

TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN *ML*  
DATE: MARCH 5, 2010

**AGENDA ITEM  
C-3  
MARCH 10, 2010**

**SOUTHLAND WWTP UPGRADE PROJECT UPDATE**

**ITEM**

Mike Nunley of AECOM Engineering re Southland wastewater treatment plant upgrade project status [NO ACTION REQUESTED].

**BACKGROUND**

Mike Nunley is scheduled to summarize the attached report.

**RECOMMENDATION**

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

**ATTACHMENTS**

- February 2010 Monthly Report

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2010\PRESENTATIONS\100310AECOM.DOC

## Memorandum

To	Michael LeBrun, Intertim General Manager - NCSD	Page	1
CC	Peter Sevcik, Jon Hanlon, Josh Reynolds, Kirk Gonzalez, Eileen Shields, Jim Froelicher		
Subject	Southland WWTF Upgrade Project – Design Phase Status Report		
From	Michael K. Nunley, PE		
Date	March 3, 2010		

The Project Team has completed the following items this month:

1. AECOM developed and submitted a memorandum for a revised phasing plan based on an updated analysis of historical and current flows and loading to the WWTF (revised draft February 12, 2010).
2. Based on this memorandum, Budget Revision Request #2 was submitted on March 1, 2010. The budget revision request describes the work involved to update the phasing plan and capital improvements plan from Facility Master Plan, including task descriptions, deliverables and dates, budget, and the impact to the overall project schedule.

### Schedule

The latest Project Schedule is attached.

### Budget Status

The Invoice Summary is attached. The Invoice Summary indicates an amount invoiced which is consistent with the work completed to date. Amounts charged to Task Group #2 to date reflect work on construction documents for portions of the Frontage Road Sewer Upgrade. The project cost opinion has not been updated since the January 2009 Master Plan, but the summary table is included and will be updated with the 30% design submittal.

Yours Sincerely



Michael K. Nunley, PE

Enclosures: Project Schedule  
Invoice Summary  
Project Budget Summary

### Southland WWTF Upgrades Design Schedule

Tue 3/2/10

ID	Task Name	% Work Complete	Duration	Start	Finish	08 1Q09 2Q09 3Q09 4Q09 1Q10 2Q10 3Q10 4Q10 1Q11 2Q11 3Q11 4Q11 1Q12 2																							
						N D J F M A M J J A S O N D J F M A M J J A S O N D J F M A																							
1	Negotiation and Notice to Proceed	100%	20 days	Thu 2/26/09	Wed 3/25/09	100% 3/25																							
2	<b>Design</b>	0%	426 days	Thu 3/26/09	Thu 11/11/10	100% 8/19																							
3	Survey	100%	105 days	Thu 3/26/09	Wed 8/19/09	100% 7/8																							
4	Preliminary Soils Report	100%	75 days	Thu 3/26/09	Wed 7/8/09	100% 9/4																							
5	Draft Site Plan	100%	117 days	Thu 3/26/09	Fri 9/4/09	100% 9/16																							
6	Draft Soils Report	100%	50 days	Thu 7/9/09	Wed 9/16/09	100% 9/30																							
7	Draft Operations Plan - TM 1	100%	30 days	Thu 8/20/09	Wed 9/30/09	100% 10/21																							
8	Revised Draft Soils Report	100%	15 days	Thu 10/1/09	Wed 10/21/09	75% 3/25																							
9	Administrative Draft Concept Report	75%	22 wks	Fri 10/23/09	Thu 3/25/10	0% 4/8																							
10	District Review	0%	10 days	Fri 3/26/10	Thu 4/8/10	0% 4/15																							
11	Draft Concept Report	0%	5 days	Fri 4/9/10	Thu 4/15/10	0% 4/29																							
12	District / Peer Review	0%	10 days	Fri 4/16/10	Thu 4/29/10	0% 5/27																							
13	Final Concept Report	0%	20 days	Fri 4/30/10	Thu 5/27/10	0% 8/19																							
14	60% Plans, Specifications, and Estimates	0%	60 days	Fri 5/28/10	Thu 8/19/10	0% 9/2																							
15	District / Peer Review	0%	10 days	Fri 8/20/10	Thu 9/2/10	0% 9/30																							
16	95% Plans, Specifications, and Estimates	0%	20 days	Fri 9/3/10	Thu 9/30/10	0% 10/14																							
17	District / Peer Review	0%	10 days	Fri 10/1/10	Thu 10/14/10	0% 11/11																							
18	Final Plans, Specifications, and Estimates	0%	20 days	Fri 10/15/10	Thu 11/11/10																								
19																													
20	<b>Environmental Impact Report</b>	0%	334.5 days	Wed 4/8/09	Tue 7/20/10	0% 4/8																							
21	Notice of Award	100%	1 day	Wed 4/8/09	Wed 4/8/09	0% 1/1																							
22	Completion of subconsultant analyses	0%	38.3 wks	Thu 4/9/09	Fri 1/1/10	0% 2/22																							
23	Administrative Draft EIR	0%	7.2 wks	Fri 1/1/10	Mon 2/22/10	0% 3/15																							
24	District Review	0%	15 days	Tue 2/23/10	Mon 3/15/10	0% 4/1																							
25	Preparation of Public Draft EIR	0%	11 days	Thu 3/18/10	Thu 4/1/10	0% 5/17																							
26	EIR Public Review Period	0%	6.3 wks	Fri 4/2/10	Mon 5/17/10	0% 6/8																							
27	Preparation of Administrative Final EIR/Responses to Comments	0%	16 days	Mon 5/17/10	Tue 6/8/10	0% 6/8																							
28	Completion and Receipt of Comments from District on Final EIR	0%	17 days	Tue 6/8/10	Thu 7/1/10	0% 7/20																							
29	Completion of Final EIR and Findings of Fact	0%	6 days	Mon 7/12/10	Thu 7/20/10	0% 8/17																							
30	Public Hearings/EIR Certification	0%	11 days	Mon 8/3/09	Mon 8/17/09																								
31																													
32	<b>Bid Phase</b>	0%	55 days	Fri 11/12/10	Thu 1/27/11	0% 12/23																							
33	Advertisement	0%	30 days	Fri 11/12/10	Thu 12/23/10	0% 12/30																							
34	Bid Opening	0%	5 days	Fri 12/24/10	Thu 12/30/10	0% 1/27																							
35	Bid Review and Notice of Award	0%	20 days	Fri 12/31/10	Thu 1/27/11																								
36																													
37	<b>Construction</b>	0%	396 days	Fri 8/20/10	Fri 2/24/12	0% 9/16																							
38	Retain Design Firm to Perform Services During Construction	0%	20 days	Fri 8/20/10	Thu 9/16/10	0% 1/27																							
39	Construct	0%	261 days	Fri 1/28/11	Fri 1/27/12	0% 2/24																							
40	Startup & Testing	0%	20 days	Mon 1/30/12	Fri 2/24/12																								

Project: Southland Design 8 03 09 Date: Tue 3/2/10	Task		Baseline Milestone		Rolled Up Milestone		Rolled Up Progress		Project Summary
	Progress		Summary		Baseline Summary		Split		Group By Summary
	Baseline		Rolled Up Task		Rolled Up Baseline		Baseline Split		Deadline
	Milestone		Rolled Up Critical Task		Rolled Up Baseline Milestone		External Tasks		

