSENT 07-09-08.DOC

TO: BOARD OF DIRECTORS
 FROM: BRUCE BUEL
 DATE: JULY 3, 2008

**AGENDA ITEM
 D-1
 JULY 9, 2008**

**TOTAL COMPUTER
 CHECKS
 \$ 201,092.05**

HAND WRITTEN CHECKS

| | | | |
|----------|-------|---------------------------|----------|
| 06-27-08 | 19777 | MID STATE BANK PETTY CASH | 187.20 |
| 06-30-08 | 19778 | SCIENCE DISCOVERY | 5,178.25 |

VOID
 15108

COMPUTER GENERATED CHECKS

| Check Number | Check Date | Vendor Number | Name | Gross Amount | Discount Amount | Net Amount | Invoice # | Payment Information Description |
|--------------|------------|---------------|---------------------------|--------------|-----------------|------------|-----------|---------------------------------|
| 15213 | 06/27/08 | EMP01 | EMPLOYMENT DEVELOP DEPT | 882.34 | .00 | 882.34 | A80623 | STATE INCOME TAX |
| 15214 | 06/27/08 | MID01 | MIDSTATE BANK-PR TAX DEP | 3143.05 | .00 | 3143.05 | A80623 | FEDERAL INCOME TAX |
| | | | | 50.30 | .00 | 50.30 | 1A80623 | FICA |
| | | | | 697.60 | .00 | 697.60 | 2A80623 | MEDICARE (FICA) |
| | | | Check Total.....: | 3890.95 | .00 | 3890.95 | | |
| 15215 | 06/27/08 | MID02 | MIDSTATE BANK - DIRECT DP | 22485.90 | .00 | 22485.90 | A80623 | NET PAY |
| 15216 | 06/27/08 | PER01 | PERS RETIREMENT | 7302.06 | .00 | 7302.06 | A80623 | PERS PAYROLL REMITTANCE |
| 15217 | 06/27/08 | STA01 | STATE STREET GLOBAL | 1680.00 | .00 | 1680.00 | A80623 | 457 DEFERRED COMP |
| 015218 | 07/09/08 | ABA01 | ABALONE COAST BACTERIOLOG | 176.00 | .00 | 176.00 | 08-1149 | TOWN WWTF LAB |
| | | | | 20.00 | .00 | 20.00 | 08-1186 | BL WWTF LAB |
| | | | | 120.00 | .00 | 120.00 | 08-1187 | WATER SAMPLES |
| | | | | 20.00 | .00 | 20.00 | 08-1206 | BL WWTF LAB |
| | | | | 176.00 | .00 | 176.00 | 08-1209 | TOWN WWTF LAB |
| | | | | 20.00 | .00 | 20.00 | 08-1213 | BL WWTF LAB |
| | | | | 20.00 | .00 | 20.00 | 08-1222 | BL WWTF LAB |
| | | | | 120.00 | .00 | 120.00 | 08-1246 | WATER SAMPLES |
| | | | | 20.00 | .00 | 20.00 | 08-1256 | BL WWTF LAB |
| | | | Check Total.....: | 692.00 | .00 | 692.00 | | |
| 015219 | 07/09/08 | ADV01 | ADVANTAGE ANSWERING PLUS | 121.57 | .00 | 121.57 | 96522 | ANSWERING SERVICE |
| 015220 | 07/09/08 | AME03 | AMERI PRIDE | 93.68 | .00 | 93.68 | F512485 | UNIFORMS ETC |
| | | | | 93.68 | .00 | 93.68 | F518066 | UNIFORMS ETC |
| | | | Check Total.....: | 187.36 | .00 | 187.36 | | |
| 015221 | 07/09/08 | ATT01 | AT&T/MCI | 150.22 | .00 | 150.22 | 175125 | PHONE |
| | | | | 32.70 | .00 | 32.70 | 175527 | PHONE |
| | | | | 119.58 | .00 | 119.58 | 175639 | PHONE |
| | | | Check Total.....: | 302.50 | .00 | 302.50 | | |
| 015222 | 07/09/08 | BRE02 | BRENNTAG PACIFIC INC. | 758.43 | .00 | 758.43 | BPI803836 | CHLORINE |
| | | | | 630.34 | .00 | 630.34 | BPI803837 | CHLORINE |
| | | | Check Total.....: | 1388.77 | .00 | 1388.77 | | |
| 015223 | 07/09/08 | CLA02 | CLAY'S SEPTIC & JETTING | 1300.00 | .00 | 1300.00 | 36971 | CLEAN LIFT STATIONS |
| 015224 | 07/09/08 | CUE01 | CUESTA INDUSTRIAL SUPPLY | 134.09 | .00 | 134.09 | 345049 | SUPPLIES |
| 015225 | 07/09/08 | DEW01 | J B DEWAR INC | 803.75 | .00 | 803.75 | 182297 | OIL FOR WELLS |
| 015226 | 07/09/08 | EBY01 | EBY, ED | 100.00 | .00 | 100.00 | 070908 | REG BD MEETING 070908 |
| 015227 | 07/09/08 | EMP01 | EMPLOYMENT DEVELOP DEPT | 32.30 | .00 | 32.30 | QTR 2 | SUI/ETT QTR 2 6/30/08 |
| 015228 | 07/09/08 | FAR02 | FAR WEST EXPRESS | 25.00 | .00 | 25.00 | 282509 | DELIVERY |
| 015229 | 07/09/08 | FED01 | FED EX | 19.71 | .00 | 19.71 | 276901961 | DELIVERY |
| 015230 | 07/09/08 | FGL01 | FGL ENVIRONMENTAL | 56.00 | .00 | 56.00 | 806412A | BL WWTF LAB |
| | | | | 212.00 | .00 | 212.00 | 806413A | TOWN WWTF LAB |
| | | | Check Total.....: | 268.00 | .00 | 268.00 | | |
| 015231 | 07/09/08 | FIS01 | FISHER PUMP SERVICE | 460.00 | .00 | 460.00 | 727 | EUREKA WELL MAINT |
| 015232 | 07/09/08 | GAS02 | GAS COMPANY, THE | 24.49 | .00 | 24.49 | 061908 | OFFICE HEAT 06235160949 |
| | | | | 10.52 | .00 | 10.52 | 062408 | GAS ENGINE |
| | | | Check Total.....: | 495.01 | .00 | 495.01 | | |

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JULY 3, 2008**

**AGENDA ITEM
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JULY 9, 2008
PAGE TWO**

| Check Number | Check Date | Vendor Number | Name | Gross Amount | Discount Amount | Net Amount | -----Payment Information----- Invoice # | Description |
|--------------|------------|---------------|---------------------------|--------------|-----------------|------------|--|---------------------------|
| 015233 | 07/09/08 | GIL01 | GLM, INC. | 1462.88 | .00 | 1462.88 | 062708A | LANDSCAPE - OFFICE |
| | | | | 110.00 | .00 | 110.00 | 062708BL | LANDSCAPE - BL |
| | | | Check Total.....: | 1572.88 | .00 | 1572.88 | | |
| 015234 | 07/09/08 | GOV01 | GOVERNMENT FINANCE OFFICE | 155.00 | .00 | 155.00 | 25001-08 | MEMBERSHIP FEE |
| 015235 | 07/09/08 | GWA01 | GWA INC | 53.00 | .00 | 53.00 | 600640101 | ALARM MONITORING |
| | | | | 85.00 | .00 | 85.00 | 602062101 | ALARM MONITORING |
| | | | | 85.00 | .00 | 85.00 | 602107101 | ALARM MONITORING |
| | | | Check Total.....: | 223.00 | .00 | 223.00 | | |
| 015236 | 07/09/08 | HAR02 | HARRISON, JAMES | 100.00 | .00 | 100.00 | 070908 | REG BD MEETING 070908 |
| 015237 | 07/09/08 | HAR05 | HARRISON, JAMES | 316.88 | .00 | 316.88 | 052008 | TRAVEL TO CSD MEETING |
| 015238 | 07/09/08 | HOM01 | HOME MOTORS | 12.47 | .00 | 12.47 | 82057B | VEHICLE MAINT |
| 015239 | 07/09/08 | JOH01 | JOHNSON, DONNA | 31.78 | .00 | 31.78 | 063008 | REIMB FOR SUPPLIES |
| 015240 | 07/09/08 | MOR02 | MORE OFFICE SOLUTIONS | 915.19 | .00 | 915.19 | IN428555 | COPIER MAINT' |
| 015241 | 07/09/08 | NEX01 | NEXTEL COMMUNICATIONS | 561.71 | .00 | 561.71 | 87314079 | CELL PHONES |
| 015242 | 07/09/08 | NIP01 | NIPOMO ACE HARDWARE INC | 166.69 | .00 | 166.69 | 13693+ | SUPPLIES |
| 015243 | 07/09/08 | OFF01 | OFFICE DEPOT | 71.78 | .00 | 71.78 | 433858028 | OFFICE SUPPLIES |
| 015244 | 07/09/08 | ONE01 | 1-800-CONFERENCE | 5.51 | .00 | 5.51 | 582505 | PHONE |
| 015245 | 07/09/08 | ONE02 | 101 BLUEPRINT & COPY | 83.00 | .00 | 83.00 | 7915 | TEFFT ST WATERLINE BID PA |
| 015246 | 07/09/08 | PAT01 | PAT PHELAN CONSTRUCTION | 3990.00 | .00 | 3990.00 | 20549 | RIP PONDS |
| 015247 | 07/09/08 | PGE01 | P G & E | 45700.90 | .00 | 45700.90 | 061808 | ELECTRICITY 4449664603-3 |
| 015248 | 07/09/08 | POO01 | POOR RICHARD'S PRESS | 1125.57 | .00 | 1125.57 | 192895 | NEWSLETTER |
| 015249 | 07/09/08 | PRE01 | PRECISION JANITORIAL | 650.00 | .00 | 650.00 | 176 | JANITOR SERVICE |
| 015250 | 07/09/08 | QUI01 | QUILL CORPORATION | 26.40 | .00 | 26.40 | 8023606 | OFFICE SUPPLIES |
| 015251 | 07/09/08 | RAY02 | RAY'S AUTO PARTS | 50.42 | .00 | 50.42 | 188799 | SUPPLIES |
| 015252 | 07/09/08 | RIC01 | RICHARDS, WATSON, GERSHON | 11233.79 | .00 | 11233.79 | 159174 | WATER RIGHTS ADJUDICATION |
| 015253 | 07/09/08 | SAI01 | SAIC | 7043.00 | .00 | 7043.00 | 593506 | NMMA TECHNICAL GROUP MTGS |
| | | | | 6563.15 | .00 | 6563.15 | 910021 | HYDROLOGIC MONITORING |
| | | | | 576.00 | .00 | 576.00 | 922824 | HYDROLOGIC MONITORING |
| | | | Check Total.....: | 14182.15 | .00 | 14182.15 | | |
| 015254 | 07/09/08 | SAN04 | SANTA MARIA TIMES | 409.89 | .00 | 409.89 | 466136+ | LEGAL NOTICES |
| 015255 | 07/09/08 | SAN09 | SAN LUIS MAILING SERVICE | 549.78 | .00 | 549.78 | 33187A | MAILING NEWSLETTER |
| | | | | 694.08 | .00 | 694.08 | 33187B | POSTAGE FOR NEWSLETTER |
| | | | Check Total.....: | 1243.86 | .00 | 1243.86 | | |
| 015256 | 07/09/08 | SEV01 | SEVCIK, PETER | 128.17 | .00 | 128.17 | 060208 | TRAVEL TO MEETINGS |
| 015257 | 07/09/08 | SOU01 | SOUTH COUNTY SANITARY | 169.12 | .00 | 169.12 | 2231756 | OLDE TOWNE TRASH COLLECTI |
| | | | | 34.92 | .00 | 34.92 | 2236554 | TRASH COLLECITON |
| | | | Check Total.....: | 204.04 | .00 | 204.04 | | |
| 015258 | 07/09/08 | SPE01 | SPECIAL DISTRICT RISK | 5821.00 | .00 | 5821.00 | 25920 | WC INSURANCE 1ST QTR PRE |
| | | | | 40704.44 | .00 | 40704.44 | 061208 | INSURANCE |

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JULY 3, 2008**

**AGENDA ITEM
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JULY 9, 2008
PAGE THREE**

| Check Number | Check Date | Vendor Number | Name | Gross Amount | Discount Amount | Net Amount | -----Payment Information----- Invoice # | Description |
|--------------|------------|---------------|---------------------------|--|---------------------------------|--|--|--|
| | | | Check Total.....: | 46525.44 | .00 | 46525.44 | | |
| 015259 | 07/09/08 | SPM01 | SP MAINTENANCE SERVICES | 1828.00 | .00 | 1828.00 | 23672 | STREET SWEEPING |
| 015260 | 07/09/08 | STA03 | STATEWIDE SAFETY & SIGNS | 15.28 | .00 | 15.28 | 62416 | ALUM SIGN |
| 015261 | 07/09/08 | STA09 | STANDARD INSURANCE | 1304.56 | .00 | 1304.56 | 070108 | INSURANCE |
| 015262 | 07/09/08 | TAF01 | Taft Electric | 2939.00 1150.00 2768.00 886.00 3661.00 | .00 .00 .00 .00 .00 | 2939.00 1150.00 2768.00 886.00 3661.00 | 30382M 30382N 30382O 30382P 30382Q | BL WELL #3 MAINT BL WELL #4 MAINT OLYMPIC WELL MAINT TOWN SEWER MAINT MV LFT S TOWN SEWER MAINT MV |
| | | | Check Total.....: | 11404.00 | .00 | 11404.00 | | |
| 015263 | 07/09/08 | TGP01 | TGP WEST, INC. | 351.03 | .00 | 351.03 | 4905 | SUNDALE WELL MAINT |
| 015264 | 07/09/08 | TRO01 | TROTTER, CLIFFORD | 100.00 | .00 | 100.00 | 070908 | REG BD MEETING 070908 |
| 015265 | 07/09/08 | USA01 | USA BLUEBOOK | 858.18 | .00 | 858.18 | 620321 | L/S SWITCHES |
| 015266 | 07/09/08 | USB01 | US BANK TRUST | 293.78 99.00 24.53 120.03 | .00 .00 .00 .00 | 293.78 99.00 24.53 120.03 | 062308A 062308B 062308C 062308D | SEMINAR COMPUTER SUPPLIES SUPPLIES MISC BD SUPPLIES |
| | | | Check Total.....: | 537.34 | .00 | 537.34 | | |
| 015267 | 07/09/08 | VER01 | VERIZON | 39.88 39.92 | .00 .00 | 39.88 39.92 | 061908A 061908B | BL PHONE BL PHONE |
| | | | Check Total.....: | 79.80 | .00 | 79.80 | | |
| 015268 | 07/09/08 | VIE01 | VIERHEILIG, LARRY | 100.00 | .00 | 100.00 | 070908 | REG BD MEETING 070908 |
| 015269 | 07/09/08 | WHI02 | CELESTE WHITLOW | 119.65 469.13 | .00 .00 | 119.65 469.13 | 051708 051708A | TRAVEL - CONSERVATION REIMB SUPPLIES CONSERVATI |
| | | | Check Total.....: | 588.78 | .00 | 588.78 | | |
| 015270 | 07/09/08 | WIG01 | WIGHTON'S INC. | 106.00 | .00 | 106.00 | 388650 | AIR CONDITIONER SERVICE |
| 015271 | 07/09/08 | WIN01 | WINN, MICHAEL | 100.00 | .00 | 100.00 | 070908 | REG BD MEETING 070908 |
| 015272 | 07/09/08 | WOO01 | DOUGLAS WOOD & ASSOCIATES | 10115.77 | .00 | 10115.77 | 063008#3 | WATERLINE INTERTIE EIR |
| 015273 | 07/09/08 | \C001 | MATTHEW & ANGELA COLINS, | 451.45 | .00 | 451.45 | 000A80701 | MQ CUSTOMER REFUND FOR CO |
| 015274 | 07/09/08 | \D001 | DEL SOL BUILDERS, | 482.45 | .00 | 482.45 | 000A80701 | MQ CUSTOMER REFUND FOR DE |
| 015275 | 07/09/08 | \H002 | HINTZ, JAMES & SHANON | 20.63 | .00 | 20.63 | 000A80701 | MQ CUSTOMER REFUND FOR HI |
| 015276 | 07/09/08 | \K001 | KENGEL CONSTRUCTION, | 455.27 | .00 | 455.27 | 000A80701 | MQ CUSTOMER REFUND FOR KE |
| 015277 | 07/09/08 | \N001 | NESTER CONSTRUCTION, | 395.68 | .00 | 395.68 | 000A80701 | MQ CUSTOMER REFUND FOR NE |

