

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: SEPT. 4, 2009

AGENDA ITEM
C-1
SEPT. 9, 2009

SUNDALE WELL FIRE

ITEM

NCSD District Superintendent Tina Grietens and Engineer Peter Sevcik re fire at Sundale Well, production limits and need for customer help. [NO ACTION REQUESTED].

BACKGROUND

Tina Grietens and Peter Sevcik are scheduled to summarize the fire and discuss impacts.

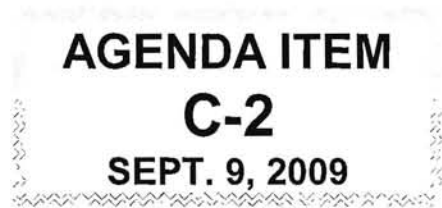
RECOMMENDATION

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

ATTACHMENT – NONE

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2009\090909Sundale Fire.DOC

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BPP*
DATE: SEPT. 4, 2009



MONTHLY ENGINEER UPDATE

ITEM

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

BACKGROUND

Peter Sevcik is scheduled to summarize the attached outline.

RECOMMENDATION

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

ATTACHMENTS

- District Engineer Activities Outline

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2009\090909EngReport.DOC



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326
NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932
Web site address www.ncsd.ca.gov

MEMORANDUM

TO: BRUCE BUEL, GENERAL MANAGER
FROM: PETER V. SEVCIK, P.E., DISTRICT ENGINEER *P.V.S.*
DATE: SEPTEMBER 3, 2009
RE: DISTRICT ENGINEER ACTIVITIES UPDATE

- **Santa Maria Waterline Intertie Project**
 - Reviewed 60% submittal for Nipomo Area Pipelines (Bid Package #2)
 - Reviewed 60% submittal for Blosser Road Main (Bid Package #3)
 - Reviewing 60% submittal for Pump Station/Well Improvements (Bid Package #4)
 - Assisted General Manager with Committee meeting

- **Southland WWTF Upgrade**
 - Overseeing Fugro's field activities on Pasquini property
 - Assisting with environmental review process
 - Biosolids removal and disposal project in progress

- **Willow Road Waterline Extension Phase 1 Project**
 - Worked with County to integrate District's waterline bid specifications into County's roadway bid documents
 - Expect County to request additional deposit in accordance with reimbursement agreement by September 30, 2009

- **Willow Road Waterline Extension Phase 2 Project**
 - 30% design in progress

- **Water and Sewer Master Plan Implementation**
 - Preparing RFP for SCADA upgrade
 - Misty Glen Connection to Blacklake out to bid
 - Assisting Utility Superintendent with implementation of preventative maintenance program

- **Safety Program**
 - Conducted training for District operations employees on 7/7
 - Conducted training for all District employees on 9/3
 - Established annual training schedule
 - Continued to monitor on-line training program for all District employees

- **Sewer System Management Plan**
 - Finalized draft Overflow Emergency Response Plan and Fats, Oils and Grease (FOG) Control Elements

- **Sundale Well**
 - PG&E ready to install new electrical service
 - Building permit for new electrical equipment obtained from SLO County
 - Evaluating facilities damaged or destroyed by fire

- **Development Oversight**
 - Tract 2663 on Buckhorn in construction
 - Tract 2689 on Tefft in construction
 - CO 06-0225 on Tefft in construction
 - Tract 2441 on Grande in plan review
 - Tract 2855 on Juniper in plan review
 - Tract 2650 on Willow in plan review
 - Continued service request, plan check and project acceptance processing

- **Other**
 - Production well pumping measurement investigation
 - Mutual water company research
 - Submitted monthly compliance reports for the water and wastewater systems

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL
DATE: SEPTEMBER 4, 2009

**AGENDA ITEM
D
SEPTEMBER 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 8/26/09 Regular Meeting
- D-3) EXTEND SCIENCE DISCOVERY EDUCATION OUTREACH AGREEMENT
[AUTHORIZE EXECUTION]
- D-4) APPROVE TRANSFER OF FUNDS FOR BACKHOE PURCHASE [ADOPT
RESOLUTION]
- D-5) AMEND UTILITY WORKER JOB DESCRIPTION TO REQUIRE D-1
CERTIFICATION [ADOPT RESOLUTION]
- D-6) RETAIN THE WALLACE GROUP TO PREPARE FINAL ASSESSMENT
REPORT FOR MILLER PARK ASSESSMENT DISTRICT [AUTHORIZE
CONTRACT EXECUTION]
- D-7) AUTHORIZE PAYMENT OF YR 2000 INVOICE FOR ARCHEOLOGICAL
SERVICES [AUTHORIZE PAYMENT]

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2009\CONSENT AGENDA\CONSENT 09-09-09.DOC

TO: BOARD OF DIRECTORS
 FROM: BRUCE BUEL
 DATE: SEPTEMBER 4, 2009

**AGENDA ITEM
 D-1
 SEPTEMBER 9, 2009**

**TOTAL COMPUTER
 CHECKS
 \$366,104.33**

HAND WRITTEN CHECKS

08-24-09	19968	ED EBY	100.00
08-24-09	19969	MICHAEL WINN	100.00

VOID - 16985

COMPUTER GENERATED CHECKS

16959	09/04/09	EMP01	EMPLOYMENT DEVELOP DEPT	1124.56	.00	1124.56	A90831	STATE INCOME TAX
16960	09/04/09	MID01	RABOBANK-PAYROLL TAX DEPO	3427.91	.00	3427.91	A90831	FEDERAL INCOME TAX
				51.76	.00	51.76	1A90831	FICA
				972.46	.00	972.46	2A90831	MEDICARE (FICA)
			Check Total.....:	4452.13	.00	4452.13		
16961	09/04/09	MID02	RABOBANK-DIRECT DEPOSIT	29026.06	.00	29026.06	A90831	NET PAY
16962	09/04/09	PER01	PERS RETIREMENT	9046.70	.00	9046.70	A90831	PERS PAYROLL REMITTANCE
16963	09/04/09	STA01	ING-PERS 457 DEFERRED COM	1325.00	.00	1325.00	A90831	457 DEFERRED COMP
016964	09/09/09	ABA01	ABALONE COAST BACTERIOLOG	97.00	.00	97.00	09-1679	LAB-SOUTHLAND WWTP
				97.00	.00	97.00	09-1726	LAB-SOUTHLAND WWTP
				20.00	.00	20.00	09-1754	BL WWTF LAB
				20.00	.00	20.00	09-1761	BL WWTF LAB
				175.00	.00	175.00	09-1762	WATER SAMPLES
				176.00	.00	176.00	09-1773	LAB-SOUTHLAND WWTP
				20.00	.00	20.00	09-1774	BL WWTF LAB
				20.00	.00	20.00	09-1780	BL WWTF LAB
				20.00	.00	20.00	09-1784	BL WWTF LAB
				20.00	.00	20.00	09-1797	LAB-BL SEWER
				175.00	.00	175.00	09-1805	LAB-WATER
				20.00	.00	20.00	09-1806	LAB-BL WWTP
				20.00	.00	20.00	09-1828	LAB-BL WWTP
				20.00	.00	20.00	09-1846	LAB-BL WWTP
				20.00	.00	20.00	09-1860	LAB-BL WWTP
			Check Total.....:	920.00	.00	920.00		
016965	09/09/09	ADV01	ADVANTAGE ANSWERING PLUS	140.90	.00	140.90	106374	ANSWERING SERVICE
016966	09/09/09	AEC01	AECOM USA INC	368.55	.00	368.55	7060596	WATER SYSTEMS MAPPING
				16031.25	.00	16031.25	7060601	SOUTHLAND WWTF UPGRADE
				12807.45	.00	12807.45	7061098	SEWER MAIN REP
				50451.80	.00	50451.80	7061244	WATERLINE INTERTIE PROJEC
				623.70	.00	623.70	7061314	PCI TR 2441
				907.20	.00	907.20	7061315	PCI CO 06-0225 KENDEL
			Check Total.....:	81189.95	.00	81189.95		
016967	09/09/09	AME03	AMERI PRIDE	111.23	.00	111.23	F84914	UNIFORMS ETC
				106.94	.00	106.94	F854694	UNIFORMS
			Check Total.....:	218.17	.00	218.17		
016968	09/09/09	ATT01	AT&T/MCI	148.03	.00	148.03	816034	PHONE
				30.06	.00	30.06	816286	PHONE
				154.91	.00	154.91	816356	PHONE
			Check Total.....:	333.00	.00	333.00		
016969	09/09/09	BRE02	BRENNTAG PACIFIC INC.	1104.36	.00	1104.36	924331	CHEMICALS
				507.35	.00	507.35	BPI922240	CHLORINE
				798.67	.00	798.67	BPI922241	CHLORINE
			Check Total.....:	2410.38	.00	2410.38		
016970	09/09/09	CAL16	CALPERS	28250.00	.00	28250.00	93009	OPEB FUNDING QTR 9/30/09
016971	09/09/09	CAN02	CANNON ASSOCIATES	7648.48	.00	7648.48	46889	WILLOW RD WATERLINE EXT
016972	09/09/09	COA01	COASTLINE EQUIPMENT	82986.21	.00	82986.21	2901844	JOHN DEERE 310J BACKHOE
016973	09/09/09	COR01	CORBIN WILLITS SYSTEMS	750.83	.00	750.83	A908151	BILLING SOFTWARE SUPPORT
016974	09/09/09	EBY01	EBY, ED	100.00	.00	100.00	090909	BOARD MEETING 9/9/09