Item	Description	Budgeted Amount Jan 2009 Master Plan	Updated Amount
1	Frontage Road sewer upgrade (street to influent pump station)	\$366,000 (4) (5)	\$366,000
2	Influent pump station upgrade	\$670,900	\$670,900
3	Influent screening system	\$327,400	\$327,400
4	Grit removal system	\$402,700	\$402,700
5	Phase I Biolac system	\$3,877,500	\$3,877,500
6	Phase I Sludge holding lagoons	\$67,700	\$67,700
7	Phase I Sludge drying beds	\$1,160,700	\$1,160,700
	<b>Construction Subtotal</b>	<b>\$6,872,900</b>	<b>\$6,872,900</b>
8	Contingency	\$2,061,870 (6)	\$2,061,870
9	Design-Phase Engineering	\$923,093	\$923,093
10	Construction Management	\$1,138,777 (7)	\$1,138,777
11	Environmental Mitigation	-- (8)	-- (8)
12	Environmental Monitoring	-- (8)	-- (8)
13	Permitting Fees	-- (8)	-- (8)
	<b>WWTF PROJECT TOTAL (Rounded to 1000)</b>	<b>\$10,997,000</b>	<b>\$10,997,000</b>

13	Frontage Rd Sewer Upgrade Project (Division St to WWTF property)	--	\$1,658,600 (9) (10)
14	Frontage Rd Sewer Upgrade Project Contingency	--	\$331,720 (9) (10)
	<b>FRONTAGE RD SEWER PROJECT TOTAL (Rounded to 1000)</b>	<b>--</b>	<b>\$1,991,000 (9) (10)</b>

Notes:

- (1) ENR CCI: November 2008 = 8602
- (2) Costs are from the January 2009 Southland WWTF Master Plan.
- (3) Costs are escalated by 4 % per year to anticipated midpoint of construction (2011).
- (4) The Frontage Rd Sewer Upgrade project includes the sewer main from Division St. to the influent pump station. The portion between the street and the influent pump station is currently included in the Southland WWTF Upgrades project scope of work, but may be moved to the Waterline Intertie Project for expedited construction.
- (5) The cost for this portion of Frontage Rd was estimated by prorating the cost opinion for the Frontage Road Sewer Upgrade (based on linear footage) to arrive at the 2008 Construction Cost Opinion. A 4% per year escalation was used to arrive at the 2011 midpoint of construction cost opinion.
- (6) Contingency is estimated at 30% of construction subtotal.
- (7) To be updated by CM Team, assumed to be 30% of construction subtotal minus the engineering fee.
- (8) Costs to be developed with EIR process
- (9) The Frontage Road Sewer Upgrade Project plans are being developed as part of the Waterline Intertie Project effort, but construction will be paid for using separate sewer funds, not supplemental water funds
- (10) Costs based on the 90% plans and specifications for Bid Package #2 of Waterline Intertie Project (October 2009)

**Project Budget Summary**

3/3/2010

Engineering Services for NCSD - Southland WWTF Upgrade

Nipomo CSD

	Total Budget	Amount Previously Invoiced	Current Invoice Amount	% of Budget Earned to date	% of Work Complete
Task Group 1 - Concept Design Phase	\$188,622.00	\$145,614.49	\$1,586.25	78%	78%
Task Group 2 - Construction Documents	\$478,948.00	\$5,798.25	\$3,678.75	2%	2%
Task Group 3 - Project Management	\$68,787.00	\$16,429.50	\$1,282.50	26%	26%
Task Group 4 - Assistance During Bid	\$39,539.00	\$0.00	\$0.00	0%	0%
Task Group 5 - Office Engineering Services	\$147,198.00	\$0.00	\$0.00	0%	0%
<b>Total</b>	<b>\$923,094.00</b>	<b>\$167,842.24</b>	<b>\$6,547.50</b>	<b>19%</b>	<b>19%</b>

Date Printed 3/2/2010

TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN *ML*  
DATE: March 5, 2010



## MONTHLY ENGINEER UPDATE

### ITEM

NCSD District Engineer Peter Sevcik re Recent District Engineer Activities [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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NIPOMO, CA 93444 - 0326  
(805) 929-1133 FAX (805) 929-1932  
Web site address [www.ncsd.ca.gov](http://www.ncsd.ca.gov)

## MEMORANDUM

TO: MICHAEL LEBRUN, INTERIM GENERAL MANAGER  
FROM: PETER V. SEVCIK, P.E., DISTRICT ENGINEER P.V.S.  
DATE: MARCH 5, 2010  
RE: DISTRICT ENGINEER ACTIVITIES UPDATE

- **Santa Maria Waterline Intertie Project**
  - Reviewed Education and Outreach Proposals
- **Southland WWTF Upgrade**
  - Working with AECOM to examine flows and loading for start-up conditions
  - Reviewed Interim Hydrogeologic Investigation Report for Pasquini property
- **Willow Road Waterline Extension Phase 1 Project**
  - Reviewed County bids
- **Willow Road Waterline Extension Phase 2 Project**
  - Waiting for 65% design drawings
- **Water and Sewer Master Plan Implementation**
  - Misty Glen Connection Project under construction
  - Contract awarded for Quad Tank 1 and 2 Rehabilitation Project
  - SCADA upgrade design in progress
- **Safety Program**
  - Conducted quarterly safety training for all employees on 2/11
  - Oversaw Confined Space and Lock Out/Tag Out training for operations employees on 2/25
  - Continue to coordinate on-line safety training for all District Employees
- **Sewer System Management Plan**
  - Fats, Oils and Grease (FOG) Control program initiated
- **Sundale Well Electrification Project**
  - Electrical and SCADA installation in progress
- **Regulatory Compliance**
  - Submitted monthly compliance reports for the water and wastewater systems

TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN *ML*  
DATE: MARCH 5, 2010



**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 February 24, 2010
- D-3) ADOPT RESOLUTION APPROVING TEFFT STREET SEWER FACILITY AND  
WATER WELL EASEMENT TRANSFERS WITH SLO COUNTY  
[RECOMMEND APPROVAL]
- D-4) APPROVE CONTRACT FOR OTHER POST EMPLOYMENT BENEFITS (OPEB)  
ACTUARIAL VALUATION [RECOMMEND APPROVAL]

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TO: BOARD OF DIRECTORS  
 FROM: MICHAEL LEBRUN  
 DATE: MARCH 5, 2010

**AGENDA ITEM  
 D-1  
 MARCH 10, 2010**

**TOTAL COMPUTER  
 CHECKS  
 \$579,516.33SD**

**HAND WRITTEN CHECKS**

02-19-10	20080	BL GOLF RESORT	CSDA MEETING	890.89
02-23-10	20081	LINE X OF SANTA MARIA	LINER FOR 2010 F250	471.41
02-24-10	20082	HALTERMAN & ASSOC	FCC LICENSING	1,750.00
02-25-10	20083	LEE CENTRAL COAST NEWSPAPERS	TURF REPLACEMENT ADS	1,908.61
03-01-10	20084	SLO COUNTY CLERK	RECORD AGREEMENT	92.00
03-01-10	20085	L VIERHEILIG	FINANCE COMMITTEE	100.00
03-01-10	20086	E EBY	FINANCE COMMITTEE	100.00
03-05-10	20087	WOESTE ELECTRIC	SUNDALE WELL	13,678.00

VOID - 17614

**COMPUTER GENERATED CHECKS**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
17636	03/05/10	EMP01	EMPLOYMENT DEVELOP DEPT	1304.50	.00	1304.50	B00301	STATE INCOME TAX
17637	03/05/10	MID01	RABOBANK-PAYROLL TAX DEPO	3453.47	.00	3453.47	B00301	FEDERAL INCOME TAX
				620.68	.00	620.68	1B00301	FICA
				911.04	.00	911.04	2B00301	MEDICARE (FICA)
			Check Total.....:	4985.19	.00	4985.19		
17638	03/05/10	MID02	RABOBANK-DIRECT DEPOSIT	26649.50	.00	26649.50	B00301	NET PAY
17639	03/05/10	PER01	PERS RETIREMENT	7326.82	.00	7326.82	B00301	PERS PAYROLL REMITTANCE
17640	03/05/10	STA01	ING-PERS 457 DEFERRED COM	1125.00	.00	1125.00	B00301	457 DEFERRED COMP
017641	03/10/10	ABA01	ABALONE COAST BACTERIOLOG	20.00	.00	20.00	10-382	BL WWTF LAB
				175.00	.00	175.00	10-383	WATER SAMPLES
				20.00	.00	20.00	10-396	BL WWTF LAB
				176.00	.00	176.00	10-397	TOWN WWTF LAB
				20.00	.00	20.00	10-404	BL WWTF LAB
				20.00	.00	20.00	10-408	BL WWTF LAB
				20.00	.00	20.00	10-419	BL WWTF LAB
				20.00	.00	20.00	10-428	BL WWTF LAB
				175.00	.00	175.00	10-429	WATER SAMPLES
				20.00	.00	20.00	10-440	BL WWTF LAB
				176.00	.00	176.00	10-441	TOWN WWTF LAB
				20.00	.00	20.00	10-452	BL WWTF LAB
				20.00	.00	20.00	10-467	BL WWTF LAB
			Check Total.....:	882.00	.00	882.00		
017642	03/10/10	ADV01	ADVANTAGE ANSWERING PLUS	365.90	.00	365.90	110377	ANSWERING SERVICE
017643	03/10/10	AEC01	AECOM USA INC	6925.50	.00	6925.50	021810	SOUTHLAND WWTF UPGRADE
				2193.75	.00	2193.75	7072967	FRONTAGE SEWER MAIN 60096
				37259.99	.00	37259.99	7073125	WIP DESIGN
			Check Total.....:	46379.24	.00	46379.24		
017644	03/10/10	ALX01	ALEXANDER'S CONTRACT SERV	3246.02	.00	3246.02	2210012	METER READS
017645	03/10/10	AME02	AMERICAN INDUSTRIAL SUPPL	25.93	.00	25.93	206229	SUPPLIES
017646	03/10/10	AME03	AMERI PRIDE	114.95	.00	114.95	8027	UNIFORMS ETC
				107.58	.00	107.58	14012	UNIFORMS ETC
				119.04	.00	119.04	19803	UNIFORMS ETC
			Check Total.....:	341.57	.00	341.57		
017647	03/10/10	ATT01	AT&T/MCI	152.18	.00	152.18	1187344	PHONE
				28.39	.00	28.39	1187596	PHONE
				153.61	.00	153.61	1187666	PHONE
			Check Total.....:	334.18	.00	334.18		
017648	03/10/10	BHI01	BHI MANAGEMENT CONSULTING	2061.50	.00	2061.50	010-16	STRATEGIC PLAN UPDATE
017649	03/10/10	BLU02	BLUE SHIELD OF CALIFORNIA	1782.72	.00	1782.72	JAN/FEB	COBRA SUBSIDY-CRUZ JAN &
017650	03/10/10	BOB02	BOB MURRAY & ASSOCIATES	6204.08	.00	6204.08	3763	MANAGER RECRUITMENT
017651	03/10/10	BRE02	BRENTAG PACIFIC INC.	624.73	.00	624.73	BPI973136	CHLORINE

Copy of document found at www.NoNewWipTax.com

**NIPOMO COMMUNITY SERVICES DISTRICT  
WARRANTS MARCH 5, 2010**

**AGENDA ITEM  
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MARCH 10, 2010  
PAGE TWO**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
017652	03/10/10	CAL03	CALIFORNIA ELECTRIC SUPPL	102.80 242.10 25.00	.00 .00 .00	102.80 242.10 25.00	400346 400347 402189	SUPPLIES SUPPLIES FOR LFT STN SUPPLIES
			Check Total.....	369.90	.00	369.90		
017653	03/10/10	CAL16	CALPERS	28250.00	.00	28250.00	33110	OPEB QTRLY CONTRIBUTION 3
017654	03/10/10	CAN02	CANNON ASSOCIATES	1547.50 10511.37	.00 .00	1547.50 10511.37	48126 48067-R	MISTY GLEN MISTY GLEN-WILLOW ROAD PH
			Check Total.....	12058.87	.00	12058.87		
017655	03/10/10	CLA02	CLAY'S SEPTIC & JETTING	380.00	.00	380.00	39736	TEJAS LFT STN PUMP
017656	03/10/10	CLE06	CLEVER DUCKS	279.00 911.25	.00 .00	279.00 911.25	9695 9813	COMPUTER SUPPORT COMPUTER SUPPORT
			Check Total.....	1190.25	.00	1190.25		
017657	03/10/10	COA02	COASTAL ROLLOFF	381.25	.00	381.25	49006	SHOP TRASH REMOVAL
017658	03/10/10	COR01	CORBIN WILLITS SYSTEMS	750.83	.00	750.83	B002151	COMPUTER SUPPORT
017659	03/10/10	DIS02	DISCRETE WIRELESS	308.50	.00	308.50	AT0642835	GPS SERVICE
017660	03/10/10	EBY01	EBY, ED	100.00	.00	100.00	031010	REG BD MEETING 031010
017661	03/10/10	ELE01	ELECTRONIC PRTS SUPERMART	75.75	.00	75.75	25524	SUPPLIES
017662	03/10/10	ENV01	ENVIRONMENTAL EQUIP ENG	5391.70	.00	5391.70	3838	AERATOR PARTS
017663	03/10/10	FAR01	FARM SUPPLY COMPANY	3654.36	.00	3654.36	FEB 2010	CITRIC ACID
017664	03/10/10	FAR02	FAR WEST EXPRESS	23.00	.00	23.00	E18104+	DELIVERY OF BILLS
017665	03/10/10	FER01	FERGUSON ENTERPRISES INC	1193.99	.00	1193.99	1732259	CLA VAL REPAIRS
017666	03/10/10	FGL01	FGL ENVIRONMENTAL	306.00 306.00 81.00	.00 .00 .00	306.00 306.00 81.00	1084A 1321A 1322A	TOWN WWTF LAB TOWN WWTF LAB BL WWTF LAB
			Check Total.....	693.00	.00	693.00		
017667	03/10/10	GAS02	GAS COMPANY, THE	128.98 16.15	.00 .00	128.98 16.15	022210 022610	OFFICE HEAT 06235160949 SHOP HEAT
			Check Total.....	145.13	.00	145.13		
017668	03/10/10	GIL01	GLM, INC.	320.00	.00	320.00	022610	OFFICE LANDSCAPE
017669	03/10/10	GRO01	GROENIGER & CO	407.03	.00	407.03	11012954	SUPPLIES
017670	03/10/10	GWA01	GWA INC	85.00 53.00 85.00	.00 .00 .00	85.00 53.00 85.00	100202 1002006 1002021	ALARM MONITORING ALARM MONITORING ALARM MONITORING
			Check Total.....	223.00	.00	223.00		
017671	03/10/10	HAR02	HARRISON, JAMES	100.00	.00	100.00	031010	REG BD MEETING 031010
017672	03/10/10	HAY01	HAYES ADVANCED DESIGN	650.00	.00	650.00	501804	PAVE ON VINTAGE
017673	03/10/10	JOH01	JOHNSON, DONNA	9.99	.00	9.99	021510	SUPPLIES
017674	03/10/10	KAR01	PAUL J. KARP, P.E.	4804.45	.00	4804.45	38	WIP PEER REVIEW
017675	03/10/10	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	47879	LANDSCAPE MAINT VISTA VER
017676	03/10/10	LIP01	TONY LIPKA	2500.00	.00	2500.00	NIPO-1001	ELECTRICAL SAFETY CONSULT
017677	03/10/10	MIN02	MINER'S ACE HARDWARE	320.48	.00	320.48	603089+	SUPPLIES
017678	03/10/10	MNS01	MNS ENGINEERS INC	3840.00	.00	3840.00	59287	WIP PRE CONSTRUCTION PHAS
017679	03/10/10	NEL01	NELSON, WILLIAM J	100.00	.00	100.00	031010	REG BD MEETING 031010
017680	03/10/10	NEX01	NEXTEL COMMUNICATIONS	410.75	.00	410.75	87314-099	CELL PHONES

**NIPOMO COMMUNITY SERVICES DISTRICT  
WARRANTS MARCH 5, 2010**

**AGENDA ITEM  
D-1  
MARCH 10, 2010  
PAGE THREE**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
017681	03/10/10	NIP09	NIPOMO MARKET PLACE	110.76	.00	110.76	012910	FUEL
017682	03/10/10	NUT01	NU TECH PEST MGMT	265.00 49.00	.00 .00	265.00 49.00	77187 77188	PEST CONTROL PEST CONTROL
			Check Total.....:	314.00	.00	314.00		
017683	03/10/10	OFF01	OFFICE DEPOT	275.30 216.49	.00 .00	275.30 216.49	51022965 509045862	SUPPLIES SUPPLIES
			Check Total.....:	491.79	.00	491.79		
017684	03/10/10	PER04	PERRY'S ELECTRIC MOTORS	1300.65	.00	1300.65	10650	AERATOR REPAIR
017685	03/10/10	PER05	PERFORMANCE METER, INC	773.15	.00	773.15	17155	HYDRANT METER
017686	03/10/10	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	197	FEB JANITORIAL SERVICE
017687	03/10/10	QUI03	QUINN RENTAL SERVICES	258.67	.00	258.67	1218827	CONCRETE
017688	03/10/10	QUI04	QUINN POWER SYSTEMS	621.65	.00	621.65	330004438	ENGINE & GENERATOR MAINT
017689	03/10/10	SAI01	SAIC	15822.50	.00	15822.50	738012	NMMA TG
017690	03/10/10	SAN01	SANTA MARIA TIRE INC	613.63	.00	613.63	456277	TIRES & OIL CHANGE
017691	03/10/10	SHE01	SHEPARD BROS. INC.	376.67	.00	376.67	67551	SUPPLIES
017692	03/10/10	SHI01	SHIPSEY & SEITZ, INC	8995.29	.00	8995.29	013110	LEGAL SERVICES
017693	03/10/10	SLO01	SAN LUIS OBISPO COUNTY	368714.00	.00	368714.00	B00304	WILLOW ROAD CONSTRUCTION
017694	03/10/10	SOU01	SOUTH COUNTY SANITARY	34.92 169.12	.00 .00	34.92 169.12	2847831 2849265	OFFICE TRASH COLLECTION OLDE TOWNE TRASH COLLECTI
			Check Total.....:	204.04	.00	204.04		
017695	03/10/10	STA08	STAPLES	84.41	.00	84.41	260696001	SUPPLIES
017696	03/10/10	TAF01	TAFT ELECTRIC	152.79	.00	152.79	30617D	TEFFT LFT STN MAINT
017697	03/10/10	TIT01	TITAN INDUSTRIAL & SAFETY	323.57	.00	323.57	1039761	SUPPLIES
017698	03/10/10	UND01	UNDERGROUND SERVICE ALERT	153.00	.00	153.00	10020032	UNDERGROUND NOTIFICATION
017699	03/10/10	USB01	US BANK TRUST	412.83 192.33 821.75	.00 .00 .00	412.83 192.33 821.75	022210 022210B 022210C	CONSERVATION SUPPLIES BD MEETING SUPPLIES OPERATING SUPPLIES
			Check Total.....:	1426.91	.00	1426.91		
017700	03/10/10	VAN01	VAN SCOYOC ASSOCIATES	4500.00	.00	4500.00	33995	LOBBYING SERVICE
017701	03/10/10	VER01	VERIZON	37.57	.00	37.57	021910	BL PHONE
017702	03/10/10	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	031010	REG BD MEETING 031010
017703	03/10/10	WAL01	WALLACE GROUP	746.55	.00	746.55	29308	FOG OUTREACH & INSPECTION
017704	03/10/10	WEA02	WEATHER TRAK	84.00	.00	84.00	900243	ANNUAL SUBSCRIPTION
017705	03/10/10	WIN01	WINN, MICHAEL	100.00	.00	100.00	031010	REG BD MEETING 031010
017706	03/10/10	\0006	JOANN OUTLAND REALTY,	55.62	.00	55.62	000B00301	MQ CUSTOMER REFUND FOR OU

**NIPOMO COMMUNITY SERVICES DISTRICT***Celebrating 45 - Years of Service 1965 - 2010***DRAFT MINUTES****FEBRUARY 24, 2010 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**

MICHAEL LEBRUN, **INTERIM GENERAL MANAGER**  
 LISA BOGNUDA, **ASSIST. GENERAL MANAGER**  
 DONNA JOHNSON, **BOARD SECRETARY**  
 JON SEITZ, **GENERAL COUNSEL**  
 PETER SEVCIK, **DISTRICT ENGINEER**

Mission Statement: The Nipomo Community Services District's mission is to provide 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.

00:00:36

**C. PRESENTATIONS AND PUBLIC COMMENT****C-1) MIKE NUNLEY OF AECOM**

Update re: Waterline Intertie Project

Michael LeBrun, Interim General Manager, introduced Mike Nunley.

Mike Nunley, AECOM Engineering Project Manager, reviewed the report presented in the Board letter.

Peter Sevcik, District Engineer, Mike Nunley, AECOM Engineering Project Manager, and Jon Seitz, District Legal Counsel answered questions from the Board. The Board thanked Mr. Nunley for the report.

**C-2) NCSD SUPERINTENDENT TINA GRIETENS**

Update re: January 2010 Utility Division Activities

(Directors will be provided an overview of recently purchased utility equipment in the parking lot immediately adjacent to the hearing room.)

Michael LeBrun, Interim General Manager, introduced Tina Grietens. He mentioned the planned viewing of the utility equipment will be postponed due to the rain.

Tina Grietens, Utility Superintendent, reviewed the report in the Board letter. Ms. Grietens answered questions from the Board. The Board thanked Ms. Grietens for the report.

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

Receive Announcements from Directors Items of District & Community Interest

**Director Nelson**

He stated that he attended the Regional Water Quality Control Board workshop on a TMDL study for Santa Maria River Watershed. Some of the information presented included a report that gave a comprehensive overview of the Santa Maria Groundwater Basin. There are some 90 pollutants present in surface water.

**MINUTES SUBJECT TO BOARD APPROVAL**

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

## C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT &amp; COMMUNITY INTEREST (CONT)

Director Nelson (CONT)

A member of the Chumash tribe, Fred Collins, mentioned the oil plume that is 18 inches underneath the Nipomo Creek and that he once swam in Nipomo Creek and Oso Flaco Lake in his youth. Also, Director Nelson will provide a copy of an update on the agricultural water improvement and the regulatory program that is going on.

Director Vierheilig

03-06-10 – Nipomo Native Garden will have a workday from 9:00 to noon

03-12, 13, & 14, 2010 – Santa Barbara International Orchid Show at the Earl Warren Showgrounds.

03-26, 27, 28, 2010 – Central Coast Orchid Show at the South County Regional Center in Arroyo Grande. Friday night preview will benefit Alzheimer's Assoc. Tickets for the preview are \$40.00.

Director Winn

03-23-10 – Attended the SLO County Board of Supervisors meeting considered the treated sewage and bio-sludge issue. New ordinance will be introduced March 9.

03-29-10 – Huasna Excelaron Petroleum Plan wants to put in 12 new wells. A federal clean-up group has sealed some wells. The public meeting will be at the South County Regional Center in Arroyo Grande March 29.

03-03-10 – Water Resource Advisory Committee will meet in San Luis Obispo at 1:45 p.m. They will be discussing the update of the RMS. There will be a report from the RWQCB on the new proposed ag water policies.

The APCD report on air quality concerning particulate matter in the Nipomo area possibly being generated from the Dunes area is on their website at [slocleanair.org](http://slocleanair.org).

02-22-10 – South County Advisory Council (SCAC) – presentation by Dana Adobe asking for a letter to be signed to support help from Congress. Also, SCAC election nominations were accepted.

3-08-10 – Town Hall meeting introducing the SCAC candidates at NCSD.

02-25-10 – Bids will open on the Willow Rd. Extension project.

Director Eby gave an excellent report to SCAC re the LAFCo Sol for NCSD.

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

Michael Teixeira from Paso Robles introduced himself to the Board and the public. He is running for sheriff in the next election. He is experienced in working with gangs. He wants to start a gang diversion project. His website is [Tex4sheriff.com](http://Tex4sheriff.com).

00:34:26

## D. CONSENT AGENDA

## D-1) APPROVE WARRANTS

## D-2) APPROVE BOARD MEETING MINUTES

Approve Minutes of February 10, 2010

## D-3) ADOPT 2010 BOARD BYLAWS

The Board discussed the proposed resolution and made minor changes.

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

**MINUTES SUBJECT TO BOARD APPROVAL**

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

RESOLUTION NO. 2010-1177  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING AMENDED BOARD BY-LAWS AND POLICIES (2010)

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

00:37:54

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER COUNTY PROPOSED GENERAL PLAN AMENDMENT FOR JACK READY PARK

Michael LeBrun, Interim General Manager, stated that, contrary to his staff report, County staff will not be making a presentation on this item. District staff will keep in contact with County staff.

Briget Ready, 5th generation Dana descendant, is proposing the Jack Ready Park, especially designed for special-needs children and others.

Paul Ready, SLO resident, stated that property was deeded to SLO County for the purpose of a park. He thanked all the volunteers, "Jack's Helping Hand", who have been involved in the project. He asked for continued support.

Paul Wolff, retired architect from Call Poly, speaking for a group called accessforall.org. supports the new park.

Vicki Jansen, Supervisor Achadjian's legislative assistant, conveyed to the Board Katcho's support for the project. She also asked about NCSD Ordinance 3090. The project is consistent with the Parks and Recreation Element and the 2005 General Plan.

Director Winn stated that Ordinance 3090 is a County ordinance, not one from NCSD, though we do value it highly.

Mr. LeBrun stated that the Board will be kept informed concerning the project. No action needed or taken on this item.

*The Board took a break at 9:59 a.m. and returned at 10:10 a.m.*

00:58:12

E-2) CAPACITY CHARGE COLLECTION POLICY

Michael LeBrun, Interim General Manager, explained that District staff and the San Luis Obispo County Home Builders Association met to discuss delaying of the collection of fees until the issuance of a building permit by the County. The Board discussed the situation.

Jon Seitz, District Legal Counsel, stated that fees require an ordinance amendment. Things to be considered include: how much should be in initial deposit, when is balance to be paid, sunset date to be number of months after adoption.

Peter Sevcik, District Engineer, answered questions from the Board about the existing subdivisions.

**MINUTES SUBJECT TO BOARD APPROVAL**

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

E-2) CAPACITY CHARGE COLLECTION POLICY (CONTINUED)

The following members of the public spoke:

Jerry Bunin, San Luis Obispo County Home Builders Association, stated that it is fiscally problematic for developers to pay District fee prior to the building permit. He proposed 10% at the issuance of the Will-Serve Letter, and 90% as the building permit is pulled.

Greg Nester, local builder, reviewed the process builders go through to get a building permit. He answered questions from the Board.

Gwen Pelfrey, Coast National Bank, explained the lending process and that it has changed quite a bit during this economy.

Terry Flatley, local builder, explained how other agencies' policies work in paying fees before occupancy.

The Board discussed the matter at length. Lisa Bognuda, NCSD Finance Director, and Peter Sevcik, District Engineer, answered questions from the Board.

Ms. Pelfrey, Coast National Bank, clarified some loan policies.

Charlie Fruit, Coast National Bank, suggested that the Board record a lien against the property as a guarantee of payment of fees.

Upon motion of Director Harrison and seconded by Director Vierheilig, the Board agreed to direct staff to put into place an ordinance the way the District collects fee: 10% at issuance of the Will-Serve Letter, an additional 20% at issuance of the Ready-to-Serve Letter, full fees for any parcel developed before the Ready-to-Serve letter, and the remainder of fees at the Building Permit stage. Vote 4-1, with Director Eby voting no.

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

*The Board considered Closed Session next.*

03:09:10

I. CLOSED SESSION ANNOUNCEMENTS

Jon Seitz, District Legal Counsel, announced the following to be heard in Closed Session:

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9 SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSD (CASE NO. CV 040877), MARIA VISTA VS. NCSD (CASE NO. CV 061079), AND MARIA VISTA VS. LINDA VISTA FARMS, NCSD ET AL. (CASE NO. CV 040150);
3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
4. INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 ( 1 CASE)

**MINUTES SUBJECT TO BOARD APPROVAL**

Nipomo Community Services District  
REGULAR MEETING  
DRAFT MINUTES

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public present to comment.

K. ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 12:24 p.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 1:27 p.m.

Jon Seitz, District Legal Counsel, announced that the Board heard an update on the items above. There was no reportable action taken.

*The Board considered Item E-5 next.*

03:11:44

E-5) LAFCO SPHERE OF INFLUENCE UPDATE (SOI) AND MUNICIPAL SERVICES REVIEW

Michael LeBrun, Interim General Manager, introduced LAFCO's February 2010 Public Review Draft, Sphere of Influence Update and Municipal Services Review for Nipomo Community Services District. Each Director had comments and suggestions on the draft for Mr. LeBrun to take to LAFCO for its consideration. The Board directed staff to draft the comments and bring back to the next meeting before presenting the comments to LAFCO.

04:22:27

E-3) AWARD TANK COATING BID

Peter Sevcik, District Engineer, reviewed the bid process for awarding the bid for the Rehabilitation of Two 500,000 Gallon Welded Steel Water Storage Tanks to the lowest responsive and responsible bidder. Eleven bids were received. Crosno Construction, Inc. was the lowest bidder. Mr. Sevcik answered questions from the Board.

Upon motion by Director Winn and seconded by Director Eby, the Board unanimously agreed to staff's recommendation to:

1. Award the bid for the project to Crosno Construction, Inc. for \$202,700, including the additive bid items, and authorize General Manager to execute construction agreement.
2. Authorize the General Manager to issue individual Change Orders for up to \$5,000 with an aggregate Change Order total not to exceed \$20,000.
3. Authorize staff to file a Notice of Exemption for the project.

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

04:32:26

E-4) LAFCO SPECIAL DISTRICT BALLOT

Michael LeBrun, Interim General Manager, explained that four individuals have been nominated to fill the Special District seat of the Local Agency Formation Commission. Director Winn stated that Director Eby has attended every LAFCO meeting since 2006. Upon motion by Director Vierheilg and seconded by Director Nelson, the Board unanimously agreed to vote for Director Eby and directed staff to file a completed ballot with LAFCO. There was no public comment. Vote 5-0.

**MINUTES SUBJECT TO BOARD APPROVAL**



Nipomo Community Services District  
REGULAR MEETING  
DRAFT MINUTES

E-4) LAFCO SPECIAL DISTRICT BALLOT (CONT)

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

04:35:38

E-6) CSDA 2010 LEGISLATIVE DAYS IN SACRAMENTO

Michael LeBrun, Interim General Manager, explained that the CSDA Legislative Conference will be held In Sacramento, May 11 and May 12, 2010.

Directors Winn and Harrison expressed a desire to attend along with the General Manager. There was no public present to comment.

Upon motion by Director Vierheilig and seconded by Director Eby, the Board unanimously agreed to send District representation to the CSDA Legislative Conference in May, 2010. Vote 5-0.

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

04:39:47

F. MANAGER'S REPORT

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board letter and answered questions from the Board. There was no public present to comment.

G. COMMITTEE REPORT

There was no committee meeting held to present a report.

04:53:03

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Winn

- ◇ Asked to have rain totals included in the next Manager's report.
- ◇ Asked when the next groundwater capacity study report from SAIC will be issued.
- ◇ Dana Adobe Nipomo Amigos asked SCAC for a support letter and will probably be asking NCSD for a support letter to Congress for a grant. He asked that this be agendized.
- ◇ Asked to change District's regular May 12<sup>th</sup> meeting to May 19<sup>th</sup> and the May 26<sup>th</sup> meeting to June 9.
- ◇ His home water conditioner was adjusted by the seller and it now uses much less salt.
- ◇ He is getting a solar energy system for his home. The amount of money saved on electricity will pay for the unit in 5½ years. He would like to have the District look into this type of energy savings.

Director Harrison

Asked Mr. LeBrun to speak on Olde Towne Nipomo Association meeting.

Mr. LeBrun stated that Olde Towne Nipomo Association is looking at a loan for Miller Park. There were discussions including Tony Navarro and Kari Wagner. There is possible funding through the State or USDA Rural Grants.

ADJOURN

President Harrison adjourned the meeting at 3:25 p.m.

➤ Next Regular Board Meeting is March 10, 2010

**MINUTES SUBJECT TO BOARD APPROVAL**

TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN  
DATE: MARCH 5, 2010

**AGENDA ITEM  
D-3  
MARCH 10, 2010**

**ADOPT RESOLUTION APPROVING TEFFT STREET SEWER FACILITY AND  
WATER WELL EASEMENT TRANSFERS WITH SLO COUNTY**

**ITEM**

Adopt a Resolution approving Tefft Street sewer facility and water well easement transfers with County [RECOMMEND APPROVAL].

**BACKGROUND**

During the District's effort to establish park powers and create a pocket park in Olde Towne, we became aware of historic easements that were either not recorded or unused. The subject parcel is APN 090-142-007 located on the south side of Tefft Street across from the proposed park property.

Currently, the District holds a water well easement that is no longer required. Additionally, the District's Tefft Street lift station is not covered by an easement and thus exists on County owned and controlled property.

The District and the County have agreed, as outlined in the MOU adopted by the County on March 24, 2009, to correct this historical condition. The proposed Resolution initiates the granting of an easement by the County to the District in support of existing District sewer facilities and Quitclaim of a District well site easement back to the County.

**FISCAL IMPACT**

Staff has expended budget time and legal fees.

**RECOMMENDATION**

Staff recommends that your Board adopt the Resolution and direct staff to coordinate the easement transfer with the County.

**ATTACHMENTS**

- Draft resolution and exhibits

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2010\100310 TEFFT LIFT STATION EASEMENTS.DOC

**RESOLUTION NO. 2010- xxx**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
QUITCLAIMING THE DISTRICTS INTEREST IN  
A WATER WELL EASEMENT TO THE COUNTY OF SAN LUIS OBISPO  
AND ACCEPTING A SANITARY LIFT STATION AND  
PIPELINE EASEMENT FROM THE COUNTY OF SAN LUIS OBISPO**

**WHEREAS**, The County of San Luis Obispo (the "County") is the owner of certain real property identified as Assessor Parcel Number 090-142-007 (herein the "County Property"). The County Property is situated within the Nipomo Community Services District (the "District") and is located between Tefft Street and Dana Street, Nipomo, California; and

**WHEREAS**, There is currently constructed a District sewer pipeline and lift station (Sewer Facilities) on the County Property without benefit of a recorded easement; and

**WHEREAS**, In 1984, the County granted District a seventy-five foot by seventy-five foot (75'x75') water well easement (the "Water Well Easement") on the County Property; and

**WHEREAS**, The County Property, the Sewer Facilities, the Water Well Easement and an existing gas line easement are depicted on Exhibit "1" attached hereto and incorporated herein by this reference; and

**WHEREAS**, During the month of January 2009, the District and the County entered into an Agreement titled "Memorandum of Understanding between the County of San Luis Obispo and the Nipomo Community Services District Regarding the Transfer of Ownership in County Owned Real Property" (the "MOU"); and

**WHEREAS**, The MOU, in part, requires the following:

- A. The County to grant District an easement (Sewer Facility Easement) to clarify District's access to District Sewer Facilities within the County Property as depicted in Exhibit "1"; and
- B. The District to Quitclaim the District's interest in the Water Well Easement to the County as depicted in Exhibit "1"; and

**WHEREAS**, Based on the staff report, staff presentation and public comment the District makes the following findings regarding the Quitclaim (Exhibit A) of the District's interest in the Water Well Easement to the County:

- A. The Water Well Easement has not been used for the purposes for which it was required for five (5) consecutive years immediately proceeding adoption of this Resolution.
- B. The Water Well Easement is not necessary for present or perspective District purposes; and

**WHEREAS**, Based on the staff report, staff presentation and public comment the District makes the following findings regarding the granting and acceptance of the Sanitary Lift Station and Pipeline Easement, aka Sewer Facility Easement (Exhibit B):

- A. The granting and acceptance of the proposed Sewer Facility Easement (Exhibit B) clarifies the legal authority for the District to enter the County property for the purpose of operating and maintaining the District Sewer Facilities.
- B. The area of the Water Well Easement Quitclaimed to the County is approximately the area of the Sewer Facility Easement.
- C. The County Property is burdened with an existing gas line easement as depicted in Exhibit "1".
- D. The granting and acceptance of the proposed Sewer Facility Easement does not increase the size or capacity of the existing Sewer Facilities.
- E. The granting and acceptance of the Sewer Facility Easement will not change the land use of the County's property.
- F. The granting and accepting of the Sewer Facility Easement will not result in a direct or reasonably foreseeable indirect physical change to the environment.

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

- 1. The above recitals and findings are true and correct and incorporated herein by reference.
- 2. The President of the District Board of Directors is authorized to execute the Quitclaim Deed attached to this Resolution as Exhibit "A", quitclaiming the District's interest in the Water Well Easement back to the County.
- 3. The District staff is authorized to forward the Sewer Facility Easement attached hereto as Exhibit "B" to the County of San Luis Obispo for approval by the Board of Supervisors.
- 4. The District President is authorized to execute the Certificate of Acceptance upon the County of San Luis Obispo executing the Sewer Facility Easement.
- 5. District staff is authorized to record the Quitclaim Deed (Exhibit A) upon receipt from the County of a fully executed Sewer Facility Easement.
- 6. Based on the recitals and findings of this Resolution the District Board of Directors finds that Quitclaiming the Water Well Easement to the County and acceptance of the Sewer Facility Easement, that clarifies the District's authority to operate and maintain Sewer Facilities, does not constitute a project within the meaning of CEQA, because it can be seen with certainty that the transfers will not result in a direct or reasonably foreseeable indirect physical change in the environment.

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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
James Harrison, President  
Nipomo Community Services District

ATTEST:

\_\_\_\_\_  
Donna K. Johnson  
Secretary to the Board

\_\_\_\_\_  
Jon S. Seitz, Esq.  
General Counsel

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:

Clerk of the Board of Supervisors  
County of San Luis Obispo  
1055 Monterey Street  
San Luis Obispo, CA 93408

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COUNTY BUSINESS-FREE. THIS DOCUMENT PRESENTED FOR RECORDING PURSUANT TO  
GOVT. CODE SECTION 27383.

## QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**the Nipomo Community Services District , a community services district of the State of California**

hereby remise, release and forever quitclaim to

**The County of San Luis Obispo, a Public Entity in the State of California**

the following described real property in the County of San Luis Obispo, State of California, to wit:

**the water well easement and restricted use area described in Articles VI and VII, respectively, in the Grant of Easement and Water Service Agreement Affecting Real Property recorded on May 29, 1984 in Document No. 27332 filed in Book 2598 at Page 554 of Official Records in the Office of the County Recorder of the County of San Luis Obispo, State of California.**

APNs: 090-142-007

NIPOMO COMMUNITY SERVICES DISTRICT

BY: \_\_\_\_\_  
President, Board of Directors

Attest:

\_\_\_\_\_  
Secretary, Board of Directors

STATE OF CALIFORNIA            )  
  ) ss.  
COUNTY OF SAN LUIS OBISPO)

On \_\_\_\_\_, before me, \_\_\_\_\_, County of San Luis Obispo, State of California, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that **he/she** executed the same in his/her authorized capacity, and that by **his/her** signature on the instrument the person, or the entity upon of which the person acted, executed the instrument.

I certify under Penalty of Perjury under the laws of the State of California that the foregoing paragraph is true and correct.

**WITNESS** my hand and official seal.

By:

(SEAL)

**RECORDING REQUESTED BY**  
NIPOMO COMMUNITY SERVICES DISTRICT

**WHEN RECORDED, RETURN TO:**

Clerk of the Board of Supervisors  
County of San Luis Obispo  
1055 Monterey Street  
San Luis Obispo, CA 93408

No recording fee per Government Code § 6103  
No Documentary Transfer Tax per Revenue & Taxation Code § 11922

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**SANITARY SEWER LIFT STATION AND PIPELINE EASEMENT  
AND AGREEMENT**

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Exhibit A – Legal Description of Grantor’s property APN: 090-142-007  
Exhibit B – Legal Description of Easement  
Exhibit C – Depiction of the Easement Area  
Exhibit D – Depiction of Grantee’s Current Access to Easement & District Facilities

For valuable consideration, receipt of which is hereby acknowledged, and subject to the terms and conditions of this Sanitary Sewer Lift Station and Pipeline Easement and Agreement, the County of San Luis Obispo, a political subdivision of the State of California, hereinafter referred to as “Grantor”, hereby grants to the Nipomo Community Services District, a community services district of the State of California, hereinafter referred to as “Grantee”, a perpetual sanitary sewer lift station and pipeline easement described in Exhibit B and depicted in Exhibit C (the “Easement”), for purposes of installing, inspecting, repairing, maintaining, replacing, accessing, and improving existing pipeline and sanitary lift station improvements (including appurtenances), on, over, under and across real property (the “Real Property”) owned by Grantor, which property is more particularly described in Exhibit A.

THE EASEMENT(S) DESCRIBED HEREIN SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. Exhibits A, B, C and D are attached hereto and incorporated herein by this reference.
2. Grantee shall be responsible for the construction, installation, improvement, operation, repair, maintenance and replacement of the pipeline improvements and lift station facilities and appurtenances (collectively “District Facilities”) that are located within the Easement.
3. Plans and specifications for District Facilities as they exist from time to time will be maintained at the Grantee’s principal office and available for inspection by Grantor.
4. Grantee currently has access to the Easement and District Facilities by use of a roadway over adjacent property owned by Grantor, as delineated on Exhibit D. Grantor may, at some future date,



develop the adjacent property separately or conjunction with Grantor's Real Property described in Exhibit A. In the event that such future development is incompatible with Grantee's current access to the Easement and District Facilities (Exhibit D) then Grantor shall provide alternative access to the Easement and District Facilities that is comparable with Grantee's current access over Grantor's Real Property (Exhibit A).

5. Grantor may grant concurrent easements within the Easement that do not unreasonably interfere with Grantee's use of the Easement area. Grantor shall provide Grantee with a minimum of thirty (30) days written notice prior to granting concurrent easements within the Easement. Grantor shall not be prohibited from constructing a parking lot or other improvements on the Easement that do not interfere with Grantee's use of the Easement.

6. Grantor shall keep clear from the Easement all explosives, buildings, structures, walls, and other facilities of a permanent nature that have the potential to interfere with Grantee's use of the Easement.

7. Subject to the terms and conditions of this Easement, Grantor retains the right to make any use of the Real Property described in Exhibit A.

8. Any amendment to this Sanitary Sewer Lift Station and Pipeline Easement and Agreement shall be of no force and effect unless it is in writing and signed by the Grantor and Grantee.

9. The terms and conditions of this Sanitary Sewer Lift Station and Pipeline Easement and Agreement are declared to be covenants which shall run with the land and will be binding on the successors and assigns of the Grantor and the Grantee.

IN WITNESS WEHREOF, the parties hereto have executed this Sanitary Sewer Lift Station and Pipeline Easement and Agreement as of the day and year written below.

GRANTOR:  
COUNTY OF SAN LUIS OBISPO

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Chairperson  
San Luis Obispo County Board of Supervisors

ATTEST:

By: \_\_\_\_\_  
Clerk of the Board of Supervisors

STATE OF CALIFORNIA            )  
  ) ss.  
COUNTY OF SAN LUIS OBISPO)

On \_\_\_\_\_, before me, \_\_\_\_\_ Deputy        County  
Clerk-Recorder, County of San Luis Obispo, State of California, personally appeared \_\_\_\_\_  
\_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the  
person whose name is subscribed to the within instrument and acknowledged to me that **he/she**  
executed the same in his/her authorized capacity, and that by **his/her** signature on the instrument  
the person, or the entity upon of which the person acted, executed the instrument.

I certify under Penalty of Perjury under the laws of the State of California that the  
foregoing paragraph is true and correct.  
**WITNESS** my hand and official seal.

**JULIE L. RODEWALD**, County Clerk-  
Recorder and Ex-Officio Clerk of  
the Board of Supervisors

By: \_\_\_\_\_  
Deputy County Clerk-Recorder

(SEAL)

**CERTIFICATE OF ACCEPTANCE**

This is to certify that the **NIPOMO COMMUNITY SERVICES DISTRICT**, Grantee  
herein, hereby accepts for public purposes the Real Property, or interest therein, described in the  
foregoing Sanitary Sewer Lift Station and Pipeline Easement and Agreement dated  
\_\_\_\_\_, 2010, from the **COUNTY OF SAN LUIS OBISPO**, Grantor  
therein, and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_ day of \_\_\_\_\_,  
2010.

**NIPOMO COMMUNITY SERVICES DISTRICT**

By: \_\_\_\_\_  
James Harrison, President  
Nipomo Community Services District Board of Directors

ATTEST:

By: \_\_\_\_\_  
Secretary to the Board of Directors

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Real property in the City of Nipomo, County of San Luis Obispo, State of California, described as follows:

**PARCEL ONE:**

**ALL THAT PORTION OF LOT "I", IN THE TOWN OF NIPOMO, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP FILED AUGUST 18, 1882 IN BOOK A, PAGE 27 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:**

**THAT PORTION OF LOT "I" LYING NORTHWESTERLY OF THE SOUTHWESTERLY PROLONGATION OF THE NORTHWEST LINE OF TEFFT STREET.**

**APN: 090-141-006**

**PARCEL TWO:**

**ALL THAT PORTION OF LOT "I", IN THE TOWN OF NIPOMO, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, AS PER MAP RECORDED AUGUST 18, 1882 IN BOOK A, PAGE 27 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:**

**THAT PORTION OF SAID LOT "I" LYING SOUTHEASTERLY OF THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEAST LINE OF TEFFT STREET AND NORTHWESTERLY OF THE NORTHWESTERLY LINE OF DANA STREET.**

**APN: 090-142-007**

*First American Title*

**Exhibit "B"**  
**LEGAL DESCRIPTION**  
**SANITARY SEWER LIFT STATION, UTILITY, AND SEWER LINE EASEMENT**

File no: 0673.0004 (0200)

October 17, 2008

A portion of Block I of the Town of Nipomo, State of California according to the map filed in Book A of Maps at Page 27 in the Office of the County Recorder of San Luis Obispo County, said portion described as Parcels A and B as follows:

Parcel A:

**Beginning** at the most westerly corner of that portion of said Block I as shown on the Record of Survey map filed in Book 61 of Licensed Surveys at Page 83 in said County Recorder's Office, said corner also being on the southeasterly line of Tefft Street and the northeasterly line of the Pacific Coast Railroad right of way as shown on said Record of Survey, said point bearing south 39°02'28" west 387.49 feet, (S 38° 56' 02" W 387.44' calculated from 61/LS/83), from the found brass disk at the centerline intersection of Tefft and Wilson Streets;

Thence along the line common with said Block I and said Pacific Coast Rail Road right of way line south 48°13'28" east 51.00 feet, (L1);

Thence leaving said common line north 41°46'32" east 31.00 feet, (L2);

Thence north 48°13'28" west 36.33 feet, (L3);

Thence north 7°38'00" west, 13.49 feet (L4), to a point of the said southeasterly right of way line of Tefft Street;

Thence along said Tefft Street right of way line south 48°07'21" west 40.02 feet, (L5) to the True Point of Beginning.