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 43 - Years of Service 1965 - 2008

NOTES FOR MEETING

JUNE 25, 2008 AT 9AM

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

D2

BOARD of DIRECTORS

MICHAEL WINN, **PRESIDENT**
JAMES HARRISON, **VICE PRESIDENT**
CLIFFORD TROTTER, **DIRECTOR**
LARRY VIERHEILIG, **DIRECTOR**
ED EBY, **DIRECTOR**

PRINCIPAL STAFF

BRUCE BUEL, **GENERAL MANAGER**
LISA BOGNUDA, **ASSIST. GENERAL MANAGER**
DONNA JOHNSON, **BOARD SECRETARY**
JON SEITZ, **GENERAL COUNSEL**
PETER SEVCIK, **DISTRICT ENGINEER**

Mission Statement: The Nipomo Community Services District's mission is to provide the community with reliable, quality and cost-effective services.

Vision Statement: The Nipomo Community Services District's vision is to manage the resources and future growth of the community.

00:00:00

A. CALL TO ORDER AND FLAG SALUTE

President Winn called the meeting to order at 9:00 a.m. and led the flag salute.

00:00:35

B. ROLL CALL

At Roll Call, all directors were present.

00:00:50

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) NCSD SUPERINTENDENT TINA GRIETENS

Update re: Utility Division Activities

Tina Grietens, Utility Superintendent, gave an update of the activities within the Utility Division, which includes the following outlined in the Board packet:

- | | |
|---|---|
| <ul style="list-style-type: none">• Southland Wastewater Plant• Southland Utility Yard• Collection System• Wells | <ul style="list-style-type: none">• Distribution System Maintenance• Waterline Relocation Project• Personnel• Compliance• Other |
|---|---|

Ms. Grietens answered questions from the Board about the lift station and well alarms that should be alerting the crew when there is a problem.

C-2) NCSD WATER CONSERVATION COORDINATOR CELESTE WHITLOW

Update re: Conservation Activities and Semi-Annual Progress Report

Celeste Whitlow, Water Conservation Specialist, gave an update of the Conservation programs, which includes the following outlined in the Board packet:

- | | |
|---|--|
| <ul style="list-style-type: none">• Community Events and Educational Workshops• Newsletters, Mailings, Advertising | <ul style="list-style-type: none">• WC Program Implementation• Office Landscape• California Urban Water Conservation Council |
|---|--|

Ms. Whitlow answered questions from the Board.

MINUTES SUBJECT TO BOARD APPROVAL

Copy of document found at: www.RedViewAndTax.com

Nipomo Community Services District
REGULAR MEETING
Notes

- C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST
Receive Announcements from Directors regarding Items of District & Community Interest

Director Eby

It is predicted that there will be no rainfall for the next few months, which is normal. But the temperature is supposed to be less than normal, which may help reduce the draw down of the aquifer.

Director Harrison

There will be the major fundraiser for Hospice, August 2, 2008, at Hearst Castle. The Rotary Club will barbeque for the event. He will be able to obtain tickets for \$75.00. There is a new veterinarian in Nipomo located at the old Quinn Rental store on Sandydale. The open house will be August 2nd.

Director Winn

Director Winn received correspondence from the Planning Department about the Affordable Housing Environmental Impact Report. Copies are available on the back table.

There will be a special meeting of the Water Resources Advisory Council Wednesday, July 2, 2008, at 1:30 p.m. at the San Luis Obispo Library. The issue is to respond to this District's comments on the EIR for the Santa Margarita Ranch cluster development. If a development has more than 500 homes, either an adjoining public agency or the county that is permitting it must certify that they have a 20-year sustainable water supply. Data has not been seen that supports that certification. The principle could affect the Nipomo Community Services District. This District is trying to make sure that there are always appropriate findings to support a 20-year water source.

- C-4) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There was no public comment.

00:36:57

D. CONSENT AGENDA

- D-1) APPROVE WARRANTS
- D-2) APPROVE BOARD MEETING MINUTES
Approve Minutes of 6/11/08 Regular Meeting
- D-3) REQUEST CONSOLIDATION OF DISTRICT BOARD ELECTION WITH FALL GENERAL ELECTION

RESOLUTION NO. 2008-1091
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REQUESTING THE BOARD OF SUPERVISORS OF
THE COUNTY OF SAN LUIS OBISPO TO CONSOLIDATE
A GENERAL DISTRICT ELECTION TO BE HELD ON NOVEMBER 4, 2008,
WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE
SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTION CODE

- D-4) CREATE ADDITIONAL MAINTENANCE/CUSTOMER SERVICE WORKER POSITION AND AUTHORIZE GENERAL MANAGER TO HIRE
- D-5) APPROVE HIGH EFFICIENCY CLOTHES WASHER WATER CONSERVATION PROGRAM

- D-6) ACCEPT VILLAGE AT NIPOMO WATER & SEWER

RESOLUTION NO. 2008-1092
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING WATER AND SEWER IMPROVEMENTS FOR CO 06-0037 (MOORE)

Nipomo Community Services District
REGULAR MEETING
Notes

D. CONSENT AGENDA (CONTINUED)

D-7) RETAIN THE REED GROUP TO UPDATE THE BLACKLAKE SEWER FINANCIAL PLAN

D-8) ACCEPT GEIHS TRACT 2732 HILL STREET RESIDENTIAL PROJECT WATER & SEWER IMPROVEMENTS

RESOLUTION NO. 2008-1093
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING EASEMENT AND THE WATER AND SEWER IMPROVEMENTS
FOR TRACT 2732 (NIPOMO OAKS)

Staff had some corrections in the resolution in Item D-3. The Board asked questions about some of the items. Director Vierheilig suggested that Mid State Bank be changed to Rabobank. He also asked about Item D-5; how much of an incentive is there to purchase a new washer. The rebate is \$150, but the cost of an ultra-low flow washer is approx. \$900.

Director Winn stated that the County has different terminology for its low flow toilets. Director Trotter said he would like the opportunity to review the directions Mr. Reed will be given, regarding the Blacklake sewer rates.

Director Harrison asked about Item D-8, the number of units requested by the developer is different than the number on the development. Mr. Buel answered that lots 1-24 are building pads. Lots 25 and 26 are open space lots. Lot 27 is a remainder, yet to be developed. The space between Lots 24 and 9 is an access to the future remainder, Lot 27. County Fire determines the adequacy of the fire lane alignments. Call Fire has signed off on the design.

The following member of the public spoke:

Sharon Petrick, NCS D resident, asked if the Board would consider postponing Item D-7 until the Blacklake Committee can meet with the District to discuss the plans.

Upon motion by Director Eby and seconded by Director Harrison, the Board unanimously approved the Consent Agenda, as amended. Vote 5-0.

| YES VOTES | NO VOTES | ABSENT |
|--|----------|--------|
| Directors Eby, Harrison, Vierheilig, Trotter, and Winn | None | None |

E. ADMINISTRATIVE ITEMS

00:58:18

E-1) AUTHORIZE NEGOTIATION OF DESIGN AGREEMENT FOR WATERLINE INTERTIE PROJECT

Bruce Buel explained the District received proposals for the design for the Waterline Intertie Project from the firms of Boyle, Cannon, Dee Jaspar and Penfield & Smith. The Board has established this project as top priority. Requests for proposals were mailed May 13, 2008 and proposals were opened June 10, 2008. Four proposals were received. The committee recommended acceptance of Boyle's proposal. The estimate of \$898,801 has been increased to \$920,030 because some additional engineering analyses needed. Boyle's estimate was less than the other engineering firms. The City of Santa Maria has requested a peer-review group.

The Board asked questions of staff.

Director Eby asked if cost of the peer-review group were included in the \$920,000 amount.

Nipomo Community Services District
REGULAR MEETING
Notes

E-1) AUTHORIZE NEGOTIATION OF DESIGN AGREEMENT FOR WATERLINE INTERTIE PROJECT (CONTINUED)

Mr. Buel answered that it would be separate at a cost of approx \$5,000 per vendor over the course of the design.

Director Winn asked if the add-ons would have helped the other vendors who submitted proposals to improve their bids. Mr. Buel said that they would not. They were not a part of the original RFP.

Director Winn also asked if the Horizontal Directional Drilling contractor, Dennis True, had performed projects this size. Mr. Buel answered that Mr. True does smaller projects but is quite capable of design review.

Director Harrison asked if the District is responsible for potholing, how many other things is the District responsible for in carrying out this project. Mr. Buel explained that some of the costs are not possible to determine ahead. Director Harrison asked how much this design project is expected to cost in the end. Mr. Buel estimated \$1,000,000.00.

Mike Nunley, Boyle Project Manager for this proposal, stated that if potholing is necessary Boyle would ask the District to have that performed.

Director Harrison asked about the aerial view survey. How can one negotiate with landowners if the District does not know where the project will be? Mr. Buel stated that this is an iterative process. The negotiations will include where the landowners might allow the District to enter.

Director Eby asked if the project would be open trench or HDD. Mr. Buel said it would be horizontal directional drilling, if it is possible.

Jon Seitz, District Legal Counsel, asked if the scope of work sufficient to take the project from preliminary design through final design.

Mr. Nunley answered yes.

There was no public comment.

Board comments:

Director Trotter stated that the Supplemental Water Committee has discussed the project. There are very many unknowns. It is difficult to determine exact numbers.

Director Eby stated that during the evaluation process for the proposals, Boyle Engineering received the highest scoring with the lowest cost.

Directors Harrison and Vierheilig agreed.

Upon motion by Director Eby and seconded by Director Harrison, the Board unanimously agreed to authorize negotiation for an agreement for consideration at the July 9, 2008 Board Meeting. They also authorized to negotiate agreement with Jim Garing, Paul Karp and Dennis True as the Peer Review Team. Vote 5-0.

| YES VOTES | NO VOTES | ABSENT |
|--|----------|--------|
| Directors Eby, Harrison, Vierheilig, Trotter, and Winn | None | None |

The Board took a break at 10:23 a.m. and returned at 10:36 a.m.

Nipomo Community Services District
REGULAR MEETING
Notes

01:22:48

E-2) CONSIDER WHETHER OR NOT THE WATERLINE INTERTIE PROJECT WILL REQUIRE AN ENVIRONMENTAL IMPACT REPORT

Bruce Buel, General Manager, explained that CEQA and the District's Environmental Review Guidelines require the District to make an environmental determination on non-exempt discretionary projects. There was no public comment.

Douglas Wood, of Douglas Wood Associates, stated that an Initial Study has been completed and reviewed by staff and the supplemental water supply committee. Mr. Wood's staff will be assisting the District in the preparation of the EIR. An Environmental Impact Review (EIR) fully informs the public what the project entails. The Initial Study will assist in the preparation of an EIR to focus the EIR on the effects determined to be potentially significant, identify any impacts determined to not be significant, describe the anticipated extent of analyses within the EIR and to assist the public and other responsible agencies in their evaluation of the proposed project and their formulation of initial environmental concerns in response to the Notice of Preparation.

Board questions:

Director Trotter asked if the Santa Maria adjudication had similar concerns.

Mr. Wood stated the Initial Study addresses issues of potential growth inducement within the Nipomo area. There will be a detailed assessment of the potential impacts to the Santa Maria Groundwater Basin as a result of the purchase of the supplemental water.

Jon Seitz, District Legal Counsel, stated that the Nipomo groundwater basin is no longer referred to as a sub-basin but one groundwater basin that is subject to separate management areas. The stipulating parties are committed to support this project. A Notice of Appeal has been filed. The content is not known.

Director Winn asked about Page V-2 of the Initial Study concerning Land Use and Planning. Phase I of this project is meant to provide no new water for new growth. The project is identified as a 6200 acre-foot project and intended in the first two phases to get the groundwater back to zero.

Doug Wood, identifying three areas of water will serve 1) existing customers, 2) additional 100 acre-feet will serve vacant areas within the District, 3) to serve areas within the Sphere of Influence. The Sphere of Influence areas may be considered growth-inducing. The EIR provides the opportunity for the public to be informed.

Director Eby stated that an EIR is just a disclosure document not saying that you will build something. It says these are the potential impacts and the mitigations available. Mr. Wood stated that the EIR describes a 6,200 acre feet per year (AFY) project at this point because the pipeline being proposed will accommodate 6200 AFY water.

Upon motion by Director Eby and seconded by Director Vierheilg, the Board unanimously agreed to authorize that an Environmental Impact Review be prepared on the Waterline Intertie Project and to authorize the filing of the Notice of Preparation and the circulation of the Initial Study as part of the scoping process for the EIR. Vote 5-0.

| YES VOTES | NO VOTES | ABSENT |
|---|----------|--------|
| Directors Eby, Vierheilg, Harrison, Trotter, and Winn | None | None |

Nipomo Community Services District
REGULAR MEETING
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01:51:12

E-3) AUTHORIZE SUBMITTAL OF COMMENT TO SAN LUIS OBISPO COUNTY REGARDING ENVIRONMENTAL REVIEW OF PROPOSED PERRETT DETACHMENT

Bruce Buel, General Manager, reviewed the request from the SLO County Planning Department for comment on the petition to detach 4,735 acres of the Suey Ranch owned by H. D. Perrett and Carol Perrett from SLO County and attach those parcels to Santa Barbara County.

Director Vierheilig asked what the financial impacts on San Luis Obispo County would be.

Jon Seitz, District Legal Counsel, suggested the letter to the County needs to state that the District is water, sewer, solid waste and street-lighting service agency. Also, the property in question is outside the District and the District has no intention of serving that area. Will there be water impacts on the Mesa? The County should require the applicant to conduct a study.

There was no public comment.

Director Eby stated that an environmental determination is needed. This detachment removes impediment to growth. It puts the jurisdiction of development of this property outside of San Luis Obispo County in an area that overlies water that flows ultimately to the District's water supply. The Santa Maria River runs through it and is a potential and known water source for the NCSD. Any development there could have harmful effects on the District's water supply.

Upon motion by Director Eby and seconded by Director Vierheilig, the Board unanimously agreed to authorize the President to communicate a letter to SLO County regarding the District's concern and ask for an environmental determination before the County makes any decisions on the detachment Perrett petition. The letter should also address the water impacts on the District. Vote 5-0.

| YES VOTES | NO VOTES | ABSENT |
|--|----------|--------|
| Directors Eby, Vierheilig, Harrison, Trotter, and Winn | None | None |

The Board chose to consider Item E-7 next.

02:06:54

E-7) DISCUSS MECHANICS OF PROPOSITION 218 PROTEST PROCEEDING RE: BLACKLAKE AND TOWN WATER FUND MERGER

Bruce Buel, General Manager, stated that this item is to discuss the mechanics of the Proposition 218 protest proceeding. A protest hearing is scheduled for July 23, 2008. He explained Director Winn has proposed a different look at the calculations presented to the public. Copies have been made available to staff and the public.

Director Winn spoke about the proposal.

Director Harrison stated that the District hired a consultant to determine an equity charge for the tie-in of the Blacklake water system. If the Prop 218 hearing fails, then the District should hire another consultant to determine a fair and equitable solution.

Director Trotter stated that there is a strong feeling that the merger occurred in 1993. If a consultant is hired, he will likely come up with a balance of equity just as Mr. Reed did. There is no way to resolve in court. Blacklake does not have the money.

Nipomo Community Services District
REGULAR MEETING
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E-7) DISCUSS MECHANICS OF PROPOSITION 218 PROTEST PROCEEDING RE:
BLACKLAKE AND TOWN WATER FUND MERGER

Director Winn stated that Blacklake was annexed - not merged - in 1993. There was no mingling of funds. The water system was not maintained properly, but the residents continually argued against rate increases to contribute to the maintenance funds.

Director Trotter stated that the people from Blacklake will probably accept the \$756 figure listed in the outline distributed by Director Winn.

Director Harrison and Director Eby would like to know what the Town Division rates would be if the buy-in charge were less than the \$1,672 amount originally suggested.

The following member of the public spoke:

Bill Nelson, NCS D resident – stated that the only solution is a merged system. It is a win-win for everyone. He suggested waiting until after the Protest Hearing before doing another analysis. If the protest is successful, the Board has the option to make another proposal.

Director Winn stated that it is not an option that Blacklake is merged without paying something. It must be a fair number for the Town Division also.

Upon motion by Director Harrison and seconded by Director Eby, the Board directed staff to continue with the July 23, 2008 Protest Hearing and allow it to run its course. Vote 4-1 with Director Winn voting no.

| YES VOTES | NO VOTES | ABSENT |
|--|---------------|--------|
| Directors Harrison, Eby, Vierheilig, and Trotter | Director Winn | None |

Director Harrison made a motion and Director Eby seconded the motion for the Board to direct staff to contact Reed and have him establish the cost to the Town's residents if there is a difference in the cost with or without the merger at each of the three figures discussed (\$1,672, \$928, and \$756) and any other number that would be a break-even amount. Discussion ensued. Director Eby stated that he thinks if the Blacklake residents knew that it would burden the Town Division residents if the buy-in charge was not equitable, the Blacklake residents would not protest. Director Vierheilig would like to wait until after the protest hearing before spending the money for Reed to do the analysis. Director Trotter stated that he would vote for the study to show harmony. Vote 4-1 with Director Vierheilig voting no.

| YES VOTES | NO VOTES | ABSENT |
|--|---------------------|--------|
| Directors Harrison, Eby, Trotter, and Winn | Director Vierheilig | None |

The Board chose to consider Closed Session next.

I. CLOSED SESSION ANNOUNCEMENTS

Jon Seitz, District Legal Counsel announced the following to be discussed in Closed Session. Director Trotter left the meeting at 12: 04 p.m.

1. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION
GC\$54956.9 SMVWCD VS. NCS D (SANTA CLARA COUNTY CASE
NO. CV 770214 AND ALL CONSOLIDATED CASES).

Nipomo Community Services District
REGULAR MEETING
Notes

I. CLOSED SESSION ANNOUNCEMENTS (CONTINUED)

- 2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSD (CASE NO. CV 040877), MARIA VISTA VS. NCSD (CASE NO. CV 061079), AND MARIA VISTA VS. LINDA VISTA FARMS, NCSD ET AL. (CASE NO. CV 040150);
- 3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; MARIA VISTA ESTATES VS. NCSD ET AL. (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTAL DISTRICT, NORTHERN DIVISION)
- 4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS BRUCE BUEL AND JON SEITZ TO DISCUSS PRICE OF EASEMENT INTEREST IN THE FOLLOWING PROPERTIES:
 - A. APN 090-341-032; IN SANTA MARIA RIVER CHANNEL NORTH OF BLOSSER ROAD; OWNER-COUNTY OF SAN LUIS OBISPO; NEGOTIATOR-CARYN MADDALENA
 - B. APN 090-341-019; IN SANTA MARIA RIVER CHANNEL NORTH OF BLOSSER ROAD; OWNER - PATRICIA MCLANAHAN; NEGOTIATOR - KAREN-MARIE GIERDRUM/BJORN
 - C. APN 090-291-039, 040, 041 & 042; SOUTH OF JOSHUA ROAD; OWNER-LINDA VISTA FARMS; NEGOTIATOR - JACQUELINE FREDERICK
 - D. APN 090-341-033; IN SANTA MARIA RIVER CHANNEL NORTH OF BLOSSER ROAD; OWNER/NEGOTIATOR - GERALDINE BJORN

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public present to comment.

K. ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 12:06 p.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Closed Session at 1:08 p.m.

Jon Seitz, District Legal Counsel announced that the Board did hear updates Items 1-3 listed above in pursuant to Government Code Section 54956.9 and took no reportable action.

Item 4: The Board took action on a 3-1 vote, with Director Harrison dissenting, to retain the firm of Hammer, Jewel and Associates, real property negotiators, with a preliminary budget of \$20,000 to negotiate the purchase of the easements referenced in the agenda. The Board also authorized the District to retain Reeder, Gilman, Million to provide the actual appraisal work with a budget of \$10,500.

**Nipomo Community Services District
REGULAR MEETING
Notes**

02:55:18

E-4) DISCUSS PROCESS FOR RELOCATION OF WATER MAINS IN THOMPSON AND TEFPT TO FACILITATE COUNTY DRAINAGE PROJECTS

Bruce Buel, General Manager, explained that the county is re-constructing two drainage structures in Haystack Creek. The District's water mains need to be relocated. The County was scheduled to award their contract for the drainage work to D-Kal Engineering, Inc. on June 24, 2008. The District needed to get the request for bids advertised by a certain time to meet the advertising deadline. Jon Seitz, District Legal Counsel, stated that bids can be opened July 8th for the Board to award on July 9, 2008. There was no public comment.

Upon motion by Director Vierheilig and seconded by Director Eby, the Board unanimously agreed to ratify the processing of bids. Vote 4-0 with Director Trotter absent.

| YES VOTES | NO VOTES | ABSENT |
|---|----------|------------------|
| Directors Vierheilig, Eby, Harrison, and Winn | None | Director Trotter |

03:02:12

E-5) REVIEW STAFF'S PROPOSED PROJECT DEVELOPMENT GUIDELINES FOR NCSD PROJECTS

Bruce Buel, General Manager, described the proposed Project Development Guidelines for District public works projects. A sample was included in the packet. The Board discussed some suggested changes. The Board directed Mr. Buel to make edits and okayed to bring back on the consent calendar.

03:20:59

E-6) SET FY2008-09 APPROPRIATIONS LIMIT AND ADOPT FY 2008-09 BUDGET

Lisa Bognuda, Assistant General Manager, presented the budget to the Board. She corrected the staff report. Fund 300 should have read Fund 400. The Board discussed Fund 140 in the staff report. It was suggested that the staff should not have stated that it is estimated that the cash reserves are not sufficient to cover the budgeted costs for the entire year. The word "estimated" should be removed. The Board discussed how LAFCo determines its fees to charge the districts.

The meeting was opened to a Public Hearing.

There was no public comment. The Public Hearing was closed.

Upon motion by Director Vierheilig and seconded by Director Harrison, the Board unanimously adopted Resolution 2008-1094 adopting the budget. Vote 4-0.

| YES VOTES | NO VOTES | ABSENT |
|---|----------|------------------|
| Directors Vierheilig, Harrison, Eby, and Winn | None | Director Trotter |

**RESOLUTION 2008-1094
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING THE 2008-2009 FISCAL YEAR BUDGET**

Upon motion by Director Vierheilig, and seconded by Director Harrison, the Board unanimously adopted Resolution 2008-1095, determining the appropriation limitation. Vote 4-0.

| YES VOTES | NO VOTES | ABSENT |
|---|----------|------------------|
| Directors Vierheilig, Harrison, Eby, and Winn | None | Director Trotter |

**RESOLUTION NO. 2008-1095
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
DETERMINING THE APPROPRIATION LIMITATION FOR THE 2008-2009 FISCAL YEAR**

03:37:03

F. MANAGER'S REPORT

Bruce Buel, General Manager, presented the Manager's Report as written in the packet. The Board was given a copy of the newsletter being mailed to the customers this week. Celeste Whitlow, Water Conservation Specialist, attended the first meeting for the September 27, 2008 Creek Day.

Mr. Buel handed the Board a listing of the District's water production during the heat spell experienced during the week of June 15th to June 23rd. The usage exceeds the District Code Section 3.42 concerning mandatory conservation measures. The Board directed Mr. Buel to put the item on a subsequent agenda.

03:48:43

G. COMMITTEE REPORT

1. June 16, 2008 Supplemental Water Project Committee Meeting

The Minutes to the Supplemental Water Project Committee Meeting were presented.

The Board discussed the usage of the water from the Southland Wastewater Treatment Facility.

03:54:35

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Vierheilig

What is the Fugro outcome for the Pasquini property: *Mr. Buel will report in the middle of July.*
What is happening with the proposed Miller Park? It seems to be falling on hard time with County Real Property Management. Perhaps some lobbying would be helpful.
Director Winn answered that he will be meeting with Supervisor Achadjian Thursday, June 26, 2008, concerning the park.

Director Winn

He asked if the Regional Water Quality Control Board was getting irritated about the wastewater treatment facility progress. Mr. Buel answered yes and that he is pushing Fugro along as fast as possible.

ADJOURN

President Winn adjourned the meeting at 2:16 p.m.

➤ THE NEXT REGULAR BOARD MEETING IS JULY 9, 2008.

TENTATIVELY SCHEDULED ITEMS INCLUDE:

- Final WIP Design Services Agreement