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS SEPTEMBER 4, 2009**

**AGENDA ITEM
D-1
SEPTEMBER 9, 2009
PAGE TWO**

016975	09/09/09	FAR01	FARM SUPPLY COMPANY	70.07	.00	70.07	AUG	SUPPLIES
016976	09/09/09	FAR02	FAR WEST EXPRESS	24.00	.00	24.00	080709	DELIVERY
016977	09/09/09	FGL01	FGL ENVIRONMENTAL	306.00	.00	306.00	907504A	LAB-SOUTHLAND WWTP
				331.00	.00	331.00	907754A	LAB-SOUTHLAND WWTP
				31.00	.00	31.00	907844A	LEAD/COPPER TEST
				81.00	.00	81.00	908040A	BL WWTF LAB
				306.00	.00	306.00	908041A	LAB-SOUTHLAND WWTP
				31.00	.00	31.00	908046A	LEAD/COPPER TEST
			Check Total.....:	1086.00	.00	1086.00		
016978	09/09/09	GAS02	GAS COMPANY, THE	13.33	.00	13.33	081909	OFFICE HEAT
				11.14	.00	11.14	082409	SHOP HEAT 04163737945
			Check Total.....:	24.47	.00	24.47		
016979	09/09/09	GIL01	GLM, INC.	320.00	.00	320.00	AUG 2009	LANDSCAPE MAINTENANCE
016980	09/09/09	GRO01	GROENIGER & CO	321.75	.00	321.75	10085-01	AIR VAC SUPPLIES
016981	09/09/09	GWA01	GWA INC	53.00	.00	53.00	908000640	ALARM MONITORING
				85.00	.00	85.00	908020621	ALARM MONITORING
				85.00	.00	85.00	908021071	ALARM MONITORING
			Check Total.....:	223.00	.00	223.00		
016982	09/09/09	HAR02	HARRISON, JAMES	100.00	.00	100.00	090909	BOARD MEETING 9/9/09
016983	09/09/09	LAF01	LAFCO	31.00	.00	31.00	A90902	REIMBURSE FOR NOTICE OF E
016984	09/09/09	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	46003	LANDSCAPE MAINT-VISTA VER
016985	09/09/09	MOR01	MORRO GROUP INC	389.93	.00	389.93	507751	COPIER MAINTENANCE
016986	09/09/09	MOR02	MORE OFFICE SOLUTIONS	389.93	.00	389.93	507751	COPIER MAINTENANCE
016987	09/09/09	MSL01	M S LEBRUN ENVIRONMENTAL	2400.00	.00	2400.00	09-0064	BIOSOLIDS LOADING OPTIONS
016988	09/09/09	MUL01	MULLAHEY FORD	42.46	.00	42.46	199443	VEHCILE REPAIR
016989	09/09/09	NEL01	NELSON, WILLIAM J	100.00	.00	100.00	090909	BOARD MEETING 9/9/09
016990	09/09/09	OFF01	OFFICE DEPOT	46.49	.00	46.49	874001	OFFICE SUPPLIES
016991	09/09/09	PGE01	P G & E	88674.81	.00	88674.81	082209	ELECTRICITY 4449664603
016992	09/09/09	POO01	POOR RICHARD'S PRESS	1128.99	.00	1128.99	205281	CONSERVATION NEWSLETTER
016993	09/09/09	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	191	JANITORIAL SERVICE FOR AU
016994	09/09/09	QUI03	QUINN RENTAL SERVICES	305.19	.00	305.19	31350643	EQUIPT MAINT
				90.98	.00	90.98	31350644	EQUIPT MAINT
			Check Total.....:	396.17	.00	396.17		
016995	09/09/09	RAB02	RABOBANK PETTY CASH	54.14	.00	54.14	83109	SUPPLIES
				45.03	.00	45.03	083109A	POSTAGE
			Check Total.....:	99.17	.00	99.17		
016996	09/09/09	RBA01	R BAKER, INC	5399.39	.00	5399.39	3801	VALVE BOX COLLARS
016997	09/09/09	SAN09	SAN LUIS MAILING SERVICE	423.38	.00	423.38	40430A	NEWSLETTER DELIVERY
				767.32	.00	767.32	40430B	NEWSLETTER POSTAGE
			Check Total.....:	1190.70	.00	1190.70		
016998	09/09/09	SOU01	SOUTH COUNTY SANITARY	34.92	.00	34.92	2660249	GARBAGE SERVICE
				169.12	.00	169.12	2661712	OLDE TOWNE TRASH COLLECTI
			Check Total.....:	204.04	.00	204.04		
016999	09/09/09	TEC02	TECHNICAL CONSULTANTS INT	7265.85	.00	7265.85	A90729	FINAL PMT ON SCANNING PRO
017000	09/09/09	USB01	US BANK TRUST	2899.95	.00	2899.95	082409A	COMPUTER FOR BB
				1045.00	.00	1045.00	082409B	SEMINARS
				158.95	.00	158.95	082409C	BD MEETING SUPPLIES
				537.20	.00	537.20	082409D	OPERATING SUPPLIES
				57.59	.00	57.59	082409E	COMPUTER SUPPLIES
			Check Total.....:	4698.69	.00	4698.69		
017001	09/09/09	VER01	VERIZON	37.87	.00	37.87	081909	BL PHONE
017002	09/09/09	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	090909	BOARD MEETING 9/9/09
017003	09/09/09	WAC01	WACHS UTILITY SERVICES	492.27	.00	492.27	47560	SUPPLIES
017004	09/09/09	WAT04	WATER ENVIRONMENT FEDERAT	217.00	.00	217.00	SEVCIK 09	MEMBERSHIP SEVCIK
017005	09/09/09	WIN01	WINN, MICHAEL	100.00	.00	100.00	090909	BOARD MEETING 9/9/09
017006	09/09/09	\T002	THOMPSON TRUST,	133.84	.00	133.84	000A90701	MO CUSTOMER REPRD FOR BU

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 44 - Years of Service 1965 - 2009

D2

MEETING NOTES

AUGUST 26, 2009 AT 9AM

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

JAMES HARRISON, PRESIDENT
LARRY VIERHEILIG, VICE PRESIDENT
MICHAEL WINN, DIRECTOR
ED EBY, DIRECTOR
BILL NELSON, 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 its customers with reliable, quality, and cost-effective services now and in the future.