Containing 1,577 square feet more or less.

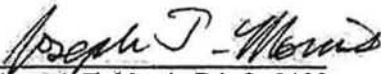
Parcel B:

The southwesterly fifteen feet (15') of said Block I being bounded on the northwest by the southeasterly line, (L2), of the above described Parcel A.

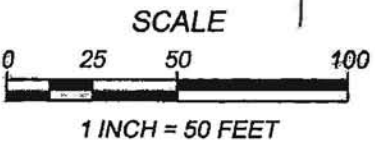
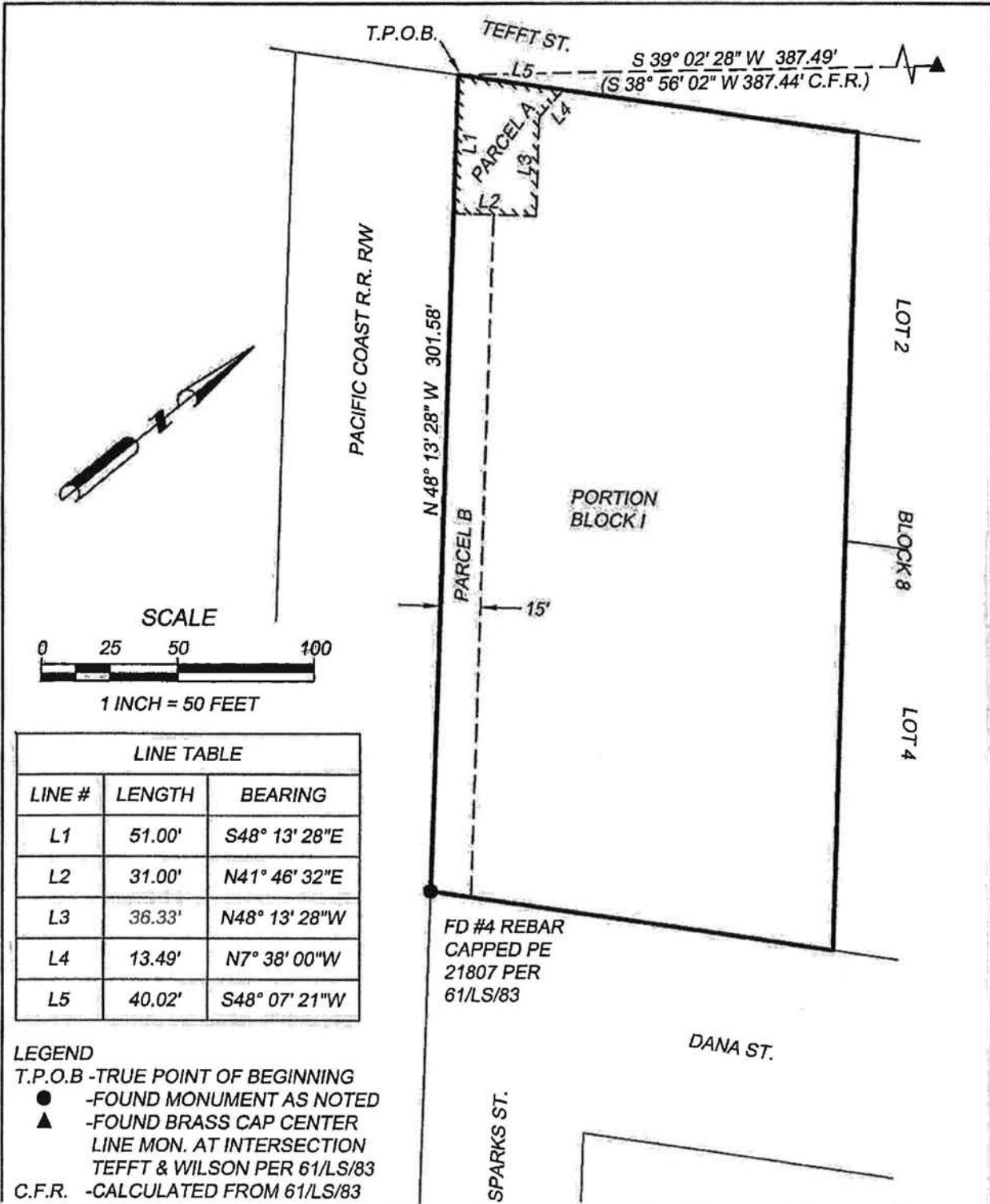
Containing 3,771 square feet more or less.

The above-described parcels of land are graphically shown on Exhibit "C" attached hereto and made a part hereof.

**End Description**

  
Joseph T. Morris P.L.S. 6192  
License expires 3/31/10





LINE TABLE		
LINE #	LENGTH	BEARING
L1	51.00'	S48° 13' 28"E
L2	31.00'	N41° 46' 32"E
L3	36.33'	N48° 13' 28"W
L4	13.49'	N7° 38' 00"W
L5	40.02'	S48° 07' 21"W

**LEGEND**  
 T.P.O.B - TRUE POINT OF BEGINNING  
 ● - FOUND MONUMENT AS NOTED  
 ▲ - FOUND BRASS CAP CENTER LINE MON. AT INTERSECTION TEFFT & WILSON PER 61/LS/83  
 C.F.R. - CALCULATED FROM 61/LS/83

  
 612 CLARION COURT  
 SAN LUIS OBISPO, CA 93101  
 T 805 544-4011  
 F 805 544-4294  
 www.wallacegroup.us

**EASEMENT EXHIBIT  
EXHIBIT "C"**

JOB No. :	0673-004
DRAWING :	EASE DRAWING
DRAWN BY :	MM
DATE :	10/17/2008
SCALE :	1" = 50'



TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN *ML*  
DATE: MARCH 5, 2010

**AGENDA ITEM  
D-4  
MARCH 10, 2010**

**APPROVE CONTRACT FOR OTHER POST EMPLOYMENT BENEFITS (OPEB)  
ACTUARIAL VALUATION**

**ITEM**

Approve contract for Other Post Employment Benefits (OPEB) actuarial valuation.  
[RECOMMEND APPROVAL].

**BACKGROUND**

As a result of Governmental Accounting Standards Board (GASB) No. 45, state and local governments are required to recognize and display OPEB expenses and related liabilities on their financial reports. The District's only OPEB liability is retiree health insurance.

In 2008, the District joined the California Employees' Retiree Benefit Trust (CERBT) for the purpose of receiving employer contributions that will prefund OPEB costs for retirees and their beneficiaries. The CERBT requires its participating agencies to conduct an actuarial valuation every two years.

In 2008, The Epler Company prepared the District's first actuarial valuation for \$6,600. Staff contacted The Epler Company and they will prepare the 2010 valuation for \$5,750 and includes an on-site presentation of the valuation results to the Board of Directors.

The Finance and Audit Committee met on March 1, 2010, and unanimously recommended to the Board of Directors to hire The Epler Company.

**FISCAL IMPACT**

The FY 2009-2010 budget included \$7,000 for the 2010 actuarial valuation.

**RECOMMENDATION**

Staff recommends that your Honorable Board approve The Epler Company to prepare the 2010 actuarial valuation.

**ATTACHMENTS**

- None