


TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: JANUARY 9, 2008

**AGENDA ITEM
C-3
JANUARY 14, 2008**

WILLOW ROAD FUNDING OPTIONS

ITEM

Paavo Ogren of SLO County Public Works re Willow Road Funding Options [NO ACTION REQUESTED].

BACKGROUND

Paavo Ogren of SLO County Public Works is scheduled to present information on the options for funding the Willow Road Extension Project.

RECOMMENDATION

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

ATTACHMENT – NONE

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TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JANUARY 9, 2009

**AGENDA ITEM
C-4
JANUARY 14, 2009**

MONTHLY ENGINEER UPDATE

ITEM

NCSD District Engineer Peter Sevcik re District Engineer Activities in December [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

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NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
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MEMORANDUM

TO: BRUCE BUEL, GENERAL MANAGER
FROM: PETER V. SEVCIK, P.E., DISTRICT ENGINEER *P.V.S.*
DATE: JANUARY 7, 2009
RE: DISTRICT ENGINEER ACTIVITIES UPDATE

- **Southland WWTF Upgrade**
 - Reviewed revised Draft Master Plan and provided comments to AECOM
 - Assisted AECOM with finalization of Preliminary Screening Evaluation of Disposal Alternatives
 - Assisted General Manager with preparation of RFP for design engineering services
- **Water and Sewer Master Plan Implementation**
 - Working with Cannon to finalize design scheme for SCADA upgrade
 - Managing development of preventative maintenance plan
 - Assisted Utility Superintendent with development of RFP for water valve services
 - Assisted Utility Superintendent with development of bid documents for interior recoating of Quad Tanks 1 and 2
 - Reviewing inspection reports for Quad Tanks 3 & 4 as well as Blacklake Tank
 - Managing standpipe mixing upgrade design
- **Santa Maria Waterline Intertie Project**
 - Reviewed draft water supply agreement and provided comments to General Manager
 - Finalized plan for pressure testing existing 12 inch waterline in Orchard Road. Working with Contractor to develop cost and schedule for conducting tests.
 - Continued to assist General Manager with project planning, environmental review, and Committee meetings
- **Willow Road Waterline Extension Phase 1 Project**
 - Met with Cal Fire to discuss locations for future fire hydrant laterals
 - Reviewed new alignment with County
 - Worked General Manager, District Counsel and County to develop reimbursement agreement for County to install water line
- **Waterline Relocation for County Drainage Project**
 - All work completed
 - Project ready to close-out

District Engineer Activities Update

January 7, 2009

Page 2

- **Sewer System Management Plan**
 - Developing Overflow Emergency Response Plan and Fats, Oils and Grease (FOG) Control Element
 - Scheduled to attend CWEA SSMP training on 1/13/2009

- **Sundale Well**
 - Reviewing preliminary design for electrification of Sundale Well
 - Evaluating cost for installing VFD and impact on generator sizing

- **Safety Program**
 - Developed Emergency Action Plan Policy
 - Scheduled to attend OSHA Compliance Training on 1/12/2009
 - Continued to monitor on-line training program for all District employees

- **Development Oversight**
 - Village at Nipomo Reimbursement Agreement – Mary Avenue waterline
 - Tract 2652 Reimbursement Agreement – Juniper sanitary sewer
 - Tract 2652 Capacity Fee Phasing
 - Tract 2689 construction
 - Roosevelt Apartments construction
 - Continued service request, plan check and project acceptance processing

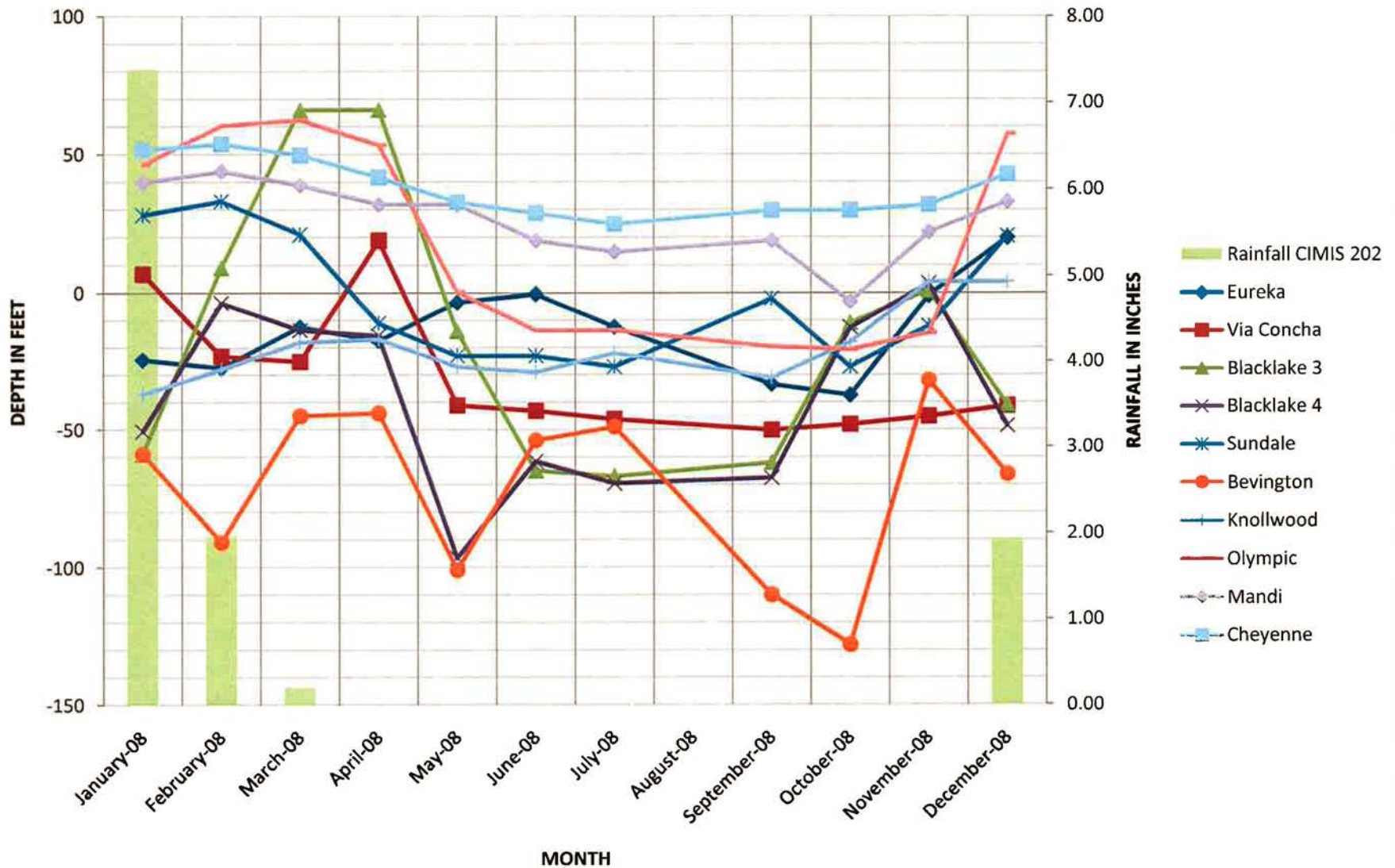
- **Other**
 - County Safe Routes to School Project - Plan Review to identify conflicts
 - Monthly production well level report and measurement investigation
 - Submitted monthly compliance reports for the water and sewer systems
 - Provided support as needed to Utility Superintendent

Attachments

NCSD Production Well Water Level and Rainfall Graph

NCSD Production Well Pumping Status at Time of Level Measurement

NCS D PRODUCTION WELL WATER LEVEL AND RAINFALL



NCS D Production Well Pumping Status

	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08
Eureka	No	No	Yes	Yes	No	No	No		Yes	Yes	No	No
Via Concha	No	No	Yes	No	Yes	Yes	No		No	No	Yes	Yes
BL #3	Yes	Yes	No	No	Yes	Yes	Yes		Yes	No	No	Yes
BL #4	Yes	Yes	No	No	Yes	Yes	Yes		Yes	No	No	Yes
Sundale	No	No	No	No	Yes	Yes	Yes		No	No	No	No
Bevington	No	No	No	No	Yes	Yes	No		Yes	Yes	No	No
Knollwood	No	No	Yes	Yes	Yes	Yes	Yes		Yes	Yes	No	No
Olympic	No	No	No	No	Yes	Yes	Yes		Yes	Yes	Yes	No
Mandi	No	No	No	No	No	No	No		No	No	No	No
Cheyene	No	No	No	No	No	No	No		No	No	No	No

Yes - Indicates well pumping at time of level measurement
 No - Indicates well not pumping at time of level measurement

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JANUARY 9, 2009



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 12/10/08 Regular Meeting
- D-3) CONFIRM 2009 MEETING SCHEDULE [RECOMMEND APPROVAL]
- D-4) CONFIRM CONFLICT OF INTEREST CODE [RECOMMEND APPROVAL]
- D-5) CONFIRM INVESTMENT POLICY [RECOMMEND APPROVAL]
- D-6) RATIFY 2009 COMMITTEE/LIASION ASSIGNMENTS [RECOMMEND APPROVAL]
- D-7) ACCEPT TEFFT/THOMPSON UTILITIES RELOCATION PROJECT [RECOMMEND APPROVAL]
- D-8) AMEND FY08-09 BUDGET AND TRANSFER RESERVES RE NEW LITIGATION [ADOPT RESOLUTION]
- D-9) AUTHORIZE EXECUTION OF AMENDMENT TO WATERLINE INTERTIE PROJECT FINAL DESIGN AGREEMENT TO ADD DESIGN OF FRONTAGE SEWER COLLECTION MAIN [AUTHORIZE EXECUTION OF AMENDMENT]
- D-10) APPROVE PARTICIPATION IN PREPARATION OF NMMA ANNUAL REPORT BY TECHNICAL GROUP [APPROVE PARTICIPATION]
- D-11) AUTHORIZE DIRECTOR TRAVEL TO WASHINGTON DC [RECOMMEND APPROVAL]

TO: BOARD OF DIRECTORS
 FROM: BRUCE BUEL
 DATE: JANUARY 9, 2009

**AGENDA ITEM
 D-1
 JANUARY 14, 2009**

**TOTAL COMPUTER
 CHECKS
 \$ 514,631.17**

HAND WRITTEN CHECKS

12-07-08	19852	POSTMASTER	273.00
12-15-08	19853	DENNIS WASH	276.50
12-15-08	19854	E EBY	100.00
12-15-08	19855	C TROTTER	100.00

VOID
 15870

COMPUTER GENERATED CHECKS

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
015906	12/19/08	ABA01	ABALONE COAST BACTERIOLOG	20.00	.00	20.00	08-2503	BL WWTF LAB
				120.00	.00	120.00	08-2513	WATER SAMPLES
				20.00	.00	20.00	08-2514	BL WWTF LAB
				176.00	.00	176.00	08-2522	TOWN WWTF LAB
				20.00	.00	20.00	08-2523	BL WWTF LAB
				20.00	.00	20.00	08-2535	BL WWTF LAB
				20.00	.00	20.00	08-2546	BL WWTF LAB
				20.00	.00	20.00	08-2558	BL WWTF LAB
				20.00	.00	20.00	08-2574	BL WWTF LAB
			Check Total.....	436.00	.00	436.00		
015907	12/19/08	AME03	AMERI PRIDE	65.75	.00	65.75	1000148	UNIFORMS ETC
				119.41	.00	119.41	F647070	UNIFORMS ETC
				141.12	.00	141.12	F652618	UNIFORMS ETC
			Check Total.....	326.28	.00	326.28		
015908	12/19/08	ATT01	AT&T/MCI	185.41	.00	185.41	364274	PHONE
015909	12/19/08	BRE02	BRENNTAG PACIFIC INC.	527.21	.00	527.21	BPI853731	CHLORINE
				660.19	.00	660.19	BPI853732	CHLORINE
			Check Total.....	1187.40	.00	1187.40		
015910	12/19/08	BRI01	BRISCO'S	198.01	.00	198.01	139731	SUPPLIES
015911	12/19/08	BUN01	BUNYON BROS TREE SERVICE	650.00	.00	650.00	P O 1236	BRANCH TRIMMED AT EUREKA
015912	12/19/08	CLA02	CLAY'S SEPTIC & JETTING	430.00	.00	430.00	37864	JETTING JASMINE
				175.00	.00	175.00	37899	JETTING JASMINE
			Check Total.....	605.00	.00	605.00		
015913	12/19/08	CLE06	CLEVER DUCKS	1740.00	.00	1740.00	6831	COMPUTER SERVICE
				287.00	.00	287.00	6921	COMPUTER SERVICE
			Check Total.....	2027.00	.00	2027.00		
015914	12/19/08	COR01	CORBIN WILLITS SYSTEMS	65.00	.00	65.00	A81130	BILLING SUPPORT
015915	12/19/08	DAV02	DAVE'S TREE SERVICE	375.00	.00	375.00	2464	RETAKE AND TRIM TREES
015916	12/19/08	DEL03	DENNIS DELZEIT	1098.00	.00	1098.00	11-08	PREVENTIVE MAINT PROGRAM
015917	12/19/08	ELE02	ELEMENTS	62.50	.00	62.50	201986	COMPUTER
015918	12/19/08	FGL01	FGL ENVIRONMENTAL	212.00	.00	212.00	812541A	TOWN WWTF LAB
				81.00	.00	81.00	812542A	BL WWTF LAB
				212.00	.00	212.00	812755A	TOWN WWTF LAB
				56.00	.00	56.00	812757A	BL WWTF LAB
				56.00	.00	56.00	813033A	BL WWTF LAB
				212.00	.00	212.00	813034A	TOWN WWTF LAB
			Check Total.....	829.00	.00	829.00		
015919	12/19/08	FLU01	FLUID RESOURCE MANAGEMENT	2305.22	.00	2305.22	4670	HILL STREET MANHOLES
				1303.00	.00	1303.00	4823	REMOTE GREASING
			Check Total.....	3608.22	.00	3608.22		
015920	12/19/08	GAS02	GAS COMPANY, THE	6452.90	.00	6452.90	120108	SUNDALE WELL GAS

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JANUARY 9, 2009**

**AGENDA ITEM
D-1
JANUARY 14, 2009
PAGE TWO**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
015921	12/19/08	HAC01	HACH COMPANY	295.17 96.53	.00 .00	295.17 96.53	6015779 6021213	LAB SUPPLIES LAB SUPPLIES
			Check Total.....:	391.70	.00	391.70		
015922	12/19/08	HAY01	HAYES ADVANCED DESIGN	2500.00	.00	2500.00	501778	REPAIR ASPHALT AT SHELTER
015923	12/19/08	IRR01	IRRIGATION ASSOCIATION	125.00	.00	125.00	722032009	MEMBERSHIP
015924	12/19/08	ISE01	ISEC, INCORPORATED	3995.00	.00	3995.00	08-02	FLOORING FOR LAB
015925	12/19/08	JOB01	JOBS AVAILABLE INC	472.50	.00	472.50	826031A	EMPLOYMENT AD
015926	12/19/08	LIN02	LINC DELIVERY	187.00	.00	187.00	50542+	LAB DELIVERY
015927	12/19/08	MOR02	MORE OFFICE SOLUTIONS	419.12	.00	419.12	456838	COPIER MAINTENANCE
015928	12/19/08	MOT01	MOTLEY, RICK	26.67	.00	26.67	120508	SUPPLIES
015929	12/19/08	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	70756	PEST CONTROL
015929	12/19/08	NUT01	NU TECH PEST MGMT	49.00	.00	49.00	70757	PEST CONTROL
			Check Total.....:	314.00	.00	314.00		
015930	12/19/08	QUI03	QUINN RENTAL SERVICES	857.53 -857.53	.00 .00	857.53 -857.53	33-3975 33-3975u	TRACTOR REPAIR Ck# 015930 Reversed
			Check Total.....:	.00	.00	.00		
015931	12/19/08	RAB01	RABOBANK	4.80 9.50 25.00 80.76	.00 .00 .00 .00	4.80 9.50 25.00 80.76	121708A 121708B 121708C 121708D	POSTAGE BD MEETING SUPPLIES NOTICE OF EXEMPT FEE SUPPLIES
			Check Total.....:	120.06	.00	120.06		
015932	12/19/08	ROC01	ROCKHURST UNIVERSITY	199.00	.00	199.00	401008420	SAFETY SUPPLIES
015933	12/19/08	SAN04	SANTA MARIA TIMES	613.64 335.79	.00 .00	613.64 335.79	107858 109465	BL SEWER NOTICE ORDINANCNE 2008-110
			Check Total.....:	949.43	.00	949.43		
015934	12/19/08	SAN09	SAN LOUIS MAILING SERVICE	49.62 108.17 205.38 619.37	.00 .00 .00 .00	49.62 108.17 205.38 619.37	33752 33761 33752P 33761P	MAILING SECOND NOTICE 4- MAILING BILLS 1-3 8 POSTAGE SECOND NOTICE POSTAGE FOR BILLS 1-3 8
			Check Total.....:	982.54	.00	982.54		
015935	12/19/08	SPE01	SPECIAL DISTRICT RISK	5694.00	.00	5694.00	27536	WC INSURANCE 3RD QTR
015936	12/19/08	STA07	SRF ACCOUNTING OFFICE	2529.00	.00	2529.00	0813486	BIOSOLIDS PERMIT
015937	12/19/08	TAF01	TAFT ELECTRIC	830.41	.00	830.41	30382GG	CIRCUIT FOR COPIER
015938	12/19/08	TIT01	TITAN INDUSTRIAL & SAFETY	723.90 246.68 126.02	.00 .00 .00	723.90 246.68 126.02	1031357 1031383 1031475	SUPPLIES SUPPLIES SUPPLIES
			Check Total.....:	1096.60	.00	1096.60		
015939	12/19/08	USA01	USA BLUEBOOK	244.59 57.47	.00 .00	244.59 57.47	717323 718148	LAB SUPPLIES LAB SUPPLIES
			Check Total.....:	302.06	.00	302.06		
015940	12/19/08	WM002	WELLS FARGO BANK ,	26.76	.00	26.76	000A81201	MQ CUSTOMER REFUND FOR MO
15865	12/12/08	EMP01	EMPLOYMENT DEVELOP DEPT	951.40	.00	951.40	A81208	STATE INCOME TAX
15866	12/12/08	MID01	MIDSTATE BANK-PR TAX DEP	3306.23 914.94	.00 .00	3306.23 914.94	A81208 1A81208	FEDERAL INCOME TAX MEDICARE (FICA)
			Check Total.....:	4221.17	.00	4221.17		
15867	12/12/08	MID02	MIDSTATE BANK - DIRECT DP	24857.64	.00	24857.64	A81208	NET PAY
15868	12/12/08	PER01	PERS RETIREMENT	7031.19	.00	7031.19	A81208	PERS PAYROLL REMITTANCE
15869	12/12/08	STA01	STATE STREET GLOBAL	1380.00	.00	1380.00	A81208	457 DEFERRED COMP
15941	12/26/08	EMP01	EMPLOYMENT DEVELOP DEPT	993.89	.00	993.89	A81222	STATE INCOME TAX
15942	12/26/08	MID01	MIDSTATE BANK-PR TAX DEP	3445.21	.00	3445.21	A81222	FEDERAL INCOME TAX
			Check Total.....:	4358.47	.00	4358.47		

Copy of document found at www.NoNewTaxes.com

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JANUARY 9, 2009**

**AGENDA ITEM
D-1
JANUARY 14, 2009
PAGE THREE**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
15943	12/26/08	MID02	MIDSTATE BANK - DIRECT DP	25600.64	.00	25600.64	A81222	NET PAY
15944	12/26/08	PER01	PERS RETIREMENT	7885.04	.00	7885.04	A81222	PERS PAYROLL REMITTANCE
15945	12/26/08	STA01	STATE STREET GLOBAL	780.00	.00	780.00	A81222	457 DEFERRED COMP
15946	01/09/09	EMP01	EMPLOYMENT DEVELOP DEPT	953.74	.00	953.74	A90106	STATE INCOME TAX
15947	01/09/09	MID01	MIDSTATE BANK-PR TAX DEP	3312.23	.00	3312.23	A90106	FEDERAL INCOME TAX
				850.00	.00	850.00	1A90106	MEDICARE (FICA)
			Check Total.....:	4162.23	.00	4162.23		
15948	01/09/09	MID02	MIDSTATE BANK - DIRECT DP	25004.90	.00	25004.90	A90106	NET PAY
15949	01/09/09	PER01	PERS RETIREMENT	7885.04	.00	7885.04	A90106	PERS PAYROLL REMITTANCE
15950	01/09/09	STA01	STATE STREET GLOBAL	1430.00	.00	1430.00	A90106	457 DEFERRED COMP
015951	01/14/09	ABA01	ABALONE COAST BACTERIOLOG	120.00	.00	120.00	08-2573	WATER SAMPLES
				20.00	.00	20.00	08-2586	BL WWTF LAB
				20.00	.00	20.00	08-2595	BL WWTF LAB
				176.00	.00	176.00	08-2596	LAB TEST-SOUTHLAND WWTF
				20.00	.00	20.00	08-2607	BL WWTF LAB
				20.00	.00	20.00	08-2616	LAB TEST-BL WWTF
				120.00	.00	120.00	08-2627	LAB TEST-WATER SUPPLY
				20.00	.00	20.00	08-2628	LAB TEST-BLWWTF
				20.00	.00	20.00	08-2638	LAB TEST-BL WWTF
				176.00	.00	176.00	08-2639	LAB TEST-SOUTHLAND WWTF
				20.00	.00	20.00	08-2649	LAB TEST-BL WWTF
				20.00	.00	20.00	08-2662	LAB TEST-BL WWTF
				20.00	.00	20.00	08-2675	BL WWTF LAB
				120.00	.00	120.00	08-2686	WATER SAMPLES
				20.00	.00	20.00	08-2687	BL WWTF LAB
				20.00	.00	20.00	08-2697	BL WWTF LAB
				176.00	.00	176.00	08-2698	TOWN WWTF LAB
				20.00	.00	20.00	08-2714	BL WWTF LAB
				120.00	.00	120.00	08-2730	WATER SAMPLES
				20.00	.00	20.00	08-2731	BL WWTF LAB
				20.00	.00	20.00	08-2742	BL WWTF LAB
				176.00	.00	176.00	08-2743	TOWN WWTF LAB
				19.80	.00	19.80	08-2255B	LAB TEST
			Check Total.....:	1483.80	.00	1483.80		
015952	01/14/09	ADV01	ADVANTAGE ANSWERING PLUS	140.90	.00	140.90	100729	ANSWERING SERVICE
015953	01/14/09	ALX01	ALEXANDER'S CONTRACT SERV	3136.65	.00	3136.65	12290012	METER READS
015954	01/14/09	AME03	AMERI PRIDE	120.89	.00	120.89	F658220	UNIFORMS ETC
				120.89	.00	120.89	F663672	UNIFORMS
				120.89	.00	120.89	F669190	UNIFORMS ETC
			Check Total.....:	362.67	.00	362.67		
015955	01/14/09	ATT01	AT&T/MCI	145.41	.00	145.41	385152	PHONE
				20.92	.00	20.92	385405	PHONE
				142.87	.00	142.87	385476	PHONE
			Check Total.....:	309.20	.00	309.20		
015956	01/14/09	BER01	BERCHTOLD EQUIPMENT CO	400.00	.00	400.00	SJ06937+	REPAIRS
015957	01/14/09	BH101	BHI MANAGEMENT CONSULTING	1999.11	.00	1999.11	A90105	STRATEGIC PLAN
015958	01/14/09	BOY01	BOYLE ENGINEERING CORP	11938.05	.00	11938.05	61745	SOUTHLAND DISPOAL PLANNIN
				977.40	.00	977.40	61747	PRESSURE TESTING-ORCHARD
				502.20	.00	502.20	61749	PCI TRACT 2690
				28.35	.00	28.35	61750	PCI FOR TRACT 2642
				652.05	.00	652.05	61751	PCI FOR VILLAGIO MARKET
				115615.56	.00	115615.56	61804	WATERLINE INTERTIE PROJEC
				1520.10	.00	1520.10	60983A	PCI TRACT 2642
				83.80	.00	83.80	61749A	PCI FOR GLOBAL PREMIER RO
				5595.75	.00	5595.75	61749B	PCI TRACT 2690
				1047.50	.00	1047.50	61749AB	PCI FOR GLOBAL PREMIER
			Check Total.....:	137960.76	.00	137960.76		
015959	01/14/09	BRE02	BRENNTAG PACIFIC INC.	509.48	.00	509.48	BPI859920	CHLORINE
				695.65	.00	695.65	BPI859921	CHLORINE
			Check Total.....:	1205.13	.00	1205.13		
015960	01/14/09	BRI01	BRISCO'S	24.13	.00	24.13	139831	SUPPLIES
015961	01/14/09	BUE01	BUEL, BRUCE	417.00	.00	417.00	A90105	REIMBURSEMENT-CSDA FINAN

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JANUARY 9, 2009**

**AGENDA ITEM
D-1
JANUARY 14, 2009
PAGE FOUR**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
015962	01/14/09	CAL16	CALPERS	330.00	.00	330.00	A90109	SURVIVOR BENEFIT ANNUAL P
015963	01/14/09	CAN02	CANNON ASSOCIATES	1310.00 3469.77 12982.63 3651.94 270.00 212.13 225.00 594.38 1962.50 972.50	.00 .00 .00 .00 .00 .00 .00 .00 .00 .00	1310.00 3469.77 12982.63 3651.94 270.00 212.13 225.00 594.38 1962.50 972.50	45050 45181 45182 45255 45256 45257 45258 45259 45260 45261	SCADA FOR EUREKA WATERLINE RELOCATION WILLOW RD WATERLINE EXT ACCES POINT AT QUAD TANK OFFICE SCADA RADIO ENCLOS EUREKA WELL NUISANCE ALAR SOUTHRLAND LS TRANSDUCER TEMP IPAC CONNECTION SUP SCADA SOFTWARE UPGRADE SUNDALE ELECTRIFICATION
			Check Total.....:	25650.85	.00	25650.85		
015964	01/14/09	CHE01	CHEVRON & TEXACO BUSINESS	1289.81	.00	1289.81	15854458	GASOLINE DECEMBER
015965	01/14/09	CHR01	CHRISTIANSON CHEVROLET	36.98	.00	36.98	25377	SUPPLIES
015966	01/14/09	COR01	CORBIN WILLITS SYSTEMS	65.00 745.83	.00 .00	65.00 745.83	A81215 A812151	PRINTER SET UP MONTHLY SERVICE AGREEMENT
			Check Total.....:	810.83	.00	810.83		
015967	01/14/09	CWE01	CWEA	122.00	.00	122.00	A90105	GRIETENS CERTIFICATE RENE
015968	01/14/09	DEP03	DEPT OF HEALTH SERVICES	60.00	.00	60.00	A90105	GERMAN GRADE 2
015969	01/14/09	DES01	DESIGN PROS	588.90	.00	588.90	42	CONSERVATION BROCHURES
015970	01/14/09	DWI01	DWIGHT'S AUTOMOTIVE	100.10	.00	100.10	39704	2000 TRUCK SERVICE
015971	01/14/09	EBY01	EBY, ED	100.00	.00	100.00	011409	BOARD MEETING 1/14/09
015972	01/14/09	ELE02	ELEMENTS	1140.00	.00	1140.00	202015	COMPUTER SUPPORT
015973	01/14/09	EMP01	EMPLOYMENT DEVELOP DEPT	207.84	.00	207.84	123108	SUI/ETT 4TH QTR 12/31/08
015974	01/14/09	ENV01	ENVIRONMENTAL EQUIP ENG	19097.96	.00	19097.96	3750	2 FLOATING AERATORS
015975	01/14/09	FAR01	FARM SUPPLY COMPANY	150.84 56.02	.00 .00	150.84 56.02	874528 883363	SUPPLIES SUPPLIES
			Check Total.....:	206.86	.00	206.86		
015976	01/14/09	FAR02	FAR WEST EXPRESS	26.00	.00	26.00	E14680+	DELIVERY
015977	01/14/09	FED01	FED EX	40.86	.00	40.86	902256743	MAIL TO ST CLR HOUSE
015978	01/14/09	FGL01	FGL ENVIRONMENTAL	81.00 56.00 212.00 212.00 56.00 81.00 187.00	.00 .00 .00 .00 .00 .00 .00	81.00 56.00 212.00 212.00 56.00 81.00 187.00	813216A 813558A 813559A 813776A 813777A 814013A 814014A	BL WWTF LAB LAB TEST-BL WWTP LAB TEST-NIPOMO WWTP TOWN WWTF LAB LAB TEST-BL WWTP LAB TEST-BL WWTP LAB TEST-SOUTHLAND WWTF
			Check Total.....:	885.00	.00	885.00		
015979	01/14/09	FUG01	FUGRO WEST, INC.	1020.00	.00	1020.00	3596-0014	SOUTHLAND WWTF DISCHARGE
015980	01/14/09	GAS02	GAS COMPANY, THE	50.00	.00	50.00	123108	GAS ENGINE 08619205712
015981	01/14/09	GIL01	GLM, INC.	320.00	.00	320.00	123108A	LANDSCAPE MAINT
015982	01/14/09	GRO01	GROENIGER & CO	1220.64	.00	1220.64	11006100	SUPPLIES
015983	01/14/09	GWA01	GWA INC	85.00 53.00 85.00	.00 .00 .00	85.00 53.00 85.00	7101 JAN 40101 JAN 62101 JAN	ALARM-SHOP OFFICE ALARM-OFFICE ALARM-SHOP
			Check Total.....:	223.00	.00	223.00		
015984	01/14/09	HAM02	HAMNER JEWELL & ASSOCIATE	450.00	.00	450.00	4262	PROPERTY NEGOTIATIONS
015985	01/14/09	HAR02	HARRISON, JAMES	100.00	.00	100.00	011409	BOARD MEETING 1/14/09
015986	01/14/09	HAR04	HARPER & ASSOCIATES ENG I	9950.00 800.00	.00 .00	9950.00 800.00	ENG3879 ENG3880	UNDERWATER INSP - TANKS ENG SVS 500,000 GAL TANKS
			Check Total.....:	10750.00	.00	10750.00		
015987	01/14/09	HAY01	HAYES ADVANCED DESIGN	2808.00	.00	2808.00	501780-2	ASPHALT REPAIR - THOMPSON
015988	01/14/09	IMPO3	IMPACT ABSORBENT TECHNOLO	160.47	.00	160.47	24922	SUPPLIES
015989	01/14/09	IRO01	IRON MOUNTAIN RECORDS MGR	26.86	.00	26.86	8565165	SHREDDING

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JANUARY 9, 2009**

**AGENDA ITEM
D-1
JANUARY 14, 2009
PAGE FIVE**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
015990	01/14/09	JOB01	JOBS AVAILABLE INC	262.50	.00	262.50	902028	EMPLOYMENT AD
015991	01/14/09	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	43543	LANDSCAPE MAINT FOR TR 24
015992	01/14/09	LIN01	LINE-X OF SANTA MARIA	838.88	.00	838.88	5401 & 29	BED LINERS FOR TRUCKS
015993	01/14/09	LIN02	LINC DELIVERY	231.00	.00	231.00	47850+	DELIVERY TO LAB
015994	01/14/09	MOT01	MOTLEY, RICK	62.80	.00	62.80	A90105	REIMBURSEMENT FOR FUEL
015995	01/14/09	MUL01	MULLAHEY FORD	14703.13	.00	14703.13	A90105	2009 FORD F150
				19471.46	.00	19471.46	A9010609	2009 FORD TRUCK
			Check Total.....	34174.59	.00	34174.59		
015996	01/14/09	NEX01	NEXTEL COMMUNICATIONS	317.60	.00	317.60	87314085	CELL PHONES
015997	01/14/09	NIP08	NIPOMO CSD	342.27	.00	342.27	011009	LANDSCAPE WATER TR 2409
015998	01/14/09	OFF01	OFFICE DEPOT	47.50	.00	47.50	457103995	SUPPLIES
015999	01/14/09	PER05	PERFORMANCE METER, INC	3523.16	.00	3523.16	15110	FIRE HYDRANT METER
016000	01/14/09	PGE01	P G & E	30014.32	.00	30014.32	DEC 2008	ELECTRICITY
016001	01/14/09	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	182	JANITORIAL SERVICE-DEC
016002	01/14/09	QUI04	QUINN POWER SYSTEMS	857.53	.00	857.53	3975	TROUBLESHOOT
				1142.81	.00	1142.81	3995	GENERATOR REPAIR
			Check Total.....	2000.34	.00	2000.34		
016003	01/14/09	RBA01	R BAKER, INC	16735.52	.00	16735.52	0810-3302	VALVE REPLACEMENT THOMPSON
				5746.97	.00	5746.97	0811-3371	WATER SERVICE POMEROY RD
			Check Total.....	22482.49	.00	22482.49		
016004	01/14/09	REL01	RELIABLE	57.54	.00	57.54	385800	OFFICE SUPPLIES
016005	01/14/09	RIC01	RICHARDS, WATSON, GERSHON	3979.92	.00	3979.92	162274	GROUNDWATER LITIGATION
016006	01/14/09	SAI01	SAIC	18850.00	.00	18850.00	593512	NMMA TECHNICAL GROUP
				1186.45	.00	1186.45	910027	GENERAL CONSULTATION
				5355.16	.00	5355.16	910028	GENERAL CONSULTATION
			Check Total.....	25391.61	.00	25391.61		
016007	01/14/09	SAN04	SANTA MARIA TIMES	250.72	.00	250.72	1042047	CONSERVATION ADS
016008	01/14/09	SAN09	SAN LUIS MAILING SERVICE	43.47	.00	43.47	33829A	MAILING SECOND NOTICE
				129.36	.00	129.36	33829B	POSTAGE SECOND NOTICE
			Check Total.....	172.83	.00	172.83		
016009	01/14/09	SEC01	SECRETARY OF STATE	20.00	.00	20.00	C2503088	STATEMENT OF INFORMATION-
016010	01/14/09	SEV01	SEVCIK, PETER	26.91	.00	26.91	122308	MILEAGE REIMBURSEMENT
				22.29	.00	22.29	A90105	REIMBURSEMENT-ASCE
			Check Total.....	49.20	.00	49.20		
016011	01/14/09	SLO02	DIV OF ENVIRON HEALTH	220.00	.00	220.00	61557	BL WWTF HAZARDOUS MATERIA
016012	01/14/09	SLO03	SAN LUIS OBISPO RECORDER	483.43	.00	483.43	A90105	CONSOLIDATED GENERAL ELEC
016013	01/14/09	SLO07	SLO CSDA CHAPTER	160.00	.00	160.00	A90105	ETHICS SEMINAR-4 ENROLLEE
016014	01/14/09	SOU01	SOUTH COUNTY SANITARY	34.92	.00	34.92	2411529	TRASH COLLECTION
				169.12	.00	169.12	2413046	OLDE TOWNE TRASH COLLECTI
			Check Total.....	204.04	.00	204.04		
016015	01/14/09	SOU03	SOUTH COUNTY SANITARY	3347.78	.00	3347.78	DEC 2008	SOLID WASTE TAX LIENS
016016	01/14/09	STA03	STATEWIDE SAFETY & SIGNS	39.90	.00	39.90	57279	BLUE MARKING PAINT
016017	01/14/09	TES01	TESCO CONTROLS, INC.	85.00	.00	85.00	40482	SUPPLIES FOR LFT STN
016018	01/14/09	THE01	THE GAS COMPANY	11.57	.00	11.57	122308	HEAT-SOUTHLAND
				51.86	.00	51.86	A90105	GAS HEAT-OFFICE
			Check Total.....	63.43	.00	63.43		

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JANUARY 9, 2009**

**AGENDA ITEM
D-1
JANUARY 14, 2009
PAGE SIX**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
016019	01/14/09	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	011409	BOARD MEETING 1/14/09
016020	01/14/09	TRO03	TROESH RECYCLING, INC.	422.22	.00	422.22	10935	RECYCLED CLASS 2 BASE
016021	01/14/09	USB02	U S BANK	799.55	.00	799.55	1	PLAN FILE CABINET
				428.17	.00	428.17	2	SUPPLIES
				49.05	.00	49.05	3	OPERATING SUPPLIES
				256.87	.00	256.87	4	TRAVEL REIMBURSEMENT
				1372.00	.00	1372.00	5	WIRE ROPE-SEWER PLANT
				800.00	.00	800.00	6	SEMINAR
				257.95	.00	257.95	7	CWEA DUES
		Check Total.....:	3963.59	.00	3963.59			
016022	01/14/09	USPO2	U.S. POSTAL SERVICE (CMRS	500.00	.00	500.00	A90107	POSTAGE FOR MACHINE
016023	01/14/09	VER01	VERIZON	34.61	.00	34.61	A90105	TELEPHONE
016024	01/14/09	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	011409	BOARD MEETING 1/14/09
016025	01/14/09	WAL01	WALLACE GROUP	710.50	.00	710.50	26858	SEWER SYSTEM MANAGEMENT P
				2294.79	.00	2294.79	26919	ASSESSMENT DISTRICT
		Check Total.....:	3005.29	.00	3005.29			
016026	01/14/09	WIN01	WINN, MICHAEL	100.00	.00	100.00	011409	BOARD MEETING 1/14/09
016027	01/14/09	WOO01	DOUGLAS WOOD & ASSOCIATES	725.00	.00	725.00	010109-3	SOUTHLAND WWTF IMP
				3969.38	.00	3969.38	010109-9	WATERLINE INTERTIE

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 43 - Years of Service 1965 - 2008

DRAFT MINUTES

DECEMBER 10, 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, **ASST. 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

A1. CALL TO ORDER AND FLAG SALUTE

President Winn called the meeting to order and led the flag salute.

A2. ADMINISTER OATH OF OFFICE FOR MICHAEL WINN AND ED EBY

Bruce Buel, General Manager, administered the Oath of Office for Michael Winn and Ed Eby.

00:02:12

B. ROLL CALL

At Roll Call, all directors were present.

00:02:45

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) COMMANDER BRIAN HASCALL OF SLO COUNTY SHERIFF'S OFFICE

Commander Brian Hascall gave an update of the Sheriff's Department activities on the Nipomo Mesa. There was a burglary in the 100 block of Leaf Street on November 20th between 6:30 p.m. and 5:30 a.m.

A purse was stolen from a car parked at Jocko's Restaurant on Nov. 30th. The suspect was caught and the goods returned to the owner.

On November 17th a package delivered by UPS containing a DVD player worth \$150 was stolen from the front door of a home on Golden Hawk Lane.

There are check-mailing scams active now. A check is mailed saying you won the Canadian lottery and you need to send \$4,000 to claim your millions.

The Board thanked Commander Hascall for his report.

C-2) BATTALION CHIEF BILL FISHER OF CAL FIRE

Update re: Cal Fire Activities on the Nipomo Mesa

Battalion Chief Bill Fisher reviewed the Activity Report for September:

The fire season was officially closed December 8th.

Nipomo Station 20 had a total of 111 calls: 11 fires, 10 vehicle accidents, 67 medical aids and 23 other calls.

Mesa Station 22 had a total of 54 calls: 7 fires, 6 vehicle accidents, 40 medical aids and 2 other calls.

Firefighters drilled with Conoco Philips for a second time on November 11.

The Board thanked Chief Fisher for his report.

C-3) BRAD NEWTON OF SAIC

Presentation re Fall NMMA Groundwater Storage Calculation

Bruce Buel, General Manager, announced that the Technical Group has not reviewed the information to be presented by Dr. Newton.

Dr. Brad Newton of Science Applications International Corporation (SAIC) presented information to the Board and public concerning the Nipomo Mesa Management Area groundwater storage. A handout titled "Rainfall Variability across the Nipomo Mesa" was given to the Board and made available to the public. (A copy is available for viewing in the District office.)

The Fall groundwater storage reading showed 1-10 feet below mean sea level near Highway 1 and Blacklake Canyon Road.

Dr. Newton answered questions from the Board. The chart on the handout showed quite a variation in rainfall amounts in different parts of the Mesa. He stated that the rainfall reporting accuracy does not affect the groundwater storage measurements.

The Board thanked Dr. Newton for the report.

C-4) DISTRICT ENGINEER PETER SEVCIK

Update re: District Engineer Activities

Peter Sevcik, District Engineer, reviewed the information presented in the Board letter outline of District Engineer activities for November 2008.

- Southland Wastewater Treatment Facility Upgrade
- Water and Sewer Master Plan Implementation
- Santa Maria Waterline Intertie Project
- Willow Road Waterline Extension Phase 1 Project
- Waterline Relocation for County Drainage Project
- Sewer System Management Plan
- Sundale Well
- Safety Program
- Development Plan Review
- Well reports, compliance reports, etc.

Mr. Sevcik included two attachments in his report – "NCSD Production Well Water Level and Rainfall" and "NCSD Production Well Pumping Status at Time of Level Measurement".

Director Trotter asked about seismic protection at the standpipe. Mr. Sevcik answered that it staff is evaluating the tank's structural integrity.

He explained about meeting with SLO County representatives coordinating the Willow Road extension and relocating NCSD's waterline.

Mr. Sevcik answered questions from Director Eby about well measurement timing and recovery time.

The Board thanked Mr. Sevcik for his report.

C-5) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST
 Receive Announcements from Directors Items of District & Community Interest

Director Harrison

Olde Towne luncheon – December 11, 2008
 Fire Safe Council - December 11, 2008

Director Eby

LAFCo December 18th meeting has been canceled.

Santa Margarita Ranch project findings are posted on the web.

The findings for overriding consideration as a benefit to the community are: 1) the project will create jobs during construction, and 2) it will add 111 residences to the community.

Director Vierheilg

Nipomo Chamber of Commerce End-of-the-Year Mixer will be December 10, 2008 at 5:30 pm in the CVS parking lot area.

Director Winn

The SLO County Board of Supervisors met December 9, 2008. Item C-5 had two ordinances that were passed without a second reading. The BoS intends to enable affordable housing in Nipomo regardless of the LOS III status. It will be discussed in the NCSD Closed Session today if findings are met.

Monday, December 15, 2008, South County Advisory Council Land Use will be meeting at 9:00 a.m. and the Advisory Council will be meeting at 6:30 p.m. in the District boardroom.

Tuesday, December 16, 2008, the SLO County Board of Supervisors – appeal for the Santa Margarita Ranch ag cluster EIR.

Monday, January 7, 2009, Water Resources Advisory Committee will meet at San Luis Obispo City Hall at 1:30 pm. The three main issues to be discussed will be 1) Resource Management System (water supply, water system, and wastewater treatment) 2) Laetitia ag cluster and 3) an update for Conservation and Open Space Element and the Level of Severity III.

C-6) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

John Snyder, Nipomo resident – stated that NCSD should adopt well measurement standards. He suggested a rain gauge CIMIS station at the wastewater treatment facility. He stated that the County does not have focus to run a CIMIS gauge. He is encouraged about the information provided in the SCADA data. NCSD should encourage Golden State to do the same with their wells.

01:27:11

D. CONSENT AGENDA

Director Eby asked to pull Item D-4 for separate consideration.

Director Vierheilg asked to pull Items D-5 & D-6 for separate consideration.

D-1) APPROVE WARRANTS

D-2) APPROVE BOARD MEETING MINUTES

Approve Minutes of 11/26/08 Regular Meeting

**Nipomo Community Services District
REGULAR MEETING
DRAFT MINUTES**

- D-3) CONFIRM CANCELLATION OF 12/24/08 MEETING
- D-7) AUTHORIZE NEGOTIATION OF AGREEMENT WITH COUNTY OF SAN LUIS OBISPO REGARDING APPLICATION FOR STATE GRANT FUNDING FOR WATERLINE INTERTIE PROJECT
- D-8) AUTHORIZE ADDITIONAL HIGH EFFICIENCY WASHER REBATES

Mr. Buel explained some items on the Warrants in response to Board questions. Upon motion by Director Harrison and seconded by Director Eby, the Board unanimously approved Items D-1, 2, 3, 7, and 8 of the Consent Agenda. There was no public comment. Vote 5-0.

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

D-5) AMEND PERSONNEL POLICY DESIGNATING CERTAIN POSITIONS WITH SENSITIVE POSITION DESIGNATION

The Board discussed Item D-5. Director Vierheilg stated that during the initial discussion of the proposed resolution, he had requested the words "and drug testing" in two places within 2000 Section 4 Paragraphs 6 & 7 "Pre-Employment Physical Examination" be deleted.

**RESOLUTION NO. 2008-1112
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING THE DISTRICT PERSONNEL POLICY
FOR SENSITIVE POSITIONS**

D-6) ADOPT AGREEMENT WITH COUNTY REVISING ZONE 1A SEWER CONTRIBUTION CAPACITY RE LATHROP DEVELOPMENT

The Board discussed the item. Director Eby asked that the Intent-to-Serve letter be marked as a "sample".

Upon motion by Director Vierheilg and seconded by Director Eby, the Board unanimously approved Items D-5 & D-6, as amended. There was no public comment. Vote 5-0.

**RESOLUTION NO. 2008-1113
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING AMENDMENT NO. 4 TO THE SERVICE AGREEMENT BETWEEN
SAN LUIS OBISPO COUNTY AND NIPOMO COMMUNITY SERVICES DISTRICT
FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE
OF THE NIPOMO SEWERAGE PROJECT**

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

Nipomo Community Services District
REGULAR MEETING
DRAFT MINUTES

D-4) RATIFY STAFF'S RESPONSES TO LAFCO SPHERE OF INFLUENCE QUESTIONNAIRE

Director Eby asked about the drafted answers on the LAFCo Sphere of Influence Update Questionnaire to be sent to LAFCo. After much discussion, the Board agreed to come back to this item after the General Manager restructures one of the answers. Upon motion by Director Vierheilig and seconded by Director Eby, the Board unanimously agreed to table Item D-4 until the afternoon portion of this meeting.

05:24:26

After the Closed Session break, the Board resumed discussing Item D-4. The Board discussed and edited some of the answers on the questionnaire. Upon motion by Director Vierheilig and seconded by Director Harrison, the Board unanimously approved the submittal of the questionnaire, as edited. There was no public comment. Vote 5-0.

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

The Board considered Item E-9 next.

E. ADMINISTRATIVE ITEMS

The Board took a break at 10:55 a.m. and returned at 11:07 a.m.

01:50:16

E-1) CONDUCT BLACKLAKE SEWER RATE INCREASE PROTEST HEARING, DETERMINE SUFFICIENCY OF PROTEST, AND, IF THERE IS NOT A MAJORITY PROTEST, SET 1/14/09 TO CONSIDER RESOLUTION IMPLEMENTING THE RATE INCREASE [DETERMINE SUFFICIENCY & SET HEARING]

Bruce Buel, General Manager, explained that on October 8, 2008, the Board tentatively adopted the Financial Plan, set a Public Hearing, and directed staff to circulate the notice required by law. Each Board member received a copy of the notice mailed to each property owner and eligible tenant. To date, NCS D has received thirteen protests. There are currently 556 parcels in the Blacklake Sewer Division. It would take 278 valid protests to constitute a majority protest.

President Winn opened the Public Hearing and asked for any new protests. There were no additional protests or comments delivered.

President Winn closed the Public Hearing.

Upon motion by Director Eby and seconded by Director Vierheilig, the Board unanimously agreed that thirteen (13) protests were received and a majority protest does not exist. A hearing was set for January 14, 2009, to consider adoption of a resolution implementing the rate increase, the sewer loan surcharge and repayment of the loan. There was no public comment. Vote 5-0.

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

01:557:43

- E-2) REVIEW AND EDIT REVISED SOUTHLAND WWTF UPGRADE MASTER PLAN, REVIEW DISPOSAL ALTERNATIVES TECHNICAL MEMORANDUM, SELECT PROPOSED PROJECT FOR ENVIRONMENTAL REVIEW AND AUTHORIZE REQUEST FOR PROPOSALS FOR PREPARATION OF FINAL DESIGN

Director Vierheilg recused himself because of a conflict of interest.

Bruce Buel, General Manager, explained Southland WWTF Upgrade Project Committee met December 1, 2008. Copies of the November 2008 Revised Draft "Southland WWTF Master Plan" were distributed to the Board along with the packet for the December 1st Committee Meeting and are available for review at the NCSD office and on NCSD's website. In the revised draft report, AECOM is recommending the Biolac Treatment Process, although they have proposed to use external round clarifiers following completion of the wave oxidation process instead of the rectangular vessels originally proposed. AECOM's Phase I mid-point of construction-cost estimate has increased from \$11,260,000 to \$12,703,000. AECOM has included an additional cost allowance of \$4 million beyond the \$12,703,000 Phase 1 Collection/Treatment Cost for the proposed solar array.

Mike Nunley from AECOM presented the revised report. Copies of the slides presented are available for viewing in the District office and on the website. He stated that it is planned to construct the sewer improvements in conjunction with the Waterline Intertie Project to minimize the impact on South Frontage Road.

The Board discussed the Master Plan and how the rate increases are based on the old costs. The rates will be studied again in 2012 and will incorporate the new costs. Mr. Nunley suggested that construction can begin possibly begin in 2010.

President Winn called for public comment on the treatment plant portion of this item, not the disposal. There was no public comment.

Director Eby asked about a study on whether solar power is cost effective. He would like to see the cost estimate for the treatment-facility upgrade include conventional power and see what the break-even point is when using solar power.

Upon motion by Director Trotter and seconded by Director Eby, the Board unanimously agreed to authorize the circulation of a Request for Proposal for final design of these works, including a cost-effective analysis of power technologies and excluding the sewer main in Frontage Road. Vote 4-0.

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

Upon motion by Director Harrison and seconded by Director Eby, the Board authorized staff to negotiate with AECOM to amend AECOM's existing Waterline Intertie Project Final Design Agreement to design the works to the South Frontage Collection Main at the same time AECOM is designing the South Frontage Water Main Upgrades. Vote 4-0.

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

- E-2) REVIEW AND EDIT REVISED SOUTHLAND WWTF UPGRADE MASTER PLAN, REVIEW DISPOSAL ALTERNATIVES TECHNICAL MEMORANDUM, SELECT PROPOSED PROJECT FOR ENVIRONMENTAL REVIEW AND AUTHORIZE REQUEST FOR PROPOSALS FOR PREPARATION OF FINAL DESIGN (CONTINUED)

DISPOSAL OPTIONS

Bruce Buel, General Manager, explained Southland WWTF Upgrade Project Committee met December 1, 2008. Copies of the November 13, 2008 Public Outreach Meeting Summary, and the November 2008 Revised Draft "Preliminary Screening Evaluation of Southland WWTF Disposal Alternatives Technical Memorandum" were distributed to the Board along with the packet for the December 1st Committee Meeting and are available for review at the NCSD office and on NCSD's website.

Mike Nunley, from AECOM, presented the revised Technical Memorandum with disposal and reuse alternatives. Copies of the slides presented are available for viewing in the District office and on the website. He stated that data gaps exist. He answered questions from the Board.

Director Eby asked about the possibility of a problem with the bluff when considering the Pasquini property.

The following members of the public spoke:

John Snyder, Nipomo resident, stated that the level of analysis is not quite right... Infiltration south of the bluff is a reasonable alternative. A huge amount of water quality data is available. You need to modify the aquitard. He suggested injecting the sewer water to the side of the holes rather than straight down and possibly beside the shafts. He suggested pumping on the east side of the freeway.

Ethel Landers, Nipomo resident, stated that in Table 8-2, the land cost was not presented. The Land Conservancy recently acquired 29 acres at a value of \$1.188 million. She also suggested using the Dana Adobe land and some farmers near there could possibly use some of the excess water from the treatment facility.

Bill Nelson, NCSD resident – stated that the District is already pumping treated wastewater onto the Blacklake golf course. If the District plans to bring large amounts of wastewater from Southland to Blacklake, the District may get more interest from the Regional Water Quality Control Board.

Anna-Lise Thuse, NCSD resident, stated that she is opposed to Option 3 on Table 8-2.

Bruce Buel, General Manager, stated that CEQA requires the District to evaluate a reasonable range of disposal concepts/locations to get an adequate basis to pick alternatives.

The Board discussed the Pasquini and the Kaminaka properties as possible percolation options and eliminated the others on the list. Director Eby would like to put the Mesa Road option back as a sub-surface option.

Upon motion by Director Harrison and seconded by Director Eby, the Board agreed to accept staff's recommendations to continue investigating the alternatives listed and include an analysis of irrigating land on the east side of the freeway.

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

Nipomo Community Services District
REGULAR MEETING
DRAFT MINUTES

- E-2) REVIEW AND EDIT REVISED SOUTHLAND WWTF UPGRADE MASTER PLAN, REVIEW DISPOSAL ALTERNATIVES TECHNICAL MEMORANDUM, SELECT PROPOSED PROJECT FOR ENVIRONMENTAL REVIEW AND AUTHORIZE REQUEST FOR PROPOSALS FOR PREPARATION OF FINAL DESIGN (CONTINUED)

ENVIRONMENTAL REVIEW

Bruce Buel, General Manager, stated that Mr. Seitz would like to modify beginning paragraph of the "Draft Project Objectives" listed in the Board packet to say the following: (the change is in *italics*)

The basic objective of the proposed Nipomo Community Services District Southland Wastewater Treatment Facilities Improvements is to construct additional collection, treatment and disposal facilities necessary to serve both existing and future wastewater treatment demands generated within the Southland WWTF service area of the Nipomo Community Services District. In so doing *consistent with the South County Area Plan (Inland) (most recent-Mr. Seitz will add the date)*, the project will also:

Item 6 needs to have the word "augment" replace the word "replenish".
The Board discussed Item 7 needing to be reworded to include *to the extent feasible mitigate the use of additional fossil fuels or just take out the word solar.*

President Winn asked for the opinion from Greg Burns who was in the audience. He asked if when you go before members of Congress, are they looking for statements of use of alternative sources of energy?

Greg Burns, lobbyist with the Van Scoyoc Associates firm, told the Board that when one goes before a funding agency, "green is in". It would make any project more enticing to a governmental agency, but no focus on one particular type of technology.

Upon motion by Director Eby and seconded by Director Harrison, the Board agreed to adopt the Project Objectives, as amended. Vote 3-1 with Director Winn voting no. Mr. Seitz asked if the "no" vote is based on #7 not being green enough. Director Winn said that was correct.

The Board discussed changing the objectives to delete the word "solar". Upon motion by Director Trotter and seconded by Director Eby, the Board agreed to adopt the "Project Objectives" as modified above and to strike the word "solar". Vote 4-0. #7 would read "To the extent feasible, minimize the use of additional fossil fuels by offsetting project-related increased power utilization with more sustainable energy."

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

Nipomo Community Services District
REGULAR MEETING
DRAFT MINUTES

E-2) REVIEW AND EDIT REVISED SOUTHLAND WWTF UPGRADE MASTER PLAN, REVIEW DISPOSAL ALTERNATIVES TECHNICAL MEMORANDUM, SELECT PROPOSED PROJECT FOR ENVIRONMENTAL REVIEW AND AUTHORIZE REQUEST FOR PROPOSALS FOR PREPARATION OF FINAL DESIGN (CONTINUED)

Upon motion by Director Eby and seconded by Director Harrison, the Board agreed to the following three modifications to the Project Objectives, as recited by Mr. Seitz.

1.

The basic objective of the proposed Nipomo Community Services District Southland Wastewater Treatment Facilities Improvements is to construct additional collection, treatment and disposal facilities necessary to serve both existing and future wastewater treatment demands generated within the Southland WWTF service area of the Nipomo Community Services District. In so doing *consistent with the South County Area Plan (Inland) (most recent-Mr. Seitz will add the date)*, the project will also:

2.

#6 replaces the word "replenish" with the word "augment".

3.

"To the extent feasible, minimize the use of additional fossil fuels by offsetting project-related increased power utilization with more sustainable energy."

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

The Board considered Closed Session next.

04:16:27

I. CLOSED SESSION ANNOUNCEMENTS

Jon Seitz, District Legal Counsel, announced an additional item will be added to the Closed Session agenda. He announced the Board will consider the following items as well as the additional item. The additional item will be considered because yesterday, December 9, 2008, the San Luis Obispo County Board of Supervisors approved Agenda Item #C5 on its agenda to which the District had previously registered objections. The item was an ordinance amending Title 22 (Land Use Ordinance), Title 23 (Coastal Zone Ordinance) and Title 18 (Public Facilities Fees) all relating to "affordable housing" and additional water demand. This action took place after the posting of the NCS D agenda. There is a need to potentially take action before the next regular meeting of the Nipomo Community Services District on January 14th, 2009.

Upon motion by Director Harrison and seconded by Director Eby, the Board unanimously agreed to add an additional item to the agenda as potential litigation with the finding that it came to this District's attention that the vote of the Supervisors was subsequent to the posting of the NCS D agenda and there may be a need to take immediate action prior to the Board's next meeting. Vote 5-0.

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

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES).
2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSO (CASE NO. CV 040877), MARIA VISTA VS. NCSO (CASE NO. CV 061079), AND MARIA VISTA VS. LINDA VISTA FARMS, NCSO 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. NCSO ET AL. (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHERN DIVISION)

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 1:42 p.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board returned at 2:49 p.m.

Jon Seitz, District Legal Counsel, announced that the Board heard an update on the items listed above and had no reportable action. The additional item was discussed. With a 5-0 vote, the Board directed staff to retain the services of McDonough, Holland and Allen to assist in the potential litigation.

E-3) REVIEW DESIGN CONCEPT FOR PHASE 1 OF WILLOW ROAD WATERLINE PROJECT AND CONSIDER A DRAFT REIMBURSEMENT AGREEMENT WITH SLO COUNTY

Bruce Buel, General Manager, explained that the proposed agreement with San Luis Obispo County has been modified.

Peter Sevcik, District Engineer, noted that the County is structuring the agreement to relate to 60 percent of the design, then the County will have more of their design complete and the agreement will correspond.

Jon Seitz, District Legal Counsel, stated that the agreement shows the County that the District is serious about the design and agreement.

Director Trotter asked if there were any connections to be added to the line.

Mr. Sevcik stated that the waterline is outside the District and no new connections are planned.

Director Winn stated that the District should put in laterals for fire hydrants wherever CalFire designates so the road will not have to be torn up later.

The Board agreed by consensus that the agreement, as modified, seems good.

04:21:33

04:59:04

E-4) CONDUCT SECOND READING AND ADOPT ORDINANCE ADDING LANDSCAPE AND IRRIGATION REVIEW PROCEDURES TO DEVELOPMENT PROCESS

Bruce Buel, General Manager, explained that the Water Conservation Committee, on October 20, 2008, unanimously recommended that the Board amend Section 3.05 of the District Code to enable District review and approval of landscape plans and irrigation systems for new non-residential development. This recommendation results from recent construction with heavy water use landscapes. The County has revised standards for new development and adoption of a draft ordinance would allow for NCSD to ensure that the new construction actually implements the new Title 19 and 22 requirements. The ordinance adds desirable processes to ensure that the initial landscaping and irrigation systems at new commercial development are water efficient.

Upon motion by Director Harrison and seconded by Director Vierheilg, the Board unanimously approved Ordinance 2008-110. There was no public comment. Vote 5-0.

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

ORDINANCE NO. 2008-110
AN ORDINANCE OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING THE RULES AND REGULATIONS
FOR ALLOCATION OF INTENT-TO-SERVE LETTERS
CHAPTER 3.05 OF THE DISTRICT CODE

04:37:42

E-5) SELECT LOBBYIST TO REPRESENT DISTRICT IN SECURING FEDERAL FUNDING FOR WATERLINE INTERTIE PROJECT AND AUTHORIZE EXECUTION OF AGREEMENT

Bruce Buel, General Manager, explained that the Board terminated the 2008 Lobbyist Contract this Fall and directed staff to solicit proposals for 2009 services. Two firms, Marlowe and Van Scoyoc submitted the proposals. Both firms are qualified and could provide representation to offset a portion of the local share of the cost of the Waterline Intertie Project. Marlowe and Company proposes to provide services at \$3,750 per month (\$45,000 per year) with up to three visits to the District. Van Scoyoc Associates proposes to provide services at \$4,500 per month (\$54,000 per year) with one visit to the District. Greg Burns, now with Van Scoyoc, was the individual who provided the day-to-day coordination with NCSD in 2008.

Greg Burns, of Van Scoyoc Associates, spoke with the Board about the services to be provided to the District.

There was no public comment.

Upon motion by Director Trotter and seconded by Director Vierheilg, the Board unanimously approved the retention of Van Scoyoc Associates to perform lobbying services for the District. Vote 5-0.

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

05:02:20

E-6) AUTHORIZE HETRICK CLEAN UP PROJECT AND TRANSFER RESERVES TO PAY FOR PROJECT COSTS

Bruce Buel, General Manager, explained that at the November 26, 2008 meeting the Board agreed, in concept, to participate in the Hetrick Right-of-Way Clean-Up Project and authorized staff to negotiate an agreement with the California Conservation Corps (CCC) to perform the work on a time-and-materials basis with a not-to-exceed expenditure limit of \$7,700 and to present a resolution transferring \$7,700 from solid waste reserves to solid waste operations. The draft agreement with the CCC and a draft resolution ordering the transfer are proposed.

Upon motion by Director Vierheilig and seconded by Director Harrison, the Board unanimously approved the agreement authorizing the project and the transfer; approved the resolution; and directed staff to implement the agreement. There was no public comment. Vote 5-0.

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

RESOLUTION NO. 2008-1114
A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS APPROVING THE HETRICK RIGHT OF WAY CLEAN UP PROJECT AND AMENDING THE DISTRICT FY08-09 BUDGET TO PROVIDE FOR THE TRANSFER OF FUNDS FROM THE SOLID WASTE RESERVE TO FUND #300.

05:04:50

E-7) CONSIDER LARSEN INTENT-TO-SERVE APPLICATION FOR WATER AND SEWER SERVICE FOR COMMERCIAL PROJECT AT 146 NORTH THOMPSON

Peter Sevcik, District Engineer, reviewed the request from Mr. Greg Larson, representing the 146 N. Thompson Partnership for water and sewer service for the conversion of an existing residence at 146 N. Thompson Avenue to a commercial project (restaurant).

The Board asked questions of the applicant.

Greg Larson, owner/applicant for the project, answered questions about the size of the restaurant, number of seats planned, and times to be open.

Upon motion by Director Trotter, seconded by Director Harrison, the Board unanimously approved the issuance of an Intent-to-Serve letter with the conditions listed in the Board letter, as amended to include prohibition of a self-regenerative water softener. Vote 5-0.

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

Director Vierheilig requested that a form be provided for #16 of the Intent-to-Serve Application.

05:17:06

E-8) AUTHORIZE SUBMITTAL OF COMMENTS TO SLO COUNTY RE DRAFT TRANSFER OF DEVELOPMENT REPORT

Bruce Buel, General Manager, explained that on November 18, 2008, the Board of Supervisors set a hearing to discuss the attached Transfer of Development Credit Blue Ribbon Committee Final Report at the Board's January 13, 2009 Meeting. Mr. Buel requested authorization to comment in writing and to present comments at the January 13, 2009 meeting.

The Board discussed the points proposed for the letter.

1. No receiving site in an area designated as a RMS Water Supply Level of Severity II or III should be eligible.
2. No receiving site within the South County Planning Area should be approved without the approval of the South County Advisory Council.
3. No receiving site within the Nipomo Mesa Water Conservation Area should be approved unless the County satisfies all the conditions of approval set forth in County Ordinance 3090.

Upon motion by Director Eby and seconded by Director Harrison, the Board unanimously agreed to authorize staff to write a letter to the Planning Department including the above listed points to consider. There was no public comment. Vote 5-0.

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

05:24:26

The Board went back to consider Item D-4 of the Consent Agenda. See Page 5.

E-9) ELECT 2009 BOARD OFFICERS

Bruce Buel, General Manager, explained the process to elect Board officers for the upcoming year of 2009, as dictated in the Board By-Laws.

Director Trotter nominated Director Eby for President.

Director Vierheilg nominated Director Harrison for President.

After ballots were counted (3-2), it was determined that Director Harrison would be President in 2009.

Director Eby nominated Director Vierheilg for Vice President.

Director Vierheilg nominated Director Eby for Vice President.

After ballots were counted (3-2), it was determined that Director Vierheilg would be Vice President in 2009.

05:54:53

F. MANAGER'S REPORT

Bruce Buel, General Manager, added a few points to the submitted Manager's Report.

The podium now has a new microphone stand.

Monday, December 15, 2008, there will be a Supplemental Water Project Committee meeting.

A packet has been placed in the directors' mailboxes.

Director Eby asked when the agreement will be finalized. Mr. Buel stated that a red-lined version will be sent to the City and the Board. A series of meetings will be held in January. The District must certify the EIR.

05:57:43

G. COMMITTEE REPORT

1. 11/24/08 SWP Committee Meeting
2. 12/1/08 Southland WWTF Upgrade Project Committee Meeting

The Committee Reports are as submitted in the Board packet. There were no questions.

05:57:56

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTSDirector Vierheilig

He asked about the status of the Miller Park. NCSD has followed all the steps necessary. Christmas in Nipomo will be Saturday, December 13th at the Catholic Church.

Director Harrison

He asked the other Board members to let him know if they wanted to continue on the same standing or ad hoc committees to please send him an email. He also asked if the directors have a preference to sit in a different place at the table to let him know. He will be meeting with the general manager to set the agenda. He asked staff for a copy of the standing committees. He stated that he would be attending the Board of Supervisors meetings when possible but would like the Board's concurrence at the next meeting that Director Winn would be the alternate.

He would like a rain gauge for Southland.

Director Winn

He asked for staff to research who owns the material that has been sent to the landfill.

He would like to know about the sludge regulations.

Asked Public Health about sludge ordinance draft to Board.

How can we get the measurement of the volume of groundwater below mean sea level?

What is the County's written description of protocol of taking well water measurements?

He would like the staff to research the District obtaining reliable water measurement gauges.

Mr. Snyder mentioned a CIMIS station at the sewer plant but the gauge needs to have turf around it. Could staff look into one for NCSD at a better location – possibly Blacklake?

ADJOURN

President Winn adjourned the meeting at 4:45 p.m.

➤ THE NEXT REGULAR BOARD MEETING IS JANUARY 14, 2009.**TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- Preview SCADA Upgrades
- Initiate Development of Preventative Maintenance Program
- Southland WWTF Upgrade Project Environmental Review
- Blacklake Sewer Rate Increase Ordinance

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JANUARY 9, 2009

**AGENDA ITEM
D-3
JAN. 14, 2009**

APPROVE 2009 BOARD MEETING SCHEDULE

ITEM

Approve 2009 Board Meeting Schedule [RECOMMEND ADOPTION].

BACKGROUND

Section 2.1 of the Board By-Laws state in part:

Subject to holiday and scheduling conflicts, regular meetings of the Board of Directors shall commence at 9:00 a.m. on the second and fourth Wednesday of each calendar month...

Regular Board Meeting Schedule for 2009 (subject to change by Board Action)

January 14, 2009	July 22, 2009
January 28, 2009	August 12, 2009
February 11, 2009	August 26, 2009
February 25, 2009	September 9, 2009
March 11, 2009	September 23, 2009
March 25, 2009	October 14, 2009
April 8, 2009	October 28, 2009
April 22, 2009	November 11, 2009 (Cancel-Veteran's Day)
May 13, 2009	November 18, 2009 (Re-scheduled from 11/11/09)
May 27, 2009	November 25, 2009
June 10, 2009	December 9, 2009
June 24, 2009	December 23, 2009
July 8, 2009	

Special Meetings will be called subject to Section 2.2 of the Board By-Laws. Section 2.2 of the Board By-Laws state in part:

Special meetings may be called by the President or three (3) Directors with a minimum of twenty-four (24) hours public notice...

All meetings will be noticed pursuant to the Brown Act.

RECOMMENDATION

Staff recommends that your Honorable Board approve the 2009 Board Meeting Schedule as presented above.

ATTACHMENTS

- None

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JANUARY 9, 2009

**AGENDA ITEM
D-4
JAN. 14, 2009**

CONFIRM CONFLICT OF INTEREST CODE

ITEM

Confirm Conflict of Interest Code [RECOMMEND ADOPTION].

BACKGROUND

The Political Reform Act ("PRA") requires state and local government agencies to adopt and promulgate a Conflict of Interest Code and designate positions that are required to file Statements of Economic Interests (Form 700) with the County Clerk's Office through the District's Secretary. A Conflict of Interest Code must contain the following three (3) basic components:

1. Language incorporating the Fair Political Practices Commission ("FPPC") Regulations, or the basic provisions required in Government Code Section 87302.
2. A list of the designated positions that make and/or participate in making governmental decisions.
3. Disclosure categories specifying financial interests that designated positions must disclose.

District legal counsel will review the changes to Regulation 18730 (Exhibit "A" to Resolution) and disclosure categories (Exhibit "B" to Resolution).

RECOMMENDATION

After Staff presentation, Director comments and public comment, Staff recommends that the Board of Directors adopt the attached Resolution.

ATTACHMENTS

Resolution with Exhibit "A" and "B"

RESOLUTION NO. 2009- XXX

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT VERIFYING
ITS ANNUAL REVIEW AND RE-ADOPTION
OF ITS CONFLICT OF INTEREST CODE**

WHEREAS, the Nipomo Community Services District (herein "District") 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, the District Board of Directors, by prior Resolution, adopted Regulation 18730 by reference as the District's Conflict of Interest Code; and

WHEREAS, the District Board of Directors reviewed its Conflict of Interest Code attached hereto as Exhibits "A" and "B" on January 14, 2009; and

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Nipomo Community Services District does hereby resolve, declare, determine and order as follows:

1. The District readopts its Conflict of Interest Code by incorporating Regulation 18730, as amended from time to time, by reference, Exhibit "A" to this Resolution.
2. The District re-adopts Exhibit "B" to this Resolution to:
 - a. Designate officers and employees that are deemed to make, or participate in making of, decisions, which may have a material effect on a financial interest.
 - b. Designate disclosure categories for its designated officers, employees and consultants.

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

AYES:
NOES:
ABSENT:
CONFLICTS;

The foregoing resolution is hereby passed, approved and adopted by the Board of Directors of the Nipomo Community Services District this ____ day of _____, 2009.

James Harrison, President
Nipomo Community Services District
Board of Directors

ATTEST:

APPROVED AS TO FORM:

Donna Johnson,
Secretary to the Board of Directors

Jon S. Seitz,
District Legal Counsel

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX
EXHIBIT "A"

CONFLICT OF INTEREST CODE

18730. Provisions of Conflict of Interest Codes

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code section 87300 or the amendment of a conflict of interest code within the meaning of Government Code section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Government Code sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. sections 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200, et seq.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX
EXHIBIT "A"

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

- (A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;
- (B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code section 87200; and
- (C) The filing officer is the same for both agencies.
Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.

(5) Section 5. Statements of Economic Interests: Time of Filing.

- (A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.
- (B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.
- (C) Annual Statements. All designated employees shall file statements no later than April 1.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX
EXHIBIT "A"

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

1. File a written resignation with the appointing power; and
2. File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Government Code section 87302.6, the day after the closing date of the

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX
EXHIBIT "A"

most recent statement filed by the member pursuant to 2 Cal. Code Regs. section 18754.

- (D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

- (A) Investment and Real Property Disclosure. When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

- (B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX
EXHIBIT "A"

3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX
EXHIBIT "A"

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$420.

- (A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$420 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

- (A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.
- (B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.
- (C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX
EXHIBIT "A"

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law,

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX
EXHIBIT "A"

brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - a. The date the loan was made.
 - b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.
 - c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX
EXHIBIT "A"

for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

- (A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;
- (B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;
- (C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;
- (D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or
- (E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$420 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX
EXHIBIT "A"

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

- (A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or
- (B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code section 83114 and 2 Cal. Code Regs. sections 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code section 91003.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX
EXHIBIT "B"**

CONFLICT OF INTEREST CODE

**DESIGNATED OFFICERS, EMPLOYEES AND CONSULTANTS
WITH DISCLOSURE CATEGORIES**

I. DESIGNATED POSITIONS


The persons occupying the positions listed below are hereby considered designated officers and employees and are deemed to make, or participate in the making of, decisions, which may have a material effect on a financial interest.

DESIGNATED POSITIONS:

- A. Members of the Board of Directors
- B. General Manager
- C. District Legal Counsel
- D. Assistant General Manager/Finance Director
- E. District Engineer
- F. District Utility Superintendent
- G. Certain Contract Consultants

II. DISCLOSURE CATEGORIES

- The disclosure categories for each of the above-designated positions (A) through (F) shall be those disclosure categories described in subparagraphs (A) through (E) of Section 7 of Regulation 18730 as follows:
 - A. Investments and Real Property Disclosure.
 - B. Personal Income Disclosure.
 - C. Business Entity Income Disclosure.
 - D. Business Position Disclosure.
 - E. Acquisition or Disposal During Report Period.
- The disclosure categories, if any, for consultants will be designated in their respective contracts.

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: JANUARY 9, 2009

**AGENDA ITEM
D-5
JANUARY 14, 2009**

ADOPT 2009 INVESTMENT POLICY

ITEM

Adopt 2009 Investment Policy

BACKGROUND

The California Government Code Section 53646 (2) requires local government entities adopt an annual investment policy.

GC§ 53646(2) reads as follows:

In the case of any other local agency, the treasurer or chief fiscal officer of the local agency shall annually render to the legislative body of that local agency and any oversight committee of that local agency a statement of investment policy, which the legislative body of the local agency shall consider at a public meeting. Any change in the policy shall also be considered by the legislative body of the local agency at a public meeting.

Staff does not propose any changes to the Investment Policy.

RECOMMENDATION

Staff recommends that the Board approve Resolution 2009-invest adopting the Year 2009 District Investment Policy.

ATTACHMENTS

Resolution and Investment Policy

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**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XX**

**A RESOLUTION OF THE
BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING THE YEAR 2009 DISTRICT INVESTMENT POLICY**

WHEREAS, the Board of Directors of the Nipomo Community Services District ("District") believes that public funds should, so far as is reasonably possible, be invested in financial institutions to produce revenue for the District rather than to remain idle, and

WHEREAS, from time to time there are District funds which for varying periods of time will not be required for immediate use by the District, and which will, therefore, be available for the purpose of investing in financial institutions with the objectives of safety, liquidity, yield and compliance with state and federal laws and policies.

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

1. The District hereby adopted the Investment Policy attached hereto as Exhibit "A" as the District's Investment Policy;
2. The District General Manager shall act as Treasurer/Finance Officer of the District and is authorized to invest and re-invest funds in accordance with the Investment Policy for the succeeding twelve (12) month period or until such time as the delegation of authority is revoked.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services District this 14TH day of January, 2009, on the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Harrison, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
District Legal Counsel

**RESOLUTION 2009-xx
EXHIBIT A**

**YEAR 2009 INVESTMENT POLICY
NIPOMO COMMUNITY SERVICES DISTRICT**

1. INTRODUCTION

The purpose of this written *Investment Policy* is to establish the guidelines for the prudent investment of Nipomo Community Services District funds (herein referred to as District's funds). The objectives of this policy are safety, liquidity, yield, and compliance with state and federal laws and policies.

District funds are to be managed with a high degree of care and prudence. Though all investments contain a degree of risk, the proper concern for prudence, maintenance of high level of ethical standards and proper delegation of authority reduces the potential for any realized loss.

This policy establishes the standards under which the District's Finance Officer will conduct business with financial institutions with regard to the investment process.

2. FINANCE OFFICER

The Board of Directors appoints the General Manager as the District Finance Officer and Treasurer. The District's Assistant General Manager shall serve as the District's Finance Officer and Treasurer in the absence of the District's General Manager.

3. SCOPE

The District investment portfolio shall consist of money held in a sinking fund of, or surplus money in, the District's treasury not required for the immediate necessities of the District. The District's investment portfolio shall be invested in accordance with this policy.

4. OBJECTIVES

The primary objectives are safety, liquidity, yield, and compliance.

A. SAFETY

The investment portfolio shall be managed in a manner that ensures the preservation of capital. The objective is to minimize credit risk and interest rate risk.

B. LIQUIDITY

The investment portfolio shall remain sufficiently liquid to meet all operating requirements. This shall be accomplished by structuring the investment portfolio so that investments mature concurrent with cash needs.

C. YIELD

Yield shall be a consideration only after the requirements of safety and liquidity have been met.

D. COMPLIANCE

This Investment Policy is written to be in compliance with California and Federal law.

**RESOLUTION 2009-xx
EXHIBIT A**

**YEAR 2009 INVESTMENT POLICY
NIPOMO COMMUNITY SERVICES DISTRICT**

5. STANDARDS OF CARE

A. PRUDENCE

The Finance Officer will manage the portfolio pursuant to the "Prudent Investor Standard." When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds in the District's investment portfolio, the Finance Officer shall act with care, skill, prudence, and diligence under the circumstances then prevailing, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the District.

B. DISCLOSURES

Finance Officer shall disclose any material interest in financial institutions with which he/she conducts the District business.

6. INVESTMENTS AUTHORITY

A. PERMITTED INVESTMENTS

The District Finance Officer is authorized to invest in the following institutions:

1. County pooled funds (California Government Code § 61730)
2. The Local Agency Investment Fund created by the California State Treasury (California Government Code § 16429.1)
3. One or more FDIC insured Banks and/or Savings and Loan Associations that are designated as District depositories by resolution of the Board of Directors (California Government Code § 61053).
4. Such other financial institutions or securities that may be designated by the Board of Directors from time to time in compliance with California and Federal law.

B. PROHIBITED INVESTMENTS

The District's Finance Officer shall not invest in:

1. Inverse floaters, range notes or interest only strips that are derived from a pool of mortgages.
2. Any security that could result in a zero interest accrual if held to maturity.
3. A state or federal credit union, if a member of the District's Board of Directors or an administrative officer also serves on the Board of Directors, or any committee appointed by the Board of Directors, or the credit committee or supervisory committee, of the state or federal credit union.

C. DIVERSIFIED INVESTMENTS

Investments, other than investments referenced in paragraphs **A** (1) and (2) above, will be diversified to avoid losses that may be associated with any one investment.

**RESOLUTION 2009-xx
EXHIBIT A**

**YEAR 2009 INVESTMENT POLICY
NIPOMO COMMUNITY SERVICES DISTRICT**

7. REPORTS

A. MONTHLY REPORT

Finance Officer/Treasurer shall make monthly reports to the Board of investments made or retired during the preceding month.

B. QUARTERLY REPORT

Finance Officer shall file a quarterly report that identifies the District's investments and their compliance with the District's Investment Policy. The quarterly report must be filed with the District's auditor and considered by the District's Board of Directors within thirty (30) days after the end of each quarter (i.e., by May 1, August 1, November 1, and February 1) (California Government Code § 53646). Required elements of the quarterly report are as follows:

1. Type of Investment
2. Institution
3. Date of Maturity (if applicable)
4. Amount of deposit or cost of the security
5. Current market value of securities with maturity in excess of twelve months (if applicable)
6. Rate of Interest
7. Statement relating the report to the Statement of Investment Policy
8. Statement of the District's ability to meet cash flow requirements for the next six months.
9. Accrued Interest (if applicable)

C. ANNUAL REPORT


Prior to February 1, of each year, the Finance Officer shall file and submit an annual report to the District's auditor and Board of Directors which will contain the same information required in the quarterly report.

The annual report will include a recommendation to the Board of Directors to either:

1. Readopt the District's then current annual Investment Policy; or
2. Amend the District's then current Investment Policy.

D. LIMITED QUARTERLY REPORT

If the District has placed all of its investments in the Local Agency Investment Fund (LAIF), created by California Government Code § 16429.1, or in Federal Deposit Insurance Corporation, insured accounts in a bank or savings and loan association, in a County investment pool, or any combination of these, the Finance Officer may submit to the Board of Directors, and the auditor of the District the most recent statement or statements received by the District from these institutions in lieu of the information required in paragraph 7.B, above. This special reporting policy does not relieve the Finance Officer of the obligation to prepare an annual investment report as identified in paragraph 7.C, above.

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: JANUARY 9, 2009

**AGENDA ITEM
D-6
JANUARY 14, 2009**

RATIFY 2009 COMMITTEE/DELEGATE ASSSIGNMENTS

ITEM

Ratify 2009 Committee/Delegate assignments [RECOMMEND APPROVAL]

BACKGROUND

Attached is a listing of assignments proposed by President Harrison.

RECOMMENDATION

Staff recommends that the Board ratify the proposed assignments and direct staff to post these assignments in compliance with state law.

FISCAL IMPACT – None

ATTACHMENTS

Assignment Listing

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2009 NCSD COMMITTEE ASSIGNMENTS

Standing Committee Assignments (2 members)

Supplemental Water Project Design & Construction
 Finance and Audit
 Parks
 Southland Wastewater Treatment Facility Upgrade
 Water Conservation
 Personnel

Chairperson

Ed Eby
 Larry Vierheilig
 Jim Harrison
 Michael Winn
 Michael Winn
 Cliff Trotter

Member

Cliff Trotter
 Jim Harrison
 Michael Winn
 Jim Harrison
 Larry Vierheilig
 Larry Vierheilig

DELEGATES

SCAC
 Water Resources Advisory Committee (WRAC)
 Chamber of Commerce meets last Wed. Blacklake at noon
 City of Santa Maria/CCWA
 Olde Towne Nipomo Association
 Blacklake Village Council/Committees
 Liaison to the Nipomo Incorporation Education (NICE)
 Representative to the Board of Supervisors
 Representative to the Planning Commission

MEMBER

Michael Winn
 Bruce Buel
 Cliff Trotter
 Bruce Buel
 Larry Vierheilig
 Michael Winn
 Jim Harrison
 Jim Harrison
 Michael Winn

ALTERNATE

None per SCAC Bylaws-no alternate all
 Ed Eby
 Jim Harrison
 Jim Harrison
 Jim Harrison
 Michael Winn
 Jim Harrison

Delegates are appointed by the president of the Board of Directors.

*Subject to other requirements of the Brown Act, Committee appointments are not to be interpreted as limiting contacts between individual Board Members or any other person or persons.

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JANUARY 8, 2009

**AGENDA ITEM
D-7
JANUARY 14, 2009**

**ACCEPT RELOCATION OF THREE WATER MAINS AND FILE NOTICE OF
COMPLETION**

ITEM

Accept Relocation of three water mains and File Notice of Completion [RECOMMEND APPROVAL].

BACKGROUND

In conjunction with a SLO County Public Works Department project, NCSD was required to relocate three water mains. The District bid a contract that was awarded to R. Baker Inc. to complete the District's portion of the work. The work included the relocation of the following:

1. Relocation of 10 inch waterline at Tefft and Avocado
2. Relocation of 12 inch waterline at Tefft and Avocado
3. Relocation of 8 waterline on Thompson between Tefft and Dana

Cannon Associates assisted the District with construction management and has provided the District with record drawings. The project is complete and a Notice of Completion may be filed.

Total contract cost was \$81,350.09 and was budgeted in the FY 08-09 Budget, Fund 700, Town Water Capacity Charges.

RECOMMENDATION

Staff recommends that your Honorable Board accept the project and authorize recordation of the Notice of Completion.

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JANUARY 9, 2009

**AGENDA ITEM
D-8
JANUARY 14, 2009**

AMEND FY08-09 BUDGET & TRANSFER RESERVES RE NEW LITIGATION

ITEM

Amend FY08-09 Budget and transfer reserves re new litigation.

BACKGROUND

Your honorable Board initiated litigation at your 12/10/08 Board Meeting. Staff has consulted with District Legal Counsel and Special Counsel to develop a budget of \$40,000 if the litigation goes through the trial phase. SDRMA will not reimburse NCSD for the costs of discretionary litigation. Insufficient funds are available in the existing budget to cover this cost. Attached is a draft resolution that would transfer \$40,000 out of Fund 600 Property Tax Reserves into the General and Special Counsel Legal Cost Line Item.

RECOMMENDATION

Staff recommends that the Board adopt the attached resolution.

FISCAL IMPACT – Your Honorable Board previously authorized the litigation. The fiscal impact of adopting the resolution would be to reduce the property tax reserves by \$40,000 to fund potential expenditures up to \$40,000.

ATTACHMENTS

Draft Resolution

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RESOLUTION NO. 09-xx

A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS AMMENDING THE DISTRICT BUDGET TO PROVIDE FOR PROSECUTION OF THE LITIGATION APPROVED ON DECEMBER 10, 2008

WHEREAS, on December 10, 2008, the Nipomo Community Services District (“District”) Board of Directors authorized initiation of new litigation and District Legal Counsel has proposed a budget of \$40,000 to prosecute said litigation should a trial be required (herein, the “Project”); and

WHEREAS, on June 25, 2008 the District adopted its FY 08-09 Budget; and

WHEREAS, the District desires to amend the FY 08-09 Budget to allocate funds for the Project’s completion.

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

- 1) The District Board of Directors does hereby approve the Project and directs District Staff to present quotations for the Project’s completion.
- 2) The District Board of Directors does hereby authorize the appropriation of \$40,000 from budget account #600 (Property Tax Reserves) to the General and Special Counsel Legal Cost line item to fund the Project.

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

AYES:
NOES:
ABSENT:
CONFLICT:


the foregoing resolution is hereby adopted this _____ day of _____, 2009.

Jim Harrison, President
Nipomo Community Services District

ATTEST:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz, Esq.
General Counsel

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: JANUARY 9, 2009

**AGENDA ITEM
D-9
JANUARY 14, 2009**

FRONTAGE ROAD SEWER COLLECTION DESIGN

ITEM

Authorize execution of amendment to Waterline Intertie Project Final Design Agreement to add design of Frontage Sewer Collection Main [Authorize execution of amendment]

BACKGROUND

At your December 10, 2008 Meeting, your Honorable Board authorized negotiation of an amendment to the Waterline Intertie Project Final Design Agreement with AECOM to add the design of the Frontage Road Sewer Collection Main. The purpose of the negotiation was to include the sewer improvements in Frontage at the same time AECOM was designing the water line improvements. Staff held several meetings with AECOM and AECOM has submitted the attached proposal to perform this task. As set forth in the attached proposal, AECOM is willing to perform this work on a time and materials basis with a not-to-exceed expenditure limit of \$70,344.

FISCAL IMPACT – Funds for this cost are already budgeted in Fund 710 – Town Sewer Capital Improvements. Execution of the proposed amendment would increase the not-to-exceed expenditure limit from \$890,221 to \$960,565 of which \$890,221 would come from Fund 700 and \$70,344 would come from Fund 710.

RECOMMENDATION

Staff recommends that the Board authorize the General Manager to execute an amendment to the existing WIP Final Design Agreement.

ATTACHMENTS

AECOM PROPOSAL

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AECOM
1191 Pacific Street, Suite 204, San Luis Obispo, CA 93401
T 805.542.9340 F 805.542.9999 www.aecom.com

Bruce Buel
General Manager
Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444

Revised December 23, 2008

Dear Bruce,

**Subject: Proposal for Engineering Services
Frontage Road Sewer Main Replacement**

In the Revised Draft Southland Wastewater Treatment Facility (WWTF) Master Plan (November, 2008), the District was advised to replace the existing 12-inch sewer main in Frontage Road from Division Street to the WWTF headworks in order to address existing and future hydraulic constraints. The Plan recommended installation of approximately 4200 linear feet of a 21-inch pipe, along with manholes and new lateral connections. Project cost was estimated at approximately \$2.2 M for a "stand-alone" project from Division Street to the WWTF.

In order to coordinate this project with the waterline improvements scheduled for Frontage Road as part of the Waterline Intertie Project, the District requested that AECOM provide a Budget Revision Request to add the trunk main improvements to the waterline design plans. This is intended to save cost and will reduce impacts to adjacent residents as opposed to separately designing and constructing the projects. AECOM is submitting this proposal for preliminary and final design of 2800 linear feet of trunk main from Division to the intersection of Frontage Road and Southland Street. Project cost is estimated as approximately \$1.5 M.

It is assumed the scope of work would include the following tasks:

Task 1 – Technical Memorandum #10 and Revision of WIP Concept Design Report

Utilizing the existing mapping prepared for the Waterline Intertie Project, as well as the soils report from Fugro, AECOM will prepare a technical memorandum and conceptual plans for the project. It is assumed the Technical Memorandum will include the following:

- Demands and design flows
- Pipe material, diameter, and depths
- Manhole size and depth
- Corrosion control
- Recommendations for providing sewer service to residents during construction, including development of specifications for bypass pumping
- Connections to existing sewer mains at Division Street, Story Street, and other locations in this reach

- Connections to existing laterals
- Recommendations for potholing conflicting utilities and service laterals
- Brief evaluation of open trench and pipe reaming construction techniques
- Pavement repair
- Cost opinion
- Location of potential conflicts with the Frontage Road Water Main Improvements
- 30% plans

AECOM will include the project in the Draft and Final Concept Report submittals, as intended for all the Technical Memoranda included in the Concept Design Phase of the Waterline Intertie Project.

Preparation of potholing specifications or coordination of potholing activities are services that can be provided upon request.

Task 2 – Construction Documents

It is assumed the sewer main replacement will be included in Bid Package #2 for the Waterline Intertie Project. The following sheets will be added to the plan set:

- Plan and Profile for Sewer Main – 5 sheets at 1"=20 ft scale
- Connection details – 2 sheets
- Typical construction details and notes – 2 sheets

In addition, technical specifications and a final cost opinion will be included in the Waterline Intertie Project submittals. It is assumed 60%, 90%, and 100% progress submittals will be provided.

Task 3 –Project Management

It is assumed one kickoff meeting will be scheduled with District staff. Additional time will be required for project management and quality control review, due to the additional sheets and design effort beyond that anticipated in the Waterline Intertie Project design contract.

Budget

The Project Budget is provided below.

Task	Budget
TM #10 and Revision to WIP Concept Design Report	\$27,065
Construction Documents	\$38,208
Project Management	\$5,071
Total	\$70,344

Payment will be requested on a Time and Materials Basis, with a budget not to exceed \$70,344 unless additional authorization is granted in writing.

Schedule

If this meets your approval, it is assumed the Technical Memorandum will be submitted within 60 calendar days of Notice to Proceed. The Concept Report and final plans and specifications will follow the schedule established for the Waterline Intertie Project.

Terms and Conditions

It is assumed this work would be performed under the terms and conditions established for the Waterline Intertie Project Design Phase and would be considered a budget and scope revision to that contract (executed July 10, 2008). However, it will be invoiced separately and will be managed as a separate project within the AECOM accounting system.

We hope this proposal meets your expectations, and look forward to working with you on this design project.

Yours Sincerely,


Michael K. Nunley, PE
Project Manager

Enclosures: Budget

Project Budget

Frontage Road Sewer Main Replacement

Nipomo Community Services District

Task Description	Personnel Hours					Budget			
	Principal	Senior II	Assistant	CADD Design	Clerical	Total Hours	Labor	Non-Labor Fee	Total
Task 1 - TM #10 and Concept Design Report									
Technical Memorandum #10	4	24	40			68	\$ 8,680	\$ 694	\$ 9,374
30% Plans	16	20	20	60		116	\$ 14,540	\$ 1,163	\$ 15,703
Revise Draft Concept Report	1	2	4			7	\$ 920	\$ 74	\$ 994
Revise Final Concept Report	1	2	4			7	\$ 920	\$ 74	\$ 994
Subtotal	22	48	68	60	-	198	\$ 25,060	\$ 2,005	\$ 27,065
Task 2 - Construction Documents									
Plan Sheets (9)	4	16	100	100		220	\$ 24,240	\$ 1,939	\$ 26,179
Technical Specifications	2	8	24		4	38	\$ 4,408	\$ 353	\$ 4,761
Cost Opinions	2	4	8			14	\$ 1,840	\$ 147	\$ 1,987
60% Plans	2	4	4	2		12	\$ 1,630	\$ 130	\$ 1,760
90% Plans	2	4	4	2		12	\$ 1,630	\$ 130	\$ 1,760
Final Plans	2	4	4	2		12	\$ 1,630	\$ 130	\$ 1,760
Subtotal	14	40	144	106	4	308	\$ 35,378	\$ 2,830	\$ 38,208
Task 3 - Project Management									
Kickoff Meeting	3	3				6	\$ 1,035	\$ 83	\$ 1,118
Quality Control Reviews	8					8	\$ 1,520	\$ 122	\$ 1,642
Coordination and Project Management	8	4				12	\$ 2,140	\$ 171	\$ 2,311
Subtotal	19	7	-	-	-	26	\$ 4,695	\$ 376	\$ 5,071
Total	55	95	212	166	4	532	\$ 65,133	\$ 5,211	\$ 70,344

Amounts shown are fee.

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BBB*
DATE: JANUARY 9, 2009

**AGENDA ITEM
D-10
JANUARY 14, 2009**

PARTICIPATE IN PREPARATION OF NMMA ANNUAL REPORT

ITEM

Approve participation on preparation of NMMA Annual Report by Technical Group.

BACKGROUND

Attached is a proposal from the NMMA Technical Group to spend up to \$94,000 for preparation of the First Annual Report due for submission to the Court in April 2009. The Technical Group on December 17, 2008 requested that all five of the paying parties set forth in the stipulation share equally in the estimated cost. If Rural Water participates then NCSD's share would be \$18,800 (20% of \$94,000). If Rural Water rejects participation then NCSD's share would be \$23,500 (25% of \$94,000).

FISCAL IMPACT

The outside services line items in Funds 120 and 140 has sufficient funding to pay for NCSD's share of the preparation of the Annual Report, which is required by the court.

RECOMMENDATION

Staff recommends that the Board authorize participation in preparation of the Annual Report up to \$23,500.

ATTACHMENTS

NMMA Proposal

t:\documents\board matters\board meetings\board letter 2009\NMMA ANNUAL REPORT.doc

Bruce Buel

From: Steve Bachman [steven.bachman@verizon.net]
Sent: Friday, December 19, 2008 1:25 PM
To: Anderson, Jim.; Brown, Norm; Bruce Buel; Cleath, Tim; Kopp, Kristen.; Miller, Rob; Moore, Toby; Newton, Bradley; Parton, Craig; Saperstein, Rob; Seitz, Jon S.
Subject: Budget for 2008 Annual Report
Attachments: Scope of Work 2008 Annual Report.doc; NMMA 2008 Annual Report Tasks.xlsx

I have attached two files -- a spreadsheet with the tasks and a document that explains the cost breakdown across 2008 and 2009. If this doesn't work for any of your clients, let me know.

Steve

**Scope of Work
Nipomo Mesa Management Area
Annual Report 2008**

Attached is a scope of work for preparing the first annual (2008) NMMA Annual Report to be filed with the Court by the end of April 2009. The budgeting for this work is proposed to be spread across 2008 and 2009 as indicated below. As discussed at the December 17, 2008 NMMA Technical Group meeting, costs for the preparation of the Annual Report, as well as a smaller budget item for surveying the eight key wells, would be split equally among the parties named in the Stipulated Judgment as contributors to NMMA costs.¹

Proposed cost of preparing 2008 Annual Report:	\$85,000
Proposed cost of surveying the 8 Key Wells:	\$ 9,000

NMMA Budgeting 2008:

Preparation of Monitoring Program (paid):	\$25,000
Preparation of 2008 Annual Report:	<u>\$50,000</u>
	\$75,000

NMMA Budgeting 2009:

Preparation of 2008 Annual Report:	\$35,000
Surveying of Key Wells:	<u>\$ 9,000</u>
	\$44,000

The proposed work to complete the 2008 Annual Report would be accomplished by SAIC, Bachman/Brown, and Tim Cleath. This group would be reimbursed by their prospective clients, with costs then split among Parties.

¹ Stipulating Parties that would fund this work are Nipomo Community Services District, ConocoPhillips, Golden State Water Company (successor in interest to Southern California Water Company), Rural Water Company, and Woodlands Ventures, LLC (successor in interest to Woodlands Mutual Water Company) (Based on the June 30, 2005 Stipulation at p. 24).

**Scope of Work -- Nipomo Mesa Management Area
Annual Report 2008**

Hours

Task	Description	Hours
	EXECUTIVE SUMMARY – Prepare an introductory paragraph, summarize the findings and prepare the executive summary of the Annual Report in two (2) pages or less.	
	Groundwater Elevations	
	Groundwater Quality	
	Water Supply and Demand	
	Analyses of Current (WY 2008 or CY 2008) Conditions	
	Status of Water Shortage Conditions	4
		Subtotal estimated
1	INTRODUCTION	
	<i>Prepare a general discussion of the requirements of the Court as set forth in the "Judgment" and the "Stipulation"</i>	
	<i>Describe the purpose of this Annual Report</i>	
	<i>Describe the organization and content of this Annual Report</i>	
1.1	BACKGROUND	
	<i>Prepare up to two sentences describing the content of this sub section</i>	
1.1.1	History of Adjudication	
	<i>Prepare a description of the bases for the dispute over the rights to pump groundwater from the Basin that led to the adjudication</i>	
	<i>Prepare description of the studies prepared by others (DWR, USGS, etc.) and testimony submitted to the Court by various experts retained by the Parties</i>	
	<i>Prepare a description of the adjudication process and the difference between the "Judgment" and the "Stipulation"</i>	
1.1.2	Description of NMMA and NMTG	
	<i>Prepare a description of the establishment of management areas within the Basin and the establishment of technical committees for all management areas</i>	

	<i>List the members of the NMMA technical committee (Table)</i>	
1.1.3	Coordination with Northern Cities and Santa Maria Valley Management Areas	
	<i>Prepare a description of the procedures for exchange and coordination of data among the other management subareas</i>	
1.1.4	Development of Monitoring Program	
	<i>Prepare a description of the process for development of the Monitoring Program, identification of Key Wells, submission to the Court and status</i>	
	<i>Prepare a graphic showing the Key Wells location</i>	
1.1.5	Development of Water Shortage Triggers and Response Plan	
	<i>Prepare a description of the of shortage condition "triggers" and response plan and status</i>	
1.1.6	Purveyor Well Management Plan	
	<i>Prepare a description of the development of the Purveyor Well Management Program/Plan and status</i>	
	<i>Prepare a description of the existing infrastructure, necessary additions or interconnections to implement the Purveyor Well Management Program/Plan</i>	
1.1.7	Supplemental Water	
	<i>Prepare a description of the status of the acquisition of the Supplemental Water Supply by NCSD</i>	
	<i>Prepare a description of imported water sources (e.g. desalination) and potential for use in NMMA</i>	
	<i>Prepare a description of "New Developed" water sources (e.g. stormwater capture) and potential for use in NMMA</i>	
		18 Subtotal estimated
2	Basin Description – Prepare discussing location of the SM Basin and Management Areas	
	<i>Prepare first paragraph giving a general description of the location of the Santa Maria Basin and surrounding area</i>	

	<i>Prepare a figure showing the Basin boundaries, Management Areas, key geographic features and well locations</i>
2.1	Physical Setting
	<i>Prepare an introductory paragraph describing (general topography, climate, land use, water sources)</i>
2.1.1	Size
	<i>Prepare a detailed description of the size of the NMMA v. the size of the SM Basin, in acres and the size of potential water using areas</i>
2.1.2	Climate
	<i>Prepare a detailed description of NMMA (temp, precip, etc.)</i>
2.1.3	General Land Use
	<i>Prepare a detailed description of NMMA (land use, land use categories, including NV)</i>
	<i>Categorize all NMMA land use and quantify areas of each (ag, urban, industrial, native vegetation, and recreation as related to water demands). Show in tabulation and figure.</i>
2.2	Geology
	<i>Prepare an introductory paragraph describing the content of this section</i>
2.2.1	Stratigraphy
	<i>Prepare description of aquifer designations and generalized groundwater flow regime. Prepare a figure showing a cross-section or two and location of X-S</i>
2.2.2	Structure
	<i>Prepare description of geologic structure underlying NMMA</i>
2.2.3	Hydrogeology
	Aquifers — <i>Prepare description of aquifer designations, principal producing aquifers and characteristics (storativity, specific yield)</i>
	Confining Layers - <i>Prepare description of confining layers and location, possibly with a figure</i>

	Groundwater Flow Regime – Prepare description of artesian conditions, bedrock flow and generalized groundwater flow regime. Prepare a figure showing GW contours and arrows for direction of flow	
2.2.3	Aquifer Flow at Coastal Zone - Prepare description of the coastal interface and subsurface flow conditions	45 Subtotal estimated
<hr/>		
3	Data Collection – Prepare a general introduction covering sharing data within NMMA and the other Management Areas	
3.1	Data Collected – Each subsection will describe data collection protocols, QA/QC procedures and accuracy of data	
3.1.1	Groundwater Elevation in Wells	
3.1.2	Water Quality in Wells	
3.1.3	Precipitation	
3.1.4	Streamflow	
3.1.5	Surface Water Usage	
3.1.6	Surface Water Quality	
3.1.7	Land Use (as related to NMMA Water Budget)	
3.1.8	Groundwater Pumping (Measured and Estimated)	
3.1.9	Wastewater Discharge and Reuse	
3.2	Database Management	9 Subtotal estimated
<hr/>		
4	Water Supply and Demand – Defined as supply that meets demands	
4.1	Supply	
4.1.1	Historical Supply	
	<i>Prepare a description of the sources of water supply used to meet water demands in the NMMA (A paragraph or two)</i>	
4.1.2	Groundwater Production and Quality (Include Salt Balance)	
	Shallow Aquifer	
	Deep Aquifer	
4.1.3	Recycled Water	
4.1.4	Supplemental Water (Imported and New Developed Water)	

4.2	Demand – Describe ag, urban, industrial, recreation demands, unit values and accuracy of estimates. Quantify unit values of consumption and groundwater pumpage for various uses in afa, afy, gpcd, etc.	
4.2.1	Historical Demand	
4.2.2	Current Demand	
4.2.3	Potential Future Demand	29 Subtotal estimated
5	Hydrologic Inventory	
	<i>Prepare a general discussion of term, concept in basin evaluations, sensitivity of the various parameters of water supply and demands and the significance of comparing the two. Prepare a description of types of water sources and demands and the relationship of each to a hydrologic inventory of the NMMA. Include a general description of components of supply and reliability of estimates. Quantify unit values of consumption, (in order to estimate return flows) and groundwater pumpage for various uses in afa, afy, gpcd, etc.</i>	
5.1	Precipitation and Deep Percolation	
	<i>Quantify deep percolation of precipitation (annual, monthly, contours, volume to groundwater)</i>	
5.2	Streamflow	
	<i>Quantify deep percolation of surface inflow (stream beds, Black Lake Canyon, Los Berros Creek, Nipomo Creek)</i>	
5.3	Groundwater Production	
	<i>Prepare a description of groundwater production as a component of water supply to users and as an item of outflow when considering a hydrologic inventory of groundwater</i>	
5.4	Groundwater Subflow	
	<i>Quantify subsurface inflows</i>	
5.5	Supplemental Water	
	<i>Define "Imported and New Developed Water" from Court</i>	

	<i>Provide examples of "Imported and New Developed Water" and explain none to date (if true)</i>
5.6	Wastewater Discharges
	<i>Describe and quantify NCSD wastewater flow to Southland Plant</i>
	<i>Describe and quantify Black Lake wastewater flow and reuse</i>
	<i>Describe and quantify Woodland wastewater flow and reuse</i>
	<i>Describe and quantify Other wastewater flow and reuse</i>
5.7	Return Flow
	<i>Quantify deep percolation of applied water (ag return flows, septic tanks, detention ponds)</i>
5.8	Change in Groundwater Storage
	<i>Prepare an estimate of the amount of groundwater in storage (this will be qualitative)</i>
	<i>Describe the change in groundwater storage from prior Year</i>
	<i>Develop spreadsheet and graphics to illustrate the current balance between supply (inflow), demand (outflow) and net. For this Annual Report, everything will be very general</i>
	<i>Prepare an estimate of the amount of recoverable groundwater in storage and document methodology used along with caveats</i>
45 Subtotal estimated	
6	Groundwater Conditions
6.1	Groundwater Elevations
	<i>Groundwater elevations (prepare a description accuracy of RPs and water level measurements, methods for establishing RP and groundwater elevations, effects of nearby wells in operation, buffering effects of a single well on the analyses)</i>
	<i>Develop the data to show RP elevations and current groundwater elevations</i>
6.1.1	Summary of Hydrographs

	<i>Prepare hydrographs to show historical ranges of groundwater elevation fluctuations</i>	
6.1.2	Results from Inland Trigger Wells	
6.1.3	Results from Coastal Monitoring Wells	
6.1.4	Groundwater Contours and Pumping Depressions	
	<i>Prepare figure for report showing contours of groundwater elevations</i>	
6.1.5	Groundwater Gradients	
	<i>Prepare a description of the significance of coastal conditions and why discussed separately from inland</i>	
	Coastal Gradients	
	<i>Prepare a spreadsheet of coastal groundwater elevation data</i>	
	Gradients to/from Adjacent Management Areas	
6.2	Groundwater Quality	
	<i>Overall approach</i>	
6.2.1	Constituents of Concern to Beneficial Uses	
	<i>Prepare a description the significance of specific water quality parameters on beneficial uses, accuracy of measurements, methods of sampling)</i>	
6.2.2	Results of Coastal Water Quality Monitoring	
	<i>Prepare a spreadsheet of coastal groundwater quality data</i>	
6.2.3	Results of Inland Water Quality Monitoring	
	<i>Prepare tabulations of water quality analyses for selected wells</i>	
		57 Subtotal estimated
7	Analysis of Groundwater Conditions	
	<i>Prepare a description of the purpose of this section of the report indicating that only data were presented in previously</i>	
7.1	Analysis of Current Conditions	
7.1.1	Groundwater Conditions	
	Trend of key index wells	
	<i>Prepare graphics to show historical trends</i>	
	Location and movement of pumping depression(s)	
	Coastal gradient	
7.1.2	Water Supply and Demand	

	<i>Prepare an analysis of long-term trends in precipitation</i>
	<i>Prepare an analysis of long-term trends in land use (shifts in crop patterns, loss of native vegetation from development, increases in urban use)</i>
	<i>Prepare an analysis of long-term trends in water use and sources of supply (groundwater production, return flow, imported water supplies, pumpage and outflow to ocean from Conoco)</i>
7.2	Water Shortage Conditions
	<i>Prepare a description of the concept of "triggers", the difference between Coastal and Inland "Triggers" and what "trigger" or combination of "triggers" precipitates an action</i>
	<i>Prepare a description of the concept of "Potentially Severe Water Shortage Conditions"</i>
	<i>Prepare a description of the concept of "Severe Water Shortage Conditions"</i>
	<i>Prepare a description of the characteristics of a response plan and who would be affected</i>
7.2.1	Coastal Triggers
	<i>Prepare a description of the Coastal Triggers for Potentially Severe and Severe Water Shortage Conditions</i>
	<i>Prepare a specific description of the Coastal response plan</i>
7.2.2	Inland Triggers
	<i>Prepare a description of the Inland Triggers for Potentially Severe and Severe Water Shortage Conditions</i>
	<i>Prepare a specific description of the Inland response plan</i>
7.2.3	Status of Water Shortage Conditions
7.3	Long-term Trends
	<i>Prepare a comparison of the data and analyses for the current year with the data and analyses presented for past year</i>
	<i>Prepare a comparison of climatological data</i>
	<i>Prepare a comparison of land use data</i>

	<i>Prepare a comparison of water use data and sources of supply</i>	
7.3.1	Groundwater Elevations	
	<i>Prepare an analysis of long-term trends in groundwater elevation using Key well data</i>	
	<i>Describe the location and movement of pumping depressions</i>	
	<i>Prepare a figure to illustrate discussion</i>	
	<i>Prepare evaluation of trends by discussing "dry" year, accelerated growth, infrastructure changes, regulatory changes, etc.)</i>	
7.3.2	Coastal Gradients	
7.3.3	Groundwater Quality	
	<i>Prepare an analysis of long-term trends in groundwater quality</i>	
	<i>Prepare graphics to show historical trends in groundwater quality</i>	59 Subtotal estimated
<hr/>		
8	Other Considerations	
	<i>Identify issues or concerns with either surface or groundwater supplies not related to quantity or quality</i>	
8.1	Institutional or Regulatory Challenges to Water Supply	
8.2	Threats to Groundwater Supply	3 Subtotal estimated
<hr/>		
9	Recommendations	
	<i>Introductory paragraph</i>	
9.1	NMMA Management	
9.2	Changes to Monitoring Program	
	<i>Prepare a description of potential changes to the existing monitoring program</i>	
9.3	Changes to Data Analyses	
9.4	Modifications to Water Shortage Triggers	
9.5	Groundwater Modeling	19 Subtotal (Hrs Total
<hr/>		
A	NMMA Monitoring Program	
	<i>Red-line changes proposed to Monitoring Program</i>	
B	NMMA Water Shortage Triggers and Response Plan	

Report	Report Preparation and Review	
	<i>Compile, edit and format text developed from earlier tasks</i>	
	<i>Compile, edit and format graphics developed from earlier tasks</i>	
	<i>Prepare draft annual report for circulation to TC</i>	
	<i>Compile comments received, discuss with TC and incorporate changes approve by TC</i>	
	<i>Prepare final version of Annual Report and submit to Court</i>	100 Subtotal estimated
		388 Grand Total hours 2

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JANUARY 9, 2009

**AGENDA ITEM
D-11
JANUARY 14, 2009**

AUTHORIZE WASHINGTON TRAVEL TO LOBBY FOR FEDERAL FUNDING

ITEM

Authorize Director Winn to travel to Washington, DC with General Manager Buel to lobby for Federal Funding [RECOMMEND APPROVAL]

BACKGROUND

NCSD's lobbyist, Greg Burns, has requested that the Manager and one Director travel to Washington DC this winter to visit with each Senator and House of Representatives Member regarding funding for NCSD's Supplemental Water Project. President Harrison has asked Director Winn to go and Director Winn is available, however Section 10.1(d) of the Board Bylaws requires Board approval for Director travel outside of the state.

FISCAL IMPACT

The cost of the flight, 2 hotel nights, 3 per diems and taxi fare would be approximately \$950 per person. Sufficient funds are available in the Supplemental Water Project (Fund 500).

RECOMMENDATION

Staff recommends that the Board authorize Director Winn's travel costs.

ATTACHMENT – NONE

t:\documents\board matters\board meetings\board letter 2009\Travel Authorization.doc