00:00:00

A. CALL TO ORDER AND FLAG SALUTE

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

B. ROLL CALL

At Roll Call, all directors were present.

00:01:15

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) MIKE NUNLEY OF AECOM

Update re: Waterline Intertie Project and Southland WWTF Upgrade Project

Mike Nunley, AECOM Engineering Project Manager, reviewed the Waterline Intertie Project as presented in the Board packet. Mr. Nunley answered questions from the Board.

Then Mr. Nunley reviewed the Southland Wastewater Treatment Facility Upgrade Project and answered questions from the Board. The Board thanked Mr. Nunley for the presentation.

C-2) NCSD UTILITY SUPERINTENDENT

Update re: July 2009 Utility Activities

Tina Grietens, Utility Superintendent, reviewed the report as presented in the Board packet. She answered questions from the Board. She was asked to find the cost of testing for pharmaceuticals in the wastewater facility. The Board thanked Ms. Grietens for the presentation.

C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST

Receive Announcements from Directors Items of District & Community Interest

Director Eby

- o August 20, 2009 LAFCo meeting – unanimous approval of park powers to NCSD.
- o Paul Hood will be staying on until October until recruitment issue is resolved.
- o The Municipal Service Review for Sphere of Influence update should be released in September. or October and the hearing will be in October or November.
- o Sept. 27, 2009 - Concert to benefit the Dana Adobe. Tickets are \$20.00. Reception at 3:00 p.m. and concert at 4:00 p.m.

MINUTES SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MEETING NOTES

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

Director Winn

- o August 25, 2009, the Board of Supervisors unanimously passed the Housing Element.
- o August 26, 2009, 1:30 p.m. – Special meeting of the Water Resources Advisory Council to approve subcommittee's work on the EIR for the San Miguel Ranch GPA project. Will they hold the line in that they must certify 20 years of sustainable water?
- o August 27, 2009, the Planning Commission will consider Conservation Open Space. A study session will be held at 5:00 p.m. to study the proposed San Miguel project.
- o Wine Industry in North County is taking leadership steps in coordinating water usage reporting for the vineyards. They plan to report ag-pumping records by region in a confidential manner.
- o Wine Month Tour – Friday Aug. 28th.
- o September 2, 2009, 1:30 p.m. at SLO County Library – WRAC regular meeting.
- o September 14, 2009, Nipomo Mesa Management Area Technical Group will meet at Nipomo High School in the Forum to present the 2008 annual report.

Director Harrison

August 29, 2009 - The Chamber of Commerce and Nipomo Recreation are teaming up at Woodlands -10K run, free tennis lessons, golf tournament, food and fun.
 Parks and Recreation will meet August 27th to discuss trails and easements for dedication.
 A replacement for Pete Jenny has been hired.
 Directors Vierheilg and Harrison met with a representative of EcoStar – a biosolids manager.
 September 2, 2009 – meeting with Mr. Chuck Stevenson and Olde Towne Association.
 PGE representative predicts 20-26 inches of rain this year.

C-4) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There was no public comment.

00:34:59

D. CONSENT AGENDA

Items D-3 and D-5 were pulled for separate consideration.

D-1) APPROVE WARRANTS

D-2) APPROVE BOARD MEETING MINUTES

Approve Minutes of 8/12/09 Regular Meeting

D-4) AUTHORIZE EXECUTION OF AGREEMENT WITH WILLDAN FOR EMERGENCY RESPONSE TRAINING

There was no public comment on the Consent Agenda. After a few questions from the Board, Director Winn made the motion to approve Items D1, D2, and D4 of the Consent Agenda. Director Eby seconded the motion. Vote 5-0.

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

MINUTES SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
REGULAR MEETING
MEETING NOTES**

D. CONSENT AGENDA (CONTINUED)

D-3) AUTHORIZE EXECUTION OF RIGHT-OF-ENTRY AGREEMENT TO FACILITATE TESTING AT PASQUINI PROPERTY ON ORCHARD ROAD

Peter Sevcik, District Engineer, explained that the District has acquired a signature from Mr. Pasquini on a Right-of-Entry Agreement to facilitate testing at the Pasquini property on the west side of Orchard Road.

The following member of the public spoke:

Collette Hiller attorney for Andre, Morris and Buttery and representative for Charles Pasquini read a letter into the record from Mr. Pasquini. The letter stated that even though he has agreed to allow the District to test on the Pasquini property, the Pasquini family has no interest in selling their property, which is high-quality farmland. The letter cautioned that effluent percolation on that property would eliminate the ability to farm. The general manager said that subsurface infusion of the effluent at that site would not preclude concurrent farming.

Upon motion by Director Winn and seconded by Director Eby, the Board unanimously agreed to authorize the General Manager to execute the agreement that will allow Fugro West to perform hydro-geologic work as research to develop an alternate disposal solution for the Southland Wastewater Treatment Facility. Vote 5-0.

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

D. CONSENT AGENDA (CONTINUED)

D-5) APPROVE PURCHASE OF NEW PICK-UP

The Board discussed the purchase of a Ford Ranger pick-up, as budgeted in the FY 2009-2010 budget. There was no public comment. Upon motion by Director Winn and seconded by Director Vierheilg, the Board unanimously agreed to purchase the truck from Mullahey Ford with the finding that the \$61.00 difference in cost from the lowest bidder to Mullahey Ford is outweighed by better maintenance service from Mullahey. A line-item transfer from the EOC fund is also approved. Vote 5-0.

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

E. ADMINISTRATIVE ITEMS

E-1) PUBLIC HEARING – ENVIRONMENTAL DETERMINATION RE DEVELOPMENT OF MILLER PARK

Bruce Buel, General Manager, explained that staff posted and published notice of this Public Hearing. One comment letter was received from SLO Public Works and an email from SLO County Planning.

Douglas Wood, principal of Douglas Wood and Associates, reviewed the report he provided to the Board and the public present at today's meeting.

MINUTES SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
REGULAR MEETING
MEETING NOTES**

The following members of the public spoke:

Kathy Kubiak, President of Olde Towne Nipomo Association, asked the Board if the proposed bike path could be blue-lined rather than built because it is only the length of the park and would not be useful at this time.

E-1) PUBLIC HEARING – ENVIRONMENTAL DETERMINATION RE DEVELOPMENT OF MILLER PARK (CONTINUED)

Jim Tefft, Nipomo resident, thanked the Board for its efforts and progress on this item. He asked that the lighting for the war memorial be included in the Initial Study.

The Board discussed the comments on the Initial Study. The Board discussed concrete versus aggregate walkways, traffic volume figures, possible waiver of impact fees, and trail from the high school to the Dana Adobe.

Upon motion by Director Winn and seconded by Director Vierheilg, the Board unanimously approved Resolution 2009-1157, adopting a mitigated negative declaration for the development of a park on Tefft St. Vote 5-0.

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

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-1157
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING A MITIGATED NEGATIVE DECLARATION AND AUTHORIZING THE GENERAL MANAGER TO FILE A NOTICE OF DETERMINATION THE ACTIVATION OF PARK POWERS GOVERNMENT CODE SECTION 61100(e) AND THE DEVELOPMENT OF A PARK LOCATED IN NIPOMO AT THE NORTHEAST CORNER OF WEST TEFFT STREET AND CARRILLO

01:38:01

E-2) REVIEW AND EDIT DRAFT VOLUNTARY EMERGENCY WATER SHORTAGE REGULATIONS AND SET HEARING FOR INTRODUCTION

Bruce Buel, General Manager, presented the "Voluntary Conservation Measures" for Board comment.

The Board discussed some possible changes to proposed amendments to District Code Chapter 3.24.

There was no public comment.

The proposed changes will be brought back at the next meeting for further discussion and possible adoption.

The Board took a break at 10:53 a.m. and returned at 11:01 a.m.

The Board considered Item E-6 next.

01:53:34

E-6) CONSIDER VARIANCE APPLICATION FROM GRAY FAMILY TRUST REGARDING WAIVER FROM WATER AND SEWER STANDARDS AT BLUME AND GRANDE

MINUTES SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MEETING NOTES

Peter Sevcik, District Engineer, described the request from the developer of Tract 2441. Mr. Sevcik answered questions from the Board.

The following members of the public spoke:

Terry Orton, representative from Westland Engineering on behalf of Tract 2441 developer, reviewed each variance request in the letter to the District, added some changes to the requests, and withdrew the request for a 6" instead of the standard 8" line.

Dave Gray, Mid State Properties (Tract 2441 developer), stated that he is trying to make the project more cost-effective.

Mr. Sevcik responded to each of the requests as well as possible without seeing the changes on a set of plans.

The Board discussed the request and asked staff to work with Westland Engineering to work out the details and come back with a recommendation.

Upon motion by Director Winn and seconded by Director Eby, the Board unanimously agreed to continue this item until the October 14th meeting. Vote 5-0.

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

The Board considered Closed Session next.

I. CLOSED SESSION ANNOUNCEMENTS

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

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
2. CONFERENCE WITH DISTRICT LEGAL COUNSEL PENDING LITIGATION GC SECTION 54956.9; NCSO VS. COUNTY SLO, ET AL. (CASE #CV090010)
3. INITIATION OF LITIGATION PURSUANT TO GC SECTION 54956.9C (1 CASE)
4. ANNUAL PERFORMANCE REVIEW OF GENERAL MANAGER PURSUANT TO GOVERNMENT CODE SECTION 54597

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 11:37 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session.

Jon Seitz, District Legal Counsel, announced that the Board heard an update on the items listed

MINUTES SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MEETING NOTES

above. The Board took no reportable action on Items 1 & 2. The Board agreed it will not initiate litigation for Item 3. The Board continued Item 4 until the next Board meeting.

Director Winn left the meeting at 12:37 p.m.

02:33:52

E-3) DISCUSS SANITARY SEWER OVERFLOW PROGRAM ELEMENTS

Peter Sevcik, District Engineer, explained that California State Water Resources Control Board adopted discharge requirements that include development of a Sewer System Management Plan (SSMP). The District has been complying with some of the requirements. A Vactor truck has been ordered for cleaning sewer lines. A Fats, Oils and Grease (FOG) Control Program is in the process of being implemented.

Mr. Sevcik answered questions from the Board. It was agreed that a list of acronyms is needed. Director Vierheilg reviewed some suggestions for changes. Mr. Sevcik will incorporate the changes and present the SSMP at the September 30, 2009 meeting for approval.

03:14:54

E-4) DISCUSS EFFORTS TO SECURE FEDERAL AND STATE FUNDING FOR DISTRICT CAPITAL PROJECTS

Bruce Buel, General Manager, explained that a letter was received and he provided a copy to the Board and the public from Greg Burns of Van Scoyoc Associates reviewing the lobbying activity for federal funding. Board discussion ensued. There was no public comment. The Board took no action on this item.

03:23:54

E-5) RATIFY EXECUTION OF REVISED LEASE AGREEMENT FOR PURCHASE OF BACKHOE

Bruce Buel, General Manager, reviewed differences in the revised lease agreement with Coastline Equipment for a John Deere Backhoe. After some Board discussion, Director Nelson moved to ratify execution of the revised lease agreement. Director Eby seconded the motion. There was no public comment. Vote 2 to 2, with Directors Vierheilg and Harrison dissenting.

YES VOTES	NO VOTES	ABSENT
Directors Nelson and Eby	Directors Vierheilg and Harrison	Director Winn

Director Harrison made a motion to pay for the backhoe in full and transfer funds from property tax. Director Vierheilg seconded the motion. There was no public comment. Vote 3-1, with Director Nelson voting no.

YES VOTES	NO VOTES	ABSENT
Directors Harrison, Vierheilg and Eby	Director Nelson	Director Winn

03:36:55

F. MANAGER'S REPORT

Bruce Buel, General Manager, presented the report. He provided a copy of a notice from Barbara Godwin, Property Tax Manager from the SLO County Auditor-Controller Office. The subject of the notice was 2009-2010 Estimated Revenues and Assessed Values. The date for the NMMA meeting should be Monday, September 14th not Thursday, and at 6:30 not 7 p.m.

MINUTES SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MEETING NOTES

The Fall Clean-Up will be held September 21-25, 2009.
Mr. Buel answered questions from the Board. There was no public comment.

03:45:00

G. COMMITTEE REPORT

The Committee Report is as submitted.

03:46:00

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby

Asked staff to put on agenda suggestions to LAFCo for Sphere of Influence MSR issue.

Director Nelson

Asked if Mr. Buel planned to have him attend the Olde Towne meeting. Mr. Buel answered yes.

Director Harrison

Asked to get information from the Orange Cove General Manager why an EcoStar system is being evaluated to replace the existing Biolac system which is relatively new.

ADJOURN

President Harrison adjourned the meeting at 2:08 p.m.

➤ THE FOLLOWING REGULAR BOARD MEETING IS SEPT 9, 2009. TENTATIVELY SCHEDULED ITEMS INCLUDE:

- Emergency Water Shortage Regulations
- Water Rate Adjustment and Structure Study
- Allocation Program Edits
- Intent-To-Serve Letter Ordinance Edits
- Protest Guidelines

MINUTES SUBJECT TO BOARD APPROVAL

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: SEPTEMBER 4, 2009

AGENDA ITEM
D-3
SEPTEMBER 9, 2009

**EXTEND CONTRACT WITH SCIENCE DISCOVERY FOR THE 2009-10
WATER CONSERVATION CLASSROOM EDUCATION PROGRAM**

ITEM

Authorize General Manager to execute the *Cooperative Agreement to Fund the Development of the Water Conservation Education Program by Science Discovery 2009/10 School Year* with Los Osos Community Services District, Golden State Water Company, and S&T Mutual Water Company [RECOMMEND ADOPTION].

BACKGROUND

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

Science Discovery provides classroom water-conservation presentations to elementary-school classrooms. The presentations are tailored for the age group, and are designed to help teachers meet curriculum requirements. These presentations have been very well received. Science Discovery has a long and successful history of providing educational services to the San Luis Obispo County region.

In early 2008, Staff participated in a number of discussions, moderated by Kari Wagner of the Wallace Group, with Mark Zimmer (Operations Superintendent for Golden State Water, Nipomo and Los Osos), John Schempf (General Manager for Los Osos CSD) and David Tolley (President of S&T Mutual Water). Discussions concerned the concept of utilizing the education services of Science Discovery for classroom presentations on water conservation. The concept involves sharing costs of development between the four water suppliers, with individual suppliers paying for classroom presentations in the elementary schools in the supplier's area.

