

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JANUARY 4, 2013



**RECEIVE GROUNDWATER INDEX PRESENTATION
BY BRAD NEWTON, Ph.D, PG FROM WAGNER& BONSIGNORE
CONSULTING CIVIL ENGINEERS**

ITEM

Presentation of the fall groundwater index for the Nipomo Mesa area. [RECOMMEND RECEIVE REPORT]

BACKGROUND

Doctor Brad Newton of Wagner & Bonsignore is scheduled to summarize the attached report. The report is an independent product of Wagner & Bonsignore and is not reviewed or recognized by the Nipomo Mesa Management Area Technical group.

FISCAL IMPACT

Funds for preparation of this report are included in the FY 2012-13 Budget.

STRATEGIC PLAN

Strategic Plan Goal 1.1 – Protect, Enhance, and Assess available Water Supplies.

RECOMMENDATION

Staff recommends that the Board receive the Report and give direction to staff.

ATTACHMENTS

- A. Fall 2012 Groundwater Index

JANUARY 9, 2013

ITEM E-1

ATTACHMENT A

TO: NCS D Board of Directors

RE: Fall 2012 GWI

DATE: December 03, 2012

Page 2 of 6

1 **Groundwater Surface Elevation Measurements**

2 Groundwater surface elevation data were obtained from SLO DPW, NCS D, USGS, and
3 Woodlands. SLO DPW measures GSE in monitoring wells during the spring (April) and the fall
4 (October) of each year. Woodlands and NCS D measures GSE in their monitoring wells
5 monthly. For the years 1975 to 1999, available representative GSE data were used to compute
6 GWI. For the years 2000 to 2011, only GSE data from the same 45 wells were used to compute
7 GWI.

8 The GSE data was reviewed in combination with well completion reports and historical
9 hydrographic records in order to exclude measurements that do not accurately represent static
10 water levels within the principal production aquifer. Wells that do not access the principal
11 production aquifer or were otherwise determined to not accurately represent static water levels
12 within the aquifer were not included in analysis.

13 **Groundwater Surