

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



MONTHLY ENGINEER UPDATE

ITEM

NCSD District Engineer Peter Sevcik re District Engineer Activities in July [NO ACTION REQUESTED].

BACKGROUND

Peter Sevcik is scheduled to summarize the attached outline.

RECOMMENDATION

Staff recommends that your Honorable Board receive the presentations and ask questions as appropriate.

ATTACHMENTS

- District Engineer Activities Outline

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2008\080813EngReport.DOC



NIPOMO COMMUNITY SERVICES DISTRICT

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POST OFFICE BOX 326
NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932
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MEMORANDUM

TO: BRUCE BUEL, GENERAL MANAGER
FROM: PETER V. SEVCIK, P.E., DISTRICT ENGINEER *P.V.S.*
DATE: AUGUST 6, 2008
RE: DISTRICT ENGINEER ACTIVITIES UPDATE

- **Southland WWTF Upgrade**
 - Fugro Phase 3 Disposal Investigation completed and presented to Southland WWTF Upgrade Committee
 - Anticipate to present report, process to finalize Master Plan and committee recommendations to Board on August 27, 2008
- **Water and Sewer Master Plan Implementation**
 - Reviewed design proposals for Willow Road Waterline Extension from Pomeroy to Hetrick with General Manager and Utility Superintendent
 - Developing standard sanitary sewer pump station control panel
- **Santa Maria Waterline Intertie Project**
 - Participated in Kick-Off meeting with Boyle
 - Reviewed draft TM's for Chloramination Systems and Service Pressure Reduction Study
 - Assisted General Manager with reviewing CM proposals
 - Continued to assist General Manager with project planning, environmental review, and Committee meetings
- **Waterline Relocation for County Drainage Project**
 - Conducted Pre-Construction meeting with R. Baker and Cannon Associates
 - Reviewed shop drawing submittals and issued notice to proceed to contractor
 - Continue to coordinate with County staff
 - Inspected work in progress
- **Safety Program**
 - Continued to monitor on-line training program for all District employees
 - Coordinated Medic First Aid/CPR training for all District employees 7/30/2008
 - Scheduled to conduct training for all District employees on August 14
- **Other**
 - Prepared monthly compliance reports for the water and sewer systems
 - Continued to oversee development review and acceptance process
 - Provided support as needed to Utility Superintendent

TO: BOARD OF DIRECTORS
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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 7/23/08 Regular Meeting
- D-3) CANCEL REMAINDER OF AGREEMENT WITH MARLOWE AND COMPANY FOR LOBBYING SERVICES [RECOMMEND APPROVAL]
- D-4) RESOLUTION INCREASING DAILY LIMIT EXPOSURE OF AUTOMATIC CLEARING HOUSE (ACH) FOR DEBIT AND CREDIT TRANSACTIONS FOR BILLING AND PAYROLL VIA RABOBANK [RECOMMEND APPROVAL]

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TO: BOARD OF DIRECTORS
 FROM: BRUCE BUEL
 DATE: AUGUST 8, 2008

**AGENDA ITEM
 D-1
 AUGUST 13, 2008**

**TOTAL COMPUTER
 CHECKS
 \$ 304,991.41**

HAND WRITTEN CHECKS

07-21-08	19785	M WINN	100.00
07-21-08	19786	L VIERHEILIG	100.00
07-23-08	19787	CWEA	56.00
08-01-08	19788	STANDARD INSURANCE	1,304.56
08-04-08	19789	M WINN	100.00
08-04-08	19790	J HARRISON	100.00
08-05-08	19791	L VIERHEILIG	100.00
08-05-08	19792	J HARRISON	100.00
08-05-08	19793	POSTMASTER	15.00
08-08-08	19794	L VIERHEILIG	100.00
08-08-08	19795	J HARRISON	100.00

VOID
 NONE

COMPUTER GENERATED CHECKS

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
15337	08/08/08	EMP01	EMPLOYMENT DEVELOP DEPT	860.76	.00	860.76	A80804	STATE INCOME TAX
15338	08/08/08	MID01	MIDSTATE BANK-PR TAX DEP	3070.54	.00	3070.54	A80804	FEDERAL INCOME TAX
				54.52	.00	54.52	1A80804	FICA
				834.10	.00	834.10	2A80804	MEDICARE (FICA)
			Check Total.....:	3959.16	.00	3959.16		
15339	08/08/08	MID02	MIDSTATE BANK - DIRECT DP	22111.79	.00	22111.79	A80804	NET PAY
15340	08/08/08	PER01	PERS RETIREMENT	7065.58	.00	7065.58	A80804	PERS PAYROLL REMITTANCE
15341	08/08/08	STA01	STATE STREET GLOBAL	1680.00	.00	1680.00	A80804	457 DEFERRED COMP
015342	08/13/08	ABA01	ABALONE COAST BACTERIOLOG	20.00	.00	20.00	08-1356	BL WWTF LAB
				20.00	.00	20.00	08-1366	BL WWTF LAB
				60.00	.00	60.00	08-1367	TOWN WWTF LAB
				176.00	.00	176.00	08-1368	TOWN WWTF LAB
				20.00	.00	20.00	08-1379	BL WWTF LAB
				20.00	.00	20.00	08-1384	BL WWTF LAB
				20.00	.00	20.00	08-1416	BL WWTF LAB
				120.00	.00	120.00	08-1417	WATER SAMPLES
				176.00	.00	176.00	08-1425	TOWN WWTF LAB
				20.00	.00	20.00	08-1426	BL WWTF LAB
				20.00	.00	20.00	08-1437	BL WWTF LAB
				20.00	.00	20.00	08-1446	BL WWTF LAB
				120.00	.00	120.00	08-1469	WATER SAMPLES
				20.00	.00	20.00	08-1470	BL WWTF LAB
				20.00	.00	20.00	08-1479	BL WWTF LAB
				20.00	.00	20.00	08-1485	BL WWTF LAB
				20.00	.00	20.00	08-1490	BL WWTF LAB
				20.00	.00	20.00	08-1515	BL WWTF LAB
				120.00	.00	120.00	08-1516	WATER SAMPLES
				20.00	.00	20.00	08-1528	BL WWTF LAB
				20.00	.00	20.00	08-1539	BL WWTF LAB
				20.00	.00	20.00	08-1547	BL WWTF LAB
			Check Total.....:	1092.00	.00	1092.00		
015343	08/13/08	ADV01	ADVANTAGE ANSWERING PLUS	114.64	.00	114.64	97204	ANSWERING SERVICE
015344	08/13/08	AIR01	AIR POLLUTION CONTROL	1542.77	.00	1542.77	11731	PERMIT FEE DIESEL ENGINE
				1542.77	.00	1542.77	11732	PERMIT FEE DIESEL ENGINE
			Check Total.....:	3085.54	.00	3085.54		
015345	08/13/08	ALX01	ALEXANDER'S CONTRACT SERV	2201.00	.00	2201.00	7250012	JULY METER READS
015346	08/13/08	AME03	AMERI PRIDE	96.95	.00	96.95	F529306	UNIFORMS ETC
				108.07	.00	108.07	F534914	UNIFORMS ETC
				96.95	.00	96.95	F540444	UNIFORMS ETC
				96.95	.00	96.95	F546052	UNIFORMS ETC

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS AUGUST 8, 2008**

**AGENDA ITEM
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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
015347	08/13/08	ATT01	AT&T/MCI	185.41	.00	185.41	186399	PHONE
				141.36	.00	141.36	197085	PHONE
				30.76	.00	30.76	197340	PHONE
				129.60	.00	129.60	197413	PHONE
Check Total.....:				487.13	.00	487.13		
015348	08/13/08	BEN02	BENTLEY SYSTEMS, INC.	1650.18	.00	1650.18	47179293	WATER GEMS
015349	08/13/08	BER01	BERCHTOLD EQUIPMENT CO	1156.46	.00	1156.46	SJ06820+	TRACTOR MAINTENANCE
015350	08/13/08	BRE02	BRENNTAG PACIFIC INC.	832.58	.00	832.58	BPI815606	CHLORINE
				921.24	.00	921.24	BPI815607	CHLORINE
Check Total.....:				1753.82	.00	1753.82		
015351	08/13/08	CAL03	CALIFORNIA ELECTRIC SUPPL	319.37	.00	319.37	740742	SUPPLIES
015352	08/13/08	CAN02	CANNON ASSOCIATES	195.00	.00	195.00	44166	OAKS L/S
				775.00	.00	775.00	44167	EUREKA
				345.00	.00	345.00	44168	MARIA VISTA L/S
015352	08/13/08	CAN02	CANNON ASSOCIATES	465.00	.00	465.00	44169	QUAD TANKS
				3822.21	.00	3822.21	44170	LIFT STATIONS
				1155.00	.00	1155.00	44171	IPAC
				547.50	.00	547.50	44172	EUREKA WELL
				390.00	.00	390.00	44173	HONE GROVE L/S
Check Total.....:				7694.71	.00	7694.71		
015353	08/13/08	CAR04	CAR QUEST AUTO PARTS	43.16	.00	43.16	262915A	SUPPLIES
				104.48	.00	104.48	262915B	VEHICLE SUPPLIES
Check Total.....:				147.64	.00	147.64		
015354	08/13/08	CHE01	CHEVRON & TEXACO BUSINESS	2422.47	.00	2422.47	523500	GASOLINE
015355	08/13/08	CIT01	CITY NATIONAL BANK	62480.50	.00	62480.50	071508	INTEREST-A/D 93-1 DEBT SE
015356	08/13/08	CLA02	CLAY'S SEPTIC & JETTING	1280.00	.00	1280.00	072108	JETTING LIFT STATIONS
015357	08/13/08	CLE06	CLEVER DUCKS	295.00	.00	295.00	6075	MONTHLY MONITORING
				1745.55	.00	1745.55	6155	NETWORK
				1178.75	.00	1178.75	6222	MONTHLY TECH SUPPORT
				Check Total.....:				3219.30
015358	08/13/08	COA02	COASTAL ROLLOFF	400.37	.00	400.37	43444	WASTE DISPOSAL
015359	08/13/08	COR01	CORBIN WILLITS SYSTEMS	745.83	.00	745.83	A807151	COMPUTER SUPPORT
015360	08/13/08	CUE01	CUESTA INDUSTRIAL SUPPLY	58.45	.00	58.45	169755	LS SUPPLIES
015361	08/13/08	DEW01	J B DEWAR INC	196.75	.00	196.75	183507	OIL FOR WELLS
				112.26	.00	112.26	368833	OIL FOR WELLS
Check Total.....:				309.01	.00	309.01		
015362	08/13/08	DWI01	DWIGHT'S AUTOMOTIVE	50.09	.00	50.09	38342	TRUCK MAINT
015363	08/13/08	EBY01	EBY, ED	100.00	.00	100.00	081308	REG BD MEETING 081308
015364	08/13/08	FAR01	FARM SUPPLY COMPANY	35.53	.00	35.53	759043	SUPPLIES
015365	08/13/08	FAR02	FAR WEST EXPRESS	35.00	.00	35.00	073108	DELIVERY
015366	08/13/08	FED01	FED EX	44.80	.00	44.80	281848511	DELIVERY
015367	08/13/08	FGL01	FGL ENVIRONMENTAL	212.00	.00	212.00	807483A	TOWN WWTF LAB
015368	08/13/08	GAR01	GARING TAYLOR & ASSOC	42.50	.00	42.50	8829	WIDOW LANE
015369	08/13/08	GAS02	GAS COMPANY, THE	17.39	.00	17.39	072108	OFFICE HEAT
				23.85	.00	23.85	072408	SHOP HEAT 04163737945
				16245.83	.00	16245.83	073008	SUNDALE WELL 08619205712
				9.86	.00	9.86	072408B	GAS ENGINE
Check Total.....:				16296.93	.00	16296.93		
015370	08/13/08	GIL01	GLM, INC.	320.00	.00	320.00	073108T	TOWN LANDSCAPE
				110.00	.00	110.00	73108BL	BL LANDSCAPE
Check Total.....:				430.00	.00	430.00		
015371	08/13/08	GRI01	GRIETENS, TINA	30.00	.00	30.00	080508	PER DIEM

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015372	08/13/08	GWA01	GWA INC	53.00	.00	53.00	700640101	ALARM SYSTEM MONITORING
				85.00	.00	85.00	702062101	ALARM SYSTEM MONITORING
				85.00	.00	85.00	702107101	ALARM SYSTEM REPORTS
				Check Total.....:			223.00	.00
015373	08/13/08	HAR02	HARRISON, JAMES	100.00	.00	100.00	081308	REG BD MEETING 081308
015374	08/13/08	HAR04	HARPER & ASSOCIATES ENG I	3650.00	.00	3650.00	3803	UNDERWATER TANK INSPECTIO
015375	08/13/08	HAY01	HAYES & SONS	1450.00	.00	1450.00	501751	SLURRY COAT PARKING LOT
015376	08/13/08	JOH01	JOHNSON, DONNA	24.83	.00	24.83	070908	SUPPLIES FOR BD MEETING
				20.50	.00	20.50	080108	SUPPLIES
				Check Total.....:			45.33	.00
015377	08/13/08	JUS01	JUSTIFACTS CREDENTIAL	74.50	.00	74.50	141824	BACKGROUND CHECK DAVISON
015378	08/13/08	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	42037	LANDSCAPE MAIN TR 2409
				112.92	.00	112.92	42232	LANDSCAPE MAINT TR 2409
Check Total.....:			326.92	.00	326.92			
015379	08/13/08	LAY01	LAYFIELD ENVIRONMENTAL	23942.65	.00	23942.65	1529	REPAIR LINER
015380	08/13/08	NEX01	NEXTEL COMMUNICATIONS	287.70	.00	287.70	9087314	CELL PHONES
015381	08/13/08	NEX02	NEXT DAY SIGNS	78.87	.00	78.87	2990	DECALS
				357.73	.00	357.73	3002	ALUMALITE SIGN
Check Total.....:			436.60	.00	436.60			
015382	08/13/08	NIP01	NIPOMO ACE HARDWARE INC	64.34	.00	64.34	073108A	OPERATING SUPPLIES
				79.85	.00	79.85	073108S	TOWN WWTF SUPPLIES
				13.75	.00	13.75	073108V	SUPPLIES FOR VEHICLES
				8.56	.00	8.56	073108BL	BL WWTF SUPPLIES
Check Total.....:			166.50	.00	166.50			
015383	08/13/08	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	68225	PEST CONTROL
				49.00	.00	49.00	68226	PEST CONTROL
Check Total.....:			314.00	.00	314.00			
015384	08/13/08	OFF01	OFFICE DEPOT	43.44	.00	43.44	437495006	SUPPLIES
015385	08/13/08	ONE01	1-800-CONFERENCE	5.88	.00	5.88	071008	CONF CALL
015386	08/13/08	ONE02	101 BLUEPRINT & COPY	84.73	.00	84.73	8096	PRINTS
				26.45	.00	26.45	8209	PRINTS
Check Total.....:			111.18	.00	111.18			
015387	08/13/08	PER01	PERS RETIREMENT	200.00	.00	200.00	DLN000113	PERS PAYROLL REMITTANCE
015388	08/13/08	PGE01	P G & E	50347.41	.00	50347.41	071808	ELECTRICITY
015389	08/13/08	POO01	POOR RICHARD'S PRESS	280.35	.00	280.35	191967	SPANISH BROCHURE
				1399.21	.00	1399.21	193832	NEWSLETTER #3
Check Total.....:			1679.56	.00	1679.56			
015390	08/13/08	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	177	JULY JANITORIAL SERVICE

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							Invoice #	Description
015391	08/13/08	RAB01	RABOBANK	56.11 1.51 14.31 50.00	.00 .00 .00 .00	56.11 1.51 14.31 50.00	080708A 080708B 080708C 080708D	BD MEETING SUPPLIES POSTAGE DUMP RUBBLE FILING FEES
			Check Total.....	121.93	.00	121.93		
015392	08/13/08	REE02	THE REED GROUP INC	3655.00 2365.00	.00 .00	3655.00 2365.00	1072 1072A	SUPPLEMENTAL WATER CAPACI BL SEWER FINANCIAL PLAN
			Check Total.....	6020.00	.00	6020.00		
015393	08/13/08	RIC01	RICHARDS, WATSON, GERSHON	9896.94	.00	9896.94	159647	WATER RIGHTS ADJUDICATION
015394	08/13/08	SAI01	SAIC	7249.05 1301.67 915.94	.00 .00 .00	7249.05 1301.67 915.94	593507 922825 9100022	TECHNICAL GROUP HYDROLOGIC MONITORING HYDROLOGIC MONITORING
			Check Total.....	9466.66	.00	9466.66		
015395	08/13/08	SAN01	SANTA MARIA TIRE INC	1825.70	.00	1825.70	449003+	SERVICE AND TIRES FOR TRU
015396	08/13/08	SAN04	SANTA MARIA TIMES	821.54	.00	821.54	1035720	CONSERVATION ADS
015397	08/13/08	SAN09	SAN LUIS MAILING SERVICE	221.16 831.14 52.82 228.06	.00 .00 .00 .00	221.16 831.14 52.82 228.06	33276 33291A 33309A 33309B	CONSERVATION LTR TO CUST REBATE OFFER POSTCARDS MAILING LATE NOTICES POSTAGE FOR SECOND NOTICE
			Check Total.....	1333.18	.00	1333.18		
015398	08/13/08	SHI01	SHIPSEY & SEITZ, INC	6577.75	.00	6577.75	6/30/08	LEGAL SERVICES THRU 6/30/
015399	08/13/08	SLO04	SAN LUIS OBISPO AUDITOR	19756.00	.00	19756.00	2008-09	LAFCO FEES 2008-09
015400	08/13/08	SOU01	SOUTH COUNTY SANITARY	34.92 169.12	.00 .00	34.92 169.12	2257143 2268329	TRASH COLLECTION OLDE TOWNE TRASH COLLECTI
			Check Total.....	204.04	.00	204.04		
015401	08/13/08	SPM01	SP MAINTENANCE SERVICES	1832.00	.00	1832.00	24019	STREET SWEEPING
015402	08/13/08	STA03	STATEWIDE SAFETY & SIGNS	119.69	.00	119.69	53653	MARKING PAINT
015403	08/13/08	STA08	STAPLES	119.22	.00	119.22	063008	SUPPLIES 601110002084895
015404	08/13/08	TAF01	TAFT ELECTRIC	700.00 581.16	.00 .00	700.00 581.16	30382F 30382T	EUREKA WELL MAINT LIFT STN MAINT
			Check Total.....	1281.16	.00	1281.16		
015405	08/13/08	TLC02	TLC UNDERGROUND	7942.50	.00	7942.50	444	JOSHUA SEWER SINK HOLE RE
015406	08/13/08	TRI03	THE TRIBUNE	72.00	.00	72.00	082308	SUBSC RENEWAL
015407	08/13/08	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	081308	REG BD MEETING 081308
015408	08/13/08	UNDO1	UNDERGROUND SERVICE ALERT	263.40	.00	263.40	70647	ANNUAL MEMBERSHIP MARKIN
015409	08/13/08	USA01	USA BLUEBOOK	166.99 110.55 8.90	.00 .00 .00	166.99 110.55 8.90	638209 639803A 639803B	SUPPLIES BL SEWER LAB SUPPLIES SUPPLIES
			Check Total.....	286.44	.00	286.44		
015410	08/13/08	USB01	US BANK TRUST	290.00 166.44 41.83 70.32 237.77	.00 .00 .00 .00 .00	290.00 166.44 41.83 70.32 237.77	072208 72208B 072208A 072208C 072208D	AWWA SEMINAR CONSERVATION SUPPLIES TRAVEL EXPENSES BD MEETING SUPPLIES SUPPLIES
			Check Total.....	806.36	.00	806.36		
015411	08/13/08	VER01	VERIZON	35.03 34.95	.00 .00	35.03 34.95	071908A 071908B	BL PHONE BL PHONE
			Check Total.....	69.98	.00	69.98		
015412	08/13/08	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	081308	REG BD MEETING 081308
015413	08/13/08	WIN01	WINN, MICHAEL	100.00	.00	100.00	081308	REG BD MEETING 081308
015414	08/13/08	WOO01	DOUGLAS WOOD & ASSOCIATES	7603.68	.00	7603.68	080108	WATERLINE INTERTIE EIR
015415	08/13/08	\C002	CORSAIR CONSTRUCTION,	245.09	.00	245.09	000A80701	MQ CUSTOMER REFUND FOR CO

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 43 - Years of Service 1965 - 2008

D2

MINUTES

JULY 23, 2008 AT 9AM

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

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, **FINANCE DIRECTOR/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:

B. ROLL CALL

At Roll Call, all directors were present.

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) NCSD UTILITY SUPERINTENDENT TINA GRIETENS
Update re: Utility Department Activities

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

- Southland Wastewater Plant
- Southland Utility Yard
- Collection System
- Wells
- Distribution System Maintenance
- Waterline Relocation Project
- Personnel
- Compliance
- Other

Peter Sevcik, District Engineer, answered questions from the Board concerning the sinkhole at Joshua and Orchard. He stated that the fill above the pipe was not compacted properly. TLC Underground repaired the hole in behalf of NCSD.

The Board thanked Ms. Grietens and Mr. Sevcik for the information.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

C-2) NCSD WATER CONSERVATION COORDINATOR CELESTE WHITLOW
Update re: Water Conservation Activities and Chipping Event

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

- Community Events and Educational Workshops
- Newsletters, Mailings, Advertising
- WC Program Implementation
- Office Landscape
- California Urban Water Conservation Council

Ms. Whitlow stated that the Chipping Event was completed. There were 157.5 tons of material from 164 residences chipped. The California Conservation Corps provided the crew and were very cooperative and supportive.

Ms. Whitlow answered questions from the Board. The Board thanked Mrs. Whitlow for the information.

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

Director Vierheilig

SCAC will meet July 28 concerning the County Parks. They will be presenting results of the meeting regarding a community center and recreation center.

Director Eby

Dana Adobe is starting a new concert series. The first will be Sunday, Sept. 21, 2008, with reception at 3:00 p.m. and concert at 4:30 p.m. presenting pianist Jim Barnett. Tickets are \$18.50.

Director Harrison

The Dana Adobe and County Parks are having a ribbon cutting ceremony at the Dana Adobe September 27, 2008 at 1:00 p.m. for the property the County purchased.

Director Winn

Planning Commission will meet July 24, 2008, at 8:45 a.m. to discuss the Inclusionary Housing Ordinance.

Chamber of Commerce meeting Wednesday, July 30, 2008. Bruce Buel will be one of the speakers.

Coastal Commission will be meeting in Oceanside, August 6, 7, and 8, 2008, discussing a desalination plant. Supervisor Achadjian asked if someone from this Board would attend the Coastal Commission meeting when it will be in Cambria.

Director Eby

At the Board of Supervisors last week, the Perrett detachment was discussed. Director Eby spoke at the meeting and suggested to the Board that an environmental determination is required by CEQA. County Counsel opined that this project was exempt from CEQA by case law and that the detachment statutes are superior to CEQA.

Director Winn

He stated that the hearing for the Perrett detachment will be August 26, 2008.

Nipomo Community Services District
REGULAR MEETING
MINUTES

C-4) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There was no public comment.

00:31:05

D. CONSENT AGENDA

D-1) APPROVE WARRANTS

D-2) APPROVE BOARD MEETING MINUTES
Approve Minutes of 7/9/08 Regular Meeting

D-3) ADOPT HAZARD COMMUNICATIONS POLICY

RESOLUTION NO. 2008-1097
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING A HAZARD COMMUNICATION POLICY

D-4) ACKNOWLEDGE EXECUTION OF HAMNER-JEWELL AGREEMENT FOR PROPERTY NEGOTIATION SERVICES

D-5) ACKNOWLEDGE EXECUTION OF REEDER, GILMAN & MILLION AGREEMENT FOR APPRAISAL SERVICES

D-6) APPROVE TASK ORDER WITH GARING AND TAYLOR FOR PEER REVIEW PANEL SERVICES

D-7) APPROVE TASK ORDER AGREEMENT WITH PAUL KARP FOR PEER REVIEW PANEL SERVICES

D-8) ACCEPT SECOND QUARTER INVESTMENT REPORT

Bruce Buel, General Manager, notified the Board of minor corrections in Items D-3 and D-7. Upon motion by Director Vierheilig and seconded by Director Eby, the Board unanimously approved the Consent Agenda, as amended. There was no public comment. Vote 5-0.

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

E. ADMINISTRATIVE ITEMS

00:34:04

E-1) PROTEST HEARING – RECEIVE BLACKLAKE WATER RATE ADJUSTMENT PROTESTS; DIRECT SECRETARY TO TABULATE PROTESTS; PROVIDE POLICY GUIDANCE AND CONTINUE ITEM TO 8/13/08 BOARD

Bruce Buel, General Manager, reviewed the summary of the protests received as of close-of-business July 22, 2008. NCS D had received 413 protests from the 586 eligible parcels in Blacklake. He stated that there were sufficient protests to make it successful and staff believes that it is not worth the money or the time to be verified by the Registrar of Voters.

Mr. Buel reviewed three concepts for a merger of the Town Division with the Blacklake Division.

- 1) The Board could possibly generate a new merger proposal. Mr. Bob Reed of The Reed Group has presented a proposal regarding the fiscal impacts of a merger at different buy-in levels.
- 2) Director Vierheilig presented a different buy-in charge proposal idea (included in the Board packet).
- 3) Another concept could be to solicit proposals from other rate consultants to evaluate the buy-in charge.

Nipomo Community Services District
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E-1) PROTEST HEARING – RECEIVE BLACKLAKE WATER RATE ADJUSTMENT PROTESTS; DIRECT SECRETARY TO TABULATE PROTESTS; PROVIDE POLICY GUIDANCE AND CONTINUE ITEM TO 8/13/08 BOARD (CONTINUED)

Jon Seitz, District Legal Counsel, announced that the Protest Hearing was formally open. At the close of the Public Hearing, no more protests will be accepted.

The following members of the public spoke:

Bill Petrick, NCSD customer, stated that a Blacklake Town Hall meeting was held last week to inform the Blacklake community of the status of the Prop 218 protest. The group appreciated Director Vierheilg's talk where he described a plan which was based on bringing the Water Replacement Fund up to a specified level to accommodate replacement costs rather than depreciation costs. The Blacklake Ad Hoc Committee agreed that Director Vierheilg's proposal seems reasonable. Mr. Petrick urged the NCSD Board to work with the BLMA Oversight Committee. If Director Vierheilg's proposal is accepted by the BMA Board (without any upward changes), the Ad Hoc Committee will not lead another Prop 218 protest.

Pat Eby, NCSD customer, handed a spreadsheet to the Board (available for viewing in the District Office). She reviewed the spreadsheet titled "NCSD Total Well Production and Blacklake's Contribution to Total Production". She asked the Board to credit Blacklake for the excess water from the Sundale Well.

President Winn asked for last call for protests. There were no other protests.

The Protest Hearing was closed.

President Winn thanked Mrs. Eby for her proposal concept.

The Board discussed the situation.

Director Vierheilg stated that the Sundale Well has been a high maintenance item.

Director Trotter pointed out that it is not financially possible to consider Blacklake as a stand-alone system and the Blacklake community does not want a stand-alone. The equipment at Blacklake is incapable of supplying Blacklake with water during peak hours. He also stated that when the idea of hiring Mr. Reed for a study was considered, he asked Mr. Reed what approach would be taken in the study. Mr. Reed said the approach would be similar to the last study unless he was given different directions. Director Trotter said he was troubled by that answer.

Director Winn stated that the Blacklake system is currently a stand-alone system but is receiving some water from the Town system.

Director Eby asked if the District would be certifying the protests and if so what then.

Upon motion by Director Harrison and seconded by Director Eby, the Board unanimously agreed to certify the protests, to find that there was a majority protest, to stipulate that it is unnecessary to go out for signature verification, and terminate the proceedings. Vote 5-0.

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

Director Eby stated that a large population of the Blacklake community does not trust that the solution presented is fair and equitable. If there were a solution presented that showed that Town Division was not subsidizing Blacklake Division and Blacklake was not subsidizing the Town Division, the people of Blacklake would probably accept it as fair.

E-1) PROTEST HEARING – RECEIVE BLACKLAKE WATER RATE ADJUSTMENT

Nipomo Community Services District
REGULAR MEETING
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PROTESTS; DIRECT SECRETARY TO TABULATE PROTESTS; PROVIDE POLICY GUIDANCE AND CONTINUE ITEM TO 8/13/08 BOARD (CONTINUED)

Director Winn asked legal counsel if the District could use the "Trotter approach" and get a different number.

Jon Seitz, District Legal Counsel, answered that a rate study cannot be ordered with a predicted conclusion.

The Board continued to discuss the desire to reach revenue neutrality. The scope of work for a method to reach a solution needs to be agreed upon by the BLMA and then the numbers could be found.

The following members of the public spoke:

Bill Petrick, NCSD customer, stated that the Ad Hoc Committee is not demonizing Mr. Reed's study. The method by which Mr. Reed reached conclusions was not discussed with the Blacklake community. If everyone could agree to the method, the number that emerges would be acceptable.

Pat Eby, NCSD customer, stated that there are talented residents within Blacklake who could get together with staff to form an acceptable method.

Sharon Petrick, NCSD customer, stated that there was no negotiation with the Blacklake community. She asked that the Board not use more consultants. Take the "Vierheilg II" proposal and work with the oversight committee.

Ian Wallace, NCSD customer, stated that consultants tend to be biased toward the client. He would trust an in-house analysis.

Bob Stanger, NCSD customer, stated that he supports an in-house study that involves the Blacklake community.

Bruce Buel, General Manager, suggested hiring a rate consultant.

Director Trotter made a motion to have staff do an in-house study. After some discussion with Mr. Buel and the Board, Director Trotter withdrew his motion.

Director Vierheilg suggested the Finance Audit Committee meet with the selected members of the Blacklake community to define the scope of work for a concept on how to come up with a revenue neutral outcome.

Upon motion by Director Vierheilg and seconded by Director Harrison, the Board unanimously agreed to have the Finance and Audit Committee meet in a formally agendized meeting with the appointees from the Blacklake Village Master Association Board and others from the public who wish to give input to develop a scope of work to be submitted to the full Board, preferably by August 13, 2008. Vote 5-0.

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

The Board took a break at 11:10 a.m. and returned at 11:25 a.m.

**Nipomo Community Services District
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02:10:09

E-2) SCOPING HEARING – RECEIVE FEEDBACK ON SCOPE FOR WATERLINE INTERTIE PROJECT

Bruce Buel, General Manager, explained that this is a Scoping Hearing to receive feedback on the scope for the Waterline Intertie Project EIR.

Doug Wood, principal of the Douglas Wood and Associates and consultant to prepare the Environmental Impact Report (EIR) for the waterline project. Comments will be noted today and will be integrated into the draft EIR at the time it is circulated. The public will be fully informed on the project. After comments are made on the draft EIR, the Board will make a decision on certifying the EIR and then make a decision on the project. The process will be as follows:

1. With today's input, the draft EIR will be prepared.
2. Oct. 10, 2008, after District review, a draft document will be ready for public circulation.
3. A Notice of Preparation has been circulated for 30 days. The Initial Study was attached to the Notice.
4. Anyone has the right to file, in writing, comments that he or she feels should be discussed in the EIR. The review period extends through July 28, 2008.
5. The draft EIR will be circulated to the public and involved agencies for a 45-day review period.
6. Comments can be made on the draft EIR and the proposed project.
7. The Board can then make an informed decision on the project.

Mike Nunley, Boyle's Project Engineer for the design of the Waterline Intertie Project, briefly reviewed the project. The report presented to the Board in May 2008 named the project as a three-phase project. Phase I will deliver 1,500-2,000 acre-feet of water per year (AFY). Phase II will deliver 2,000 to 3,000 AFY, depending on what Santa Maria will allow the District to pull from their system. Phase III is a conceptual idea to deliver up to 6,200 AFY.

Doug Wood stated that the EIR includes the analysis of the impact of all three phases.

The following members of the public spoke:

Bill Petrick, NCSD customer, read a portion of a written statement. Mrs. Petrick read the remainder. He listed eleven questions for consideration, if a written agreement with Santa Maria exists that defines the source of supplemental water and the conditions under which that water is made available to NCSD. If the written agreement does not exist, then all the design work, draft EIRs, etc. is premature and should be suspended until an agreement is in place that meets the Stipulation Agreement and the LAFCO resolution of future annexations. A copy of the statement is available for viewing in the District office.

Sharon Petrick, NCSD customer, read the remaining questions that Mr. Petrick ran out of time for reading.

Jennifer Jozwiak, Vice Chair of Surf Riders SLO Bay Chapter, asked if the Board had thought about reclamation. The Pismo area is moving toward a plan for tertiary treatment. She encouraged the Board not to rely on Santa Maria water and to work with others.

Nipomo Community Services District
REGULAR MEETING
MINUTES

E-2) SCOPING HEARING – RECEIVE FEEDBACK ON SCOPE FOR WATERLINE INTERTIE PROJECT (CONTINUED)

Arthur Tognazzini, Santa Maria Valley Conservation District, pointed out a section on page V8 of the Initial Study. He stated that when the report says water, it needs to say "blended flows" because it will be a blend of State Water and Santa Maria groundwater.

Board discussion ensued. Director Trotter stated that the agreement Mr. Petrick mentioned is a "Memorandum of Understanding" with the City of Santa Maria and is available on the website. The agreement does not identify the portions of State Water or groundwater. If cuts backs are necessary, both Santa Maria water users and Nipomo will have the same cutback.

Jon Seitz, District Legal Counsel, explained that the final agreement with the City of Santa Maria will not be entered into until after the project is defined and CEQA certification has occurred.

Director Vierheilg stated that the stipulation defines supplemental water.

Director Eby asked how the comments received will be used.

As an example of how the issues will be treated in the EIR, Mr. Wood used the question posed - why not pump the water directly out of Nipomo since we are all one big basin. Mr. Wood stated that alternatives would be examined with the impacts of each noted. Responses to the comments received for this meeting (NOP or Scoping Meeting) will be manifested in the EIR document. They will be included as an appendix to the document. After the draft of the EIR is distributed and additional correspondence is received, the District will be obligated to respond in writing to comments received on the Draft EIR.

The Board chose to consider the Closed Session next.

02:53:09

I. CLOSED SESSION ANNOUNCEMENTS

Jon Seitz, District Legal Counsel, announced the following items to be discussed in Closed Session.

1. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES).
2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSD (CASE NO. CV 040877), 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, CENTRAL DISTRICT, NORTHERN DIVISION)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

Nipomo Community Services District
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There was no public comment.

K. ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 12:09 p.m.

005:53:50

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 1:15 p.m.

Director Trotter left the meeting at 1:14 p.m.

Jon Seitz, District Legal Counsel, announced the following summary of the Closed Session.

The Board heard an update on the items above. In the groundwater adjudication case - upon motion by Director Vierheilg and seconded by Director Eby, the Board unanimously agreed (subject to Mr. James Markman's signature) to authorize execution of an agreement of a conflict waiver letter from Clifford and Brown to continue their representation of the District as well as the farm group in the groundwater adjudication. Vote 5-0.

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

The Board heard an update on the on-going litigation with Maria Vista and had no reportable action.

02:56:15

E-3) REVIEW CURRENT DISTRICT CODE SECTION REGARDING EMERGENCY WATER SHORTAGE STAGES

Bruce Buel, General Manager, explained that the Board had agreed to review the emergency water shortage code section to determine if they should be suspended until new triggers are developed. Included in the packet is a printout of recent NCSD water usage which shows that the current production is greater than the trigger points set forth in the existing code.

The Board discussed the fact that the District's pumping capacity has changed since the adoption of the ordinance and that pumping capacity is not groundwater resource capacity.

Upon motion by Director Vierheilg and seconded by Director Eby, the Board unanimously adopted Resolution 2008-1098, suspending various sections of Chapter 3.24 of the District Code. There was no public comment. Vote 5-0.

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

03:50:00

ADJOURN TO NCSD PUBLIC FACILITIES CORPORATION

President Winn adjourned the regular meeting of the Nipomo Community Services District at 1:30 p.m. and opened Public Facilities Corporation.

ROLL CALL

At Roll Call, the following members of the Corporation were present:
Members Eby, Vierheilg, Harrison and Winn

Nipomo Community Services District
REGULAR MEETING
MINUTES

ADJOURN TO NCSD PUBLIC FACILITIES CORPORATION (CONTINUED)

Public Comment on Agenda Items

A. NCSD PUBLIC FACILITIES CORPORATION ANNUAL MEETING

Approve 2007 Minutes and Provide Policy Guidance re 2009 Financings

Bruce Buel, General Manager, explained the difference of using NCSD's finance corporation or CSDA's finance corporation. He mentioned several firms that provide the services needed.

Director Vierheilg asked that the District ask the Finance Advisor about the small outstanding debts outside of the COPs. Can we get an opinion whether our bond ratings would be firmer if those debts were retired prior to looking for new money or just leave as is?

The Board directed staff to get more information on CSDA Finance Corporation financing.

Upon motion by Director Eby and seconded by Director Harrison, the Board approved the Minutes of the July 25, 2007 Nipomo Community Services District Public Facilities Corporation. There was no public comment. Vote 4-0 with Director Trotter absent.

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

ADJOURN TO NCSD – REGULAR MEETING

President Winn adjourned the Public Facilities Corporation at 1:49 p.m. and opened the regular meeting of the Nipomo Community Services District.

03:25:02

F. MANAGER'S REPORT

Bruce Buel, General Manager, added further information to the items presented in the Board letter.

- Mr. Buel will be speaking at the Chamber of Commerce meeting Wednesday, July 30, 2008, at 11:45 a.m.
- South County Sanitary Service will be having its Clean-Up Days September 22-26.
- The Defensible Space workshop was canceled due to lack of sign-ups.
- There are some problems with the County and the two waterline relocation projects. The Superintendent of Road requires an encroachment permit. Peter Sevcik, District Engineer, stated that the County is requiring the removal of AC pipe. Director Winn suggested that the District communicate with Public Works.

G. COMMITTEE REPORT

President Winn reviewed the list presented in the Board letter. There was no public comment.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby

- He stated that he might like to revisit the Intent-to-Serve letter policy.
- He found on the County website: Candidates for the Los Osos CSD are Marshall Ochylski,

**Nipomo Community Services District
REGULAR MEETING
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David Duggan, Maria Kelly and Burke Vanderhoef.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Vierheilig

- He stated that he will not be at the August 27, 2008 meeting.

Director Winn

- He stated that the Planning Commission will be meeting July 24, 2008. At 8:45 a.m. the Commission will consider the Santa Margarita Ranch Ag cluster. The focus will be on water issues. Then at 1:30 p.m. the Commission will consider and the EIR for Affordable Housing in support of Inclusionary Housing.
- He would like to consider the Sundale Well usage issue. The well was connected to Blacklake's water system, via intertie, to meet Title 22 and Blacklake's peaking demands.
- He asked Mr. Seitz if NCSD can have code enforcement powers. Mr. Seitz replied that the District has powers only for water, sewer, solid waste and some lighting.
- He stated that his daughter will be a C-1 in the California Conservation Corp.

ADJOURN

President Winn adjourned the meeting at 2:29 p.m.

- **THE NEXT REGULAR BOARD MEETING IS AUGUST 13, 2008.**
TENTATIVELY SCHEDULED ITEMS INCLUDE:
- Blacklake Sewer Fund Financial Report
 - Supplemental Water Capacity Charges

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

AGENDA ITEM
D-3
AUGUST 13, 2008

CANCEL REMAINDER OF LOBBY AGREEMENT

ITEM

Cancel remainder of agreement with Marlowe and Company for lobbying services [RECOMMEND ADOPTION].

BACKGROUND

Your Honorable Board placed this item on this agenda at you July 23rd Board Meeting. The agreement with Marlowe and Company does allow for NCSD to terminate services with formal notice.

RECOMMENDATION

Staff recommends that your Honorable Board order termination of the agreement and direct staff to formally notify Marlowe

ATTACHMENTS

- None

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2008\Marlow Agreement Cancel.DOC

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

**AGENDA ITEM
D-4
AUGUST 13, 2008**

RESOLUTION INCREASING DAILY LIMIT EXPOSURE OF AUTOMATIC CLEARING HOUSE
(ACH) FOR DEBIT AND CREDIT TRANSACTIONS FOR BILLING AND PAYROLL VIA
RABOBANK [RECOMMEND APPROVAL]

ITEM

Resolution increasing daily limit exposure of Automatic Clearing House (ACH) for debit and credit transactions for billing and payroll via Rabobank [RECOMMEND APPROVAL].

BACKGROUND

Nipomo Community Services District currently uses the ACH (Automatic Clearing House) feature offered by Rabobank. NCSD currently offers "Auto Pay" to its utility customers and processes payroll via ACH. The current daily limit is \$60,000.00. Due to Rabobank's new computer system Rabobank has recommended the daily limit be increased to \$120,000 to allow for the daily limit to be allocated one-half to "Auto Pay" and the other one-half to payroll and payroll taxes.

Rabobank has requested NCSD adopt the attached resolution.

RECOMMENDATION

Staff recommends that your Honorable Board approve the attached Resolution

ATTACHMENTS

- Resolution

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

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
INCREASING DAILY LIMIT EXPOSURE AUTOMATIC CLEARING HOUSE (ACH)
ORIGINATION FOR DEBIT AND CREDIT TRANSACTIONS FOR BILLING AND PAYROLL
VIA RABOBANK**

WHEREAS, the Nipomo Community Services District (herein "District") Board of Directors (herein "Board") is a local governmental agency formed and authorized to provide services within its jurisdiction, pursuant to Section 61000 et seq. of the California Government Code; and

WHEREAS, Nipomo Community Services District currently uses the Automatic Clearing House (ACH) feature offered by Rabobank to provide "Auto Pay" to its utility customers and process payroll;

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

1. The Nipomo Community Services District Board of Directors confirm continued use of Automatic Clearing House (ACH) origination for debit and credit transactions for billing and payroll via Rabobank with a daily limit exposure of \$120,000.00,
2. The following persons and their successors are authorized and directed for and on behalf of the Board of Directors to take any further action, and execute any and all other necessary documents to renew ACH with Rabobank:

Michael Winn, President	James Harrison, Vice President
Lawrence Vierheilig, Director	Clifford Trotter, Director
Ed Eby, Director	Donna Johnson, Board Secretary

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

AYES:

NOES:

ABSENT:

CONFLICTS:

the foregoing resolution is hereby passed and adopted this 13th day of August 2008.

MICHAEL WINN
President of the Board

ATTEST:

APPROVED:

DONNA K. JOHNSON
Secretary to the Board

JON S. SEITZ
District Legal Counsel