Staff recommended to the Board that NCSO enter into an agreement with the four water suppliers to develop and implement a Science Discovery program for elementary schools. Mike diMilo, the director of Science Discovery, made his first presentation to the NCSO Board on March 26, 2008. On May 22, 2008, the Board instructed the General Manager to enter into the agreement with Science Discovery and the other water purveyors.

The agreement was finalized, and signed by the General Manager on October 15, 2008.

In early November 2008, Mr. DiMilo spoke with the principals and some teachers of three of the Nipomo elementary schools, and teachers at two of the schools (Dorothea Lange Elementary and Nipomo Elementary) requested scheduling of presentations for their classrooms. Mr. DiMilo indicated that this was unusual, and believed it was a good indication of their interest. Science Discovery continued to work with the elementary schools, providing presentations as requested.

On May 27, 2009, Mr. DiMilo again made a presentation to the Board, demonstrating the implementation of Board members' requests to fine-tune the storyboards used for the

presentations. At that time, Mr. Winn requested that the principles of the schools and the Lucia Mar School District Board be advised about Science Discovery's presentations to the Nipomo area schools. The Board directed Staff to request a presentation by Mr. DiMilo at a Lucia Mar Board Meeting, and consultation with principles of the Nipomo area schools regarding presentations at their schools.

On June 24, 2009, the Board instructed the General Manager to execute the *Cooperative Agreement to Fund the Development of the Water Conservation Education Program by Science Discovery 2009/10 School Year* with Science Discovery and the other participating water purveyors, with two conditions:

1. Mr. DiMilo consult with Nipomo area elementary schools' principles prior to scheduling classroom presentations;
2. Mr. DiMilo appears at a Lucia Mar Board Meeting and makes a presentation on Science Discovery's classroom presentations on water conservation.

On July 6, 2009, Staff sent a letter and email to Kari Wagner (Wallace Group) and Mr. DiMilo describing the NCSB Board's instructions.

On August 11, 2009, Kari Wagner emailed two documents to Staff:

1. *Cooperative Agreement to Fund the Development of the Water Conservation Education Program by Science Discovery 2009/10 School Year;*
2. *Proposal to Provide Water Conservation Education to Schools 2009-2010 School Year for Nipomo Community Services District, Golden State Water Company, and Los Osos Community Services District.*

The Proposal, on page 2, stipulates, "*Prior to scheduling class presentations in Nipomo, each of the three elementary school principals will be consulted about the scope and theme of The 'Story of Water' Program.*"

On page 2, the Proposal also stipulates, "*Science Discovery will attend meetings with Partners or related parties as requested. If research, reports, or other media are required for the meeting, preparation time will be billed, along with one-way drive time to the meeting location.*"

The cost for NCSB for classroom presentations for fiscal year 2009-2010 is \$3869.00. This includes shared Project Development Costs of \$2114 and Estimated Cost for Class Presentations (cost depends on how many presentations are made) of \$1755. Refer to page 2 of the Cooperative Agreement for details of cost-sharing between the partners.

FINANCIAL IMPACT

The Water Conservation Program Budget 2009-2010 approved by the Board includes \$6000 for classroom support.

RECOMMENDATION

Staff recommends that your Honorable Board authorize the General Manager to execute a *Cooperative Agreement* with the four other water purveyors and Science Discovery for classroom presentations FY 2009-2010.

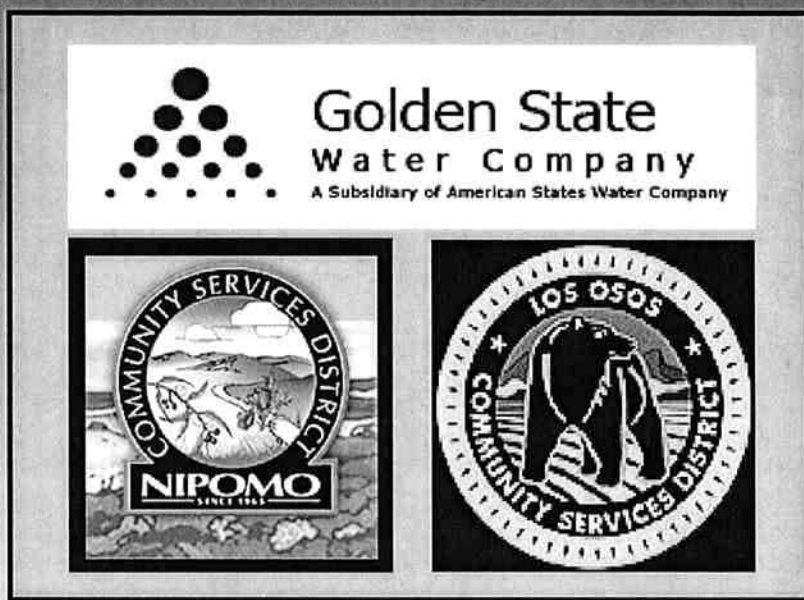
ATTACHMENTS

- *Cooperative Agreement to Fund the Development of the Water Conservation Education Program by Science Discovery 2009/10 School Year;*

- *Proposal to Provide Water Conservation Education to Schools 2009-2010 School Year for Nipomo Community Services District, Golden State Water Company, and Los Osos Community Services District.*

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2009\SCIENCE DISCOVERY\CONTRACT\TEXT STAFF NOTE.DOC

Proposal To Provide
Water Conservation Education To Schools
2009 – 2010 School Year
for



Submitted By

Science Discovery

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

Introduction

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

Science Discovery designed and implemented the first year's water conservation education efforts in Los Osos and Nipomo schools. We propose to build on this initial experience and success, by implementing the program for the 2009-10 school year.

Our Mission Statement for This Proposal

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

Scope Of Services

1. Write, Print and Distribute Teacher Newsletter
2. Schedule and Implement Class Presentations
3. Provide Program Maintenance and Administration

Write and Distribute Teacher Newsletter

Science Discovery will write and distribute a four-page newsletter, describing the water conservation program to local teachers. The newsletter will include a description of the program along with photos, science correlations for grades 3-5, and a sign-up form. Partners will have the opportunity to review and edit the newsletter before final printing and distribution.

Schedule and Implement Class Presentations

The presentation will be offered to grades 3-5, as these grades incorporate water curriculum, as directed by the California Academic Science Standards. The program will be

approximately 45 minutes in length. Core topics include: 1. The Water Cycle, 2. Groundwater Supply, 3. Water Conservation (indoor), 4. Water Conservation (outdoor). All four, story boards created last year will be used in the class programs. The program will be interactive to maximize student participation and learning.

Science Discovery will schedule all class programs with teachers. This will be done via phone, fax, or e-mail.

Prior to scheduling class presentations in Nipomo, each of the three elementary school principals will be consulted about the scope and theme of *The Story of Your Water* program.

Program Maintenance and Administration

This aspect of the program includes:

- Phone communications with teachers and Partners
- Minor changes / improvements in the program
- Meetings with Partners
- Cleaning / preparing presentation materials
- Fax and postage costs

Meetings

Science Discovery will attend meetings with Partners or related parties as requested. If research, reports, or other media are required for the meeting, preparation time will be billed, along with one-way drive time to the meeting location.

2009-10 Education Team

The following individuals comprise the Science Discovery education team, and may participate in administering the or implementing the water conservation education program.

Mike di Milo founded Science Discovery in 1994. He has a BS in Natural Resources Management from Cal Poly San Luis Obispo. Mike has a strong background in education and business. Mike works with all Science Discovery clients which includes projects in school education, exhibits, curriculum and video production.

Lynne Haley has worked in the education field for over 33 years. She has a teaching credential and a Masters in Education. Lynne has been with Science Discovery for nine years. Her scope of work includes a wide variety of projects including water, recycling, museum exhibits and curriculum. Lynne enjoys the challenge of developing creative ways to relate science topics to students of all ages.

David Lindsey has a BA in Social Science from Humboldt State University. He is beginning his fourth year with Science Discovery. David has presented dozens of water conservation programs throughout San Luis Obispo County, and has a passion for educating students of all ages about resource conservation topics.

Stacey Smith has a BS in Education from Eastern Michigan University and a California teaching certificate. She is beginning her second year as an educator with Science Discovery. Stacey works with grades K-6, sharing her enthusiasm and skills as an environmental educator

Insurance

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

Program Costs

Los Osos

Write and Distribute Teacher Newsletter \$962.00
Does not include copy/print cost

Class Presentations: 10 @ 110.00/program:\$1,100.00

Program Maintenance and Administration: 1.25 hours/month @ \$55.00/hr..... \$687.50
(based on 10 months/year)

Meetings: \$55.00/hr

Total: \$2,749.50

Nipomo

Write and Distribute Teacher Newsletter\$1,014.00
Does not include copy/print cost

Class Presentations: 15 @ 117.00/program:\$1,755.00

Program Maintenance and Administration 2.0 hrs/month @ 55.00/hr :\$1,100.00
(10 month year)

Meetings: \$55.00/hr

Total: \$3,869.00

**COOPERATIVE AGREEMENT TO FUND THE DEVELOPMENT OF THE
WATER CONSERVATION EDUCATION PROGRAM
BY SCIENCE DISCOVERY
2009/10 School Year**

Water is a precious commodity. For this reason, making efforts to conserve water is a priority for the Los Osos Community Services District (LOCSD), Nipomo Community Services District (NCSD), Golden State Water Company (GSWC) (Los Osos and Nipomo areas) and S&T Mutual Water Company (S&T), who together provide water service to hundreds of customers within the Los Osos and Nipomo areas. Each water purveyor is striving to find new ways to reduce their per capita demand. In addition, the County of San Luis Obispo (County) is also working to support the water purveyors in their efforts on reducing water consumption and raising water awareness.

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

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

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

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

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

- S&T MWC will only contribute 5% of the Project Development Costs for the Los Osos Component.
- The County of San Luis Obispo will cover 20% of the Project Development costs for the Los Osos Component.
- The remaining 75% of the costs of Project Development for the Los Osos component will be distributed equally between LOCSD and GSWC – Los Osos.
- The costs of the class presentations will be split equally between LOCSD and GSWC – Los Osos for all presentations given in Los Osos.

- The costs of the Project Development for the Nipomo component will be shared equally between GSWC - Nipomo and NCSD.
- The costs of the class presentations will be split equally between NCSD and GSWC – Nipomo for all presentations given in Nipomo.
- NCSD has requested an additional meeting with the Lucia mar School District. This cost will only be born by NCSD.

	All Water Purveyors	Los Osos (LOCSD, GSWC, S&T MWC)	Nipomo (NCSD, GSWC)	
Project Development Costs				
Design and Fabrication of Five Water Puzzle Pieces	\$ -	\$ -	\$ -	
Program Maintenance & Administration	\$ -	\$ 687.50	\$ 1,100.00	
Write and Distribute Teacher Newsletter*	\$ -	\$ 962.00	\$ 1,014.00	
Grand Total	\$ -	\$ 1,649.50	\$ 2,114.00	
Cost Sharing				
LOCSD	\$ -	\$ 618.56		\$ 618.56
GSWC - Los Osos	\$ -	\$ 618.56		\$ 618.56
GSWC - Nipomo	\$ -		\$ 1,057.00	\$ 1,057.00
NCSD	\$ -		\$ 1,057.00	\$ 1,057.00
S&T MWC (5%)	\$ -	\$ 82.48		\$ 82.48
SLO County (20%)	\$ -	\$ 329.90		\$ 329.90
Total	\$ -	\$ 1,649.50	\$ 2,114.00	\$ 3,763.50
Estimated Cost for Class Presentations				
Billings for the presentations will be split equally between the two water purveyors within that community and will not be billed until presentation is made.				
Los Osos (GSWC & LOCSD) 10 @ \$110/program		\$ 1,100.00		
Nipomo (GSWC & NCSD) 15 @ \$117/program			\$ 1,755.00	

* Price does not include copy/print costs

In a joint effort, the four water purveyors are working with Science Discovery to provide the best tools for the students in Los Osos and Nipomo for water conservation. This contract acts as and accepts the proposal with Science Discovery for the 2009/10 School Year based on the final costs as follows:

	Project Development Costs ¹	Annual Presentation Costs ²	Total ³
LOCSD	\$ 618.56	\$ 550.00	\$ 1,168.56
GSWC – Los Osos	\$ 618.56	\$ 550.00	\$ 1,168.56
GSWC – Nipomo	\$ 1,057.00	\$ 877.50	\$ 1,934.50
NCSD	\$ 1,057.00	\$ 877.50	\$ 1,934.50
S&T MWC	\$ 82.48	--	\$ 82.48
County of SL	\$ 329.90	--	\$ 329.90

¹ Costs provided above **do not** include the cost for copy/print of the letters.

² Costs are only an estimate for budgeting purposes. The exact number of presentations to be given is unknown at this time. Science Discovery will bill for the presentations once the class presentation is given.

³ Total does not include any costs that may be requested by individual water purveyors for additional Board meetings, etc. These costs will be billed directly to the requesting water purveyor.

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

Mitch Cooney
Interim General Manager
Los Osos Community Services District

Bruce Buel
General Manager
Nipomo Community Services District

Mark Zimmer
Golden State Water Company

David Tolley
S&T Mutual Water Company


Paavo Ogren
Director of Public Works

Mike di Milo
Science Discoveries

This agreement can be signed in counterparts.

8/11/2009
2009/10 School Year

4 of 4

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: SEPTEMBER 4, 2009

**AGENDA ITEM
D-4
SEPTEMBER 9, 2009**

APPROVE TRANSFER OF FUNDS FOR BACKHOE PURCHASE

ITEM

Approve transfer of funds for backhoe purchase [Adopt Resolution]

BACKGROUND

On August 26, 2009, the Board of Directors authorized the purchase of a John Deere Backhoe in the amount of \$83,321.77. The Board of Directors directed Staff to purchase the equipment with Property Tax Reserves (Fund #600) rather than leasing the equipment over a five year period.

The adopted FY 09-10 Budget included the lease option rather than a purchase, therefore, a Resolution approving a budget amendment is required.

FISCAL IMPACT

Budget adjustment of \$83,321.77 with funds coming from the Property Tax Reserves (Fund #600) and remove lease option of \$21,899 from the FY 09-10 Budget.

RECOMMENDATION

Staff recommends that the Board adopt the Resolution

ATTACHMENTS

- Resolution 2009-backhoe

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-back hoe**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING THE DISTRICT BUDGET TO PROVIDE FOR THE PURCHASE OF A BACKHOE**

WHEREAS, on August 26, 2009, the Nipomo Community Services District ("District") Board of Directors authorized the purchase of a John Deere backhoe; and

WHEREAS, on June 24, 2009, the District adopted its FY 09-10 Budget; and

WHEREAS, the District desires to amend the FY 09-10 Budget to allocate funds for the purchase of the backhoe and remove the lease option.

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 authorize the appropriation of \$83,321.77 from budget account #600 (Property Tax Reserves) to purchase the John Deere Backhoe.

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 adopted this 9th day of September, 2009.


Jim Harrison, President
Nipomo Community Services District

ATTEST:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz,
General Counsel

T:\BOARD MATTERS\RESOLUTIONS\RESOLUTIONS 2009\2009-backhoe budget amendment.DOC

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: SEPTEMBER 4 2009

**AGENDA ITEM
D-5
SEPTEMBER 9, 2009**

AMEND UTILITY WORKER JOB DESCRIPTION TO REQUIRE D1 CERTIFICATION

ITEM

Amend Utility Worker job description to require D1 Certification [ADOPT RESOLUTION]

BACKGROUND

The current Utility Worker Job Description states the following:

- Grade 1 Water Distribution Certification must be obtained within twelve months of hire
- Grade 1 Wastewater Collection System Maintenance Certification is desirable
- Wastewater Operator-In-Training Certificate must be obtained within twelve months of hire

The District is preparing to advertise to fill the Utility Worker position that will be vacated by an employee that will be transferring to the Maintenance Department.

One of the primary duties of this employee is to operate and maintain the District water wells. The State requires the District to utilize operators that have been certified at the appropriate grade. In order to be in compliance, the District would have to hire an individual with a Grade 1 Water Distribution Certificate.

This employee also assists in the operation and maintenance of the wastewater collection system. Staff believes that this individual should obtain the Grade 1 Wastewater Collection System Maintenance Certification within twelve months of hire rather than be desirable.

Staff recommends the Operator-In-Training Certificate requirement be removed from this job description since the District cannot provide enough contact hours for this employee to obtain the license within a reasonable amount of time. In addition, the Grade 1 Wastewater Treatment Plant Operator Certificate is a job requirement of the Utility Operator/Water Quality Technician and Grade II is required of the Utility Field Supervisor and Utility Superintendent.

Staff recommends the Job Description be amended to state the following:

- Grade 1 Water Distribution Certification is required
- Grade 1 Wastewater Collection System Maintenance Certification must be obtained within twelve months of hire

FISCAL IMPACT - NONE

RECOMMENDATION

Staff recommends that the Board adopt the attached Resolution.

ATTACHMENTS

- Resolution

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-utility worker**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING THE DISTRICT PERSONNEL POLICY TO
REVISE UTILITY WORKER JOB DESCRIPTION**

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

WHEREAS, pursuant to District Resolution 2007-1018, the District Board of Directors adopted the NCS D Personnel Policies and Procedures; and

WHEREAS, the District Board of Directors desires to revise the Utility Worker job description licensing requirement; and

WHEREAS, the job description for the Utility Worker currently states the following:

- Grade 1 Water Distribution Certification must be obtained within twelve months of hire.
- Grade 1 Wastewater Collection System Maintenance Certification is desirable.
- Wastewater Operator-in-Training Certificate must be obtained within twelve months of hire.

NOW, THEREFORE, the Board of Directors of the Nipomo Community Services District does hereby resolve, declare, determine and order as follows:

- Grade I Water Distribution Certification is required.
- Grade 1 Wastewater Collection System Maintenance Certification must be obtained within twelve months of hire.

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 9th day of September, 2009.

James Harrison, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

T:\BOARD MATTERS\RESOLUTIONS\RESOLUTIONS 2009\2009-utility worker.DOC

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: SEPT. 4, 2009

AGENDA ITEM
D-6
SEPT. 9, 2009

FINAL ASSESSMENT REPORT FOR MILLER PARK

ITEM

Retain the Wallace Group to prepare Final Assessment Report for Miller Park Assessment District [AUTHORIZE CONTRACT EXECUTION]

BACKGROUND

The next step in the development of Miller Park is to form the assessment district. To form the assessment district, NCSD must first publish a final assessment engineer's report depicting the maximum assessment for each of the 417 parcels. If this report can be presented to your Board on October 14, 2009 then you can order the election with a final count of ballots in December.

Attached is a proposal from the Wallace Group to prepare the Final Assessment Report. As detailed in the proposal, the Wallace Group would prepare the report including the assessment roll by early October so that your Board could call the election on October 14, 2009.

FISCAL IMPACT

Execution of an agreement to prepare the Final Report would commit \$14,420 from the FY2009-10 Budget Property Tax Fund (Fund 600). The Fund lists \$100,000 as funding available, of which, approximately \$10,000 has previously been encumbered.

RECOMMENDATION

Staff recommends that the Board authorize execution of an agreement with the Wallace Group to perform the tasks described in the attached proposal on a time and materials basis with a not to exceed expenditure limit of \$14,420.

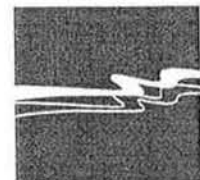
ATTACHMENTS

- Wallace Group Proposal

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2009\MILLER PARK FINAL ASSESS REPORT.DOC

CONTRACT AMENDMENT

Project Name: Miller Park Assessment District	CA No. 5
Client Name: Nipomo Community Services District	Project/Phase No.0673-0001
Attention: Bruce Buel	Date: August 31, 2009
Address: PO Box 326, Nipomo, California 93444	



WALLACE GROUP®

CIVIL ENGINEERING

CONSTRUCTION
MANAGEMENT

LANDSCAPE
ARCHITECTURE

MECHANICAL
ENGINEERING

PLANNING

PUBLIC WORKS
ADMINISTRATION

SURVEYING /
GIS SOLUTIONS

WATER RESOURCES

WALLACE SWANSON
INTERNATIONAL

Wallace Group requests the Client's authorization to proceed with revisions to the contract agreement for the above referenced project as herein described. Approval below incorporates this document as a part of the original contract signed June 29, 2007. If approved, please return one signed original Contract Amendment to Wallace Group.

Description and Purpose of the Revision(s)

PROJECT UNDERSTANDING

Wallace Group has been working with the Nipomo Community Services District (District) on the development of an assessment district for funding the operation and maintenance costs for Miller Park. The following Scope of Services is for the development of the assessment engineer's report, assessment roll, and the assessment diagrams for the Miller Park Assessment District.

SCOPE OF SERVICES

Task 1: Project Management and Meetings

Wallace Group will provide day-to-day coordination of project activities, including scheduling and budget controls, staffing needs and coordination, Client coordination, monthly status updates, and other related project management activities.

Wallace Group will attend up to three (3) meetings. The meetings will include District Board meetings, Committee meetings, and meetings with District staff. At this time, it is not anticipated that the District will be holding any workshops for formation of the assessment district. If the District does choose to hold a workshop, Wallace Group can attend this event on a time and materials basis.

Task 2: Assessment Engineering Report

Task 2.1: Cost Update

Wallace Group will update the construction cost estimate for the revised park layout.

Task 2.2: Engineer's Report

Wallace Group will prepare a draft and final Engineer's Report in accordance with the Landscape and Lighting Act of 1972 and Proposition 218 Omnibus Implementation Act.

Task 2.3: Assessment Rolls

Based on the final version of the assessment spread completed in previous efforts, Wallace Group will prepare a draft and final assessment roll showing the proposed assessment of special benefit to each parcel within the assessment district. The assessment roll will refer to the parcels by their respective assessment number as assigned and shown on the assessment diagram provided in Task 2.4.

Task 2.4: Assessment Boundary Map

Wallace Group will prepare an official assessment district boundary map in the required format. The final assessment boundary map will show the following:

WALLACE GROUP
A California Corporation

612 CLARION CT
SAN LUIS OBISPO
CALIFORNIA 93401

T 805 544-4011
F 805 544-4294

www.wallacegroup.us

- Exterior boundaries of the proposed assessment district.
- Lines of each parcel of land within the assessment district.



Task 2.5: Assessment Diagram

Wallace Group will prepare an assessment district diagram. This diagram will be 11" x 17" with one (1) hard copy provided to each water purveyor. The final assessment diagram will show the following:

- Exterior boundaries of the proposed assessment district.
- Lines of each parcel of land within the assessment district.
- Each parcel will be given a separate assessment number upon the diagram.
- The diagram may refer to the County Assessor's maps for a detailed description of the lines and dimensions of any parcels, in which case those maps shall govern all details concerning the lines and dimensions of the parcels.

Deliverables:

- Engineers Report (PDF and four (4) hard copies).
- Assessment Roll (PDF and four (4) hard copies).
- Official Assessment Boundary Map (PDF, four (4) hard copies, one (1) mylar to San Luis Obispo County).
- Assessment Diagram (PDF and four (4) hard copies).

SCHEDULE

Wallace Group will work with the District to meet a reasonable schedule. Based on discussions with staff, the following schedule is proposed:

Project accepted by Board:	September 9, 2009
Project Kickoff:	September 10, 2009
Engineering Report Completed:	October 6, 2009
Final Engineering Report:	October 26, 2009
Ballots Mailed Out:	October 30, 2009 (45-day Protest Period Begin)
Ballots Due:	December 14, 2009 (45-day Protest Period Ends)
Ballots Counted:	Week of December 14, 2009

ITEMS NOT INCLUDED IN SCOPE OF SERVICES

The following services are not included in this Scope of Services or estimate of fees for this project. However, Wallace Group can provide these services at the request of the District.

- Conducting Assessment District Election
- Cost for facilities to count ballots
- Cost for utilizing the services of the League of Women Voters or the County Clerks Office

Revision(s) Represent:

- a change in previous instructions
- a change in Scope of Services
- other:

Revision(s) Fee:

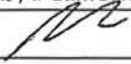
- hourly (time & materials) \$
- progress billing: \$
- not-to-exceed w/o authorization: \$14,420

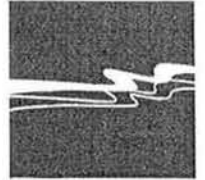
Revision(s) will be invoiced as:

- increase to an item within the existing contract
- a new item added to existing contract

Issued by,
WALLACE GROUP, a California Corporation

Approved by Client

Signature: 	Signature:
Print Name: Robert S. Miller, PE 57474	Print Name:
Title: Principal	Title:
Date: August 31, 2009	Date:



WALLACE GROUP®

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BBB*
DATE: SEPT. 4, 2009

**AGENDA ITEM
D-7
SEPT. 9, 2009**

ARCHEOLOGICAL SERVICES INVOICE

ITEM

Authorize payment of Yr. 2000 Invoice or archeological services [Authorize Payment]

BACKGROUND

Attached is correspondence from C. A. Singer regarding services rendered to NCSD in Yr. 2000. Mr. Clay Singer has requested that NCSD pay \$850 for 17 months of curation services. Staff has researched the records regarding the Southland Project and it is clear that NCSD did hire Mr. Singer, paid Mr. Singer for some work and fired Mr. Singer. The records do not include the attached invoice, however, the Finance Director believes that Mr. Singer did file a claim against the District that was denied by the Board. Staff believes that Mr. Singer did perform the work described in his invoice as was required by the State, however, he may have done so after he was discharged.

FISCAL IMPACT

Payment of the invoice would result in a \$850 charge to the Southland WWTF Upgrade Project in the Capital Projects portion of the budget.

RECOMMENDATION

Staff recommends that the Board authorize payment of the \$850 to C. A. Singer.

ATTACHMENTS

- Correspondence

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2009\SINGER INVOICE.DOC



C.A. SINGER & ASSOCIATES, Inc.
Archaeology · Cultural Resources & Lithic Studies

Michael Winn, Director
Nipomo Community Services District
233 East Knotts Street
Nipomo, CA 93444

August 21, 2009

Dear Mike;

Have not heard a word from the NCSO or Doug Wood & Associates. My guess is they're still shopping, looking around for the best sounding deal, the least expensive option.

I've no idea what this project is about so I'm simply talking prior knowledge. If this about expanding the existing treatment facility then there is an archaeological site to be considered, CA-SLO-753.

In 1998, we took on a project for Garing Taylor Associates and the NCSO that involved site CA-SLO-753 and the State Water Resources Control Board. We fully satisfied both federal and state standards, carried on a good dialog with state authorities, and reduced expenses by 50%. But nobody at GTA or NCSO was happy with anything we did. They moaned and groaned and then left us hanging and unpaid.

The materials collected from CA-SLO-753 in 1988-89 are now stored in the BEAGLE at Price Park in Pismo Beach; and we still have an outstanding invoice for curation services.

Let me know if you're interested in the Nipomo stuff in my files, site records, reports, photos, etc.

Fall is falling. Enjoy the harvest. Good wishes to all,



C.A. SINGER & ASSOCIATES, Inc.

Archaeology · Cultural Resources & Lithic Studies

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

August 28, 2009

Dear Mr. Buel;

As requested, a copy of Invoice #2481 and the accompanying letter to former General Manager Doug Jones are enclosed.

The original \$850 bill for 17 months of curation services was not paid. No final report was ever completed by us for the NCSO or the SWRCB. Nobody contacted us and we have no idea where the project went after we were terminated. The materials collected by us from site CA-SLO-753 are now stored at the Beagle Educational Facility at Price House Park in Pismo Beach; curation now spans 122 months.

Thank you for your concerns. Sincerely yours,


Clay A. Singer
Anthropologist

RECEIVED

AUG 31 2009

**NIPOMO COMMUNITY
SERVICES DISTRICT**

C.A. SINGER & ASSOCIATES INC.
Prehistoric Archaeology • Cultural Resources • Lithic Studies

INVOICE FOR SERVICES

INVOICE NO. 2481

DATE January 31, 2000

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

PROJECT/REPORT TITLE

Archaeological Services -- September 1999 through January 2000

Storage and administration of archaeological materials collected at the NCSW Wastewater Treatment Facility between September 1998 and January 1999 (see Catalog attached).

AMOUNT DUE

\$850

17 months @ \$50 per month

P.O. Box #99 · Cambria · California 93428-0099

phone (805) 927-0455 · fax (805) 927-0414



C.A. SINGER & ASSOCIATES, Inc.
Archaeology · Cultural Resources & Lithic Studies

January 31, 2000

Mr. Doug Jones, General Manager
Nipomo Community Services District
148 South Wilson Street
P.O. Box 326
Nipomo, CA 93444-0326

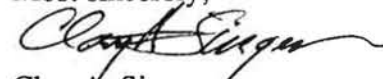
Subject: Curation of archaeological materials collected from site CA-SLO-753 between September 1998 and January 1999.

In October 1999 our contract agreements with Nipomo Community Services District (NCSD) were terminated due to a disagreement concerning compliance with provisions of the National Historic Preservation Act (NHPA), in particular, completing an analysis of materials collected in 1976 before the wastewater treatment facility was constructed (cf. Letter to NCSD dated April 23, 1999, F.T. Ismail, Chief, Planning and Design Section, State Water Resources Control Board (SWRCB)).

On April 23, 1999, Ms. Susan Wilcox, SWRCB Cultural Resources Officer, advised us to continue our efforts to obtain the 1976 collection and to curate materials collected during archaeological monitoring at the treatment facility. We were unable to obtain the 1976 collection for analysis. We retain the monitoring collection, however, and enclose herewith a copy of the Catalog of Specimens and a bill [Invoice #2481] for 17 months of curation and administrative services.

Prompt payment is appreciated.

Most sincerely,


Clay A. Singer
Anthropologist

cc. F.T. Ismail, SWRCB
R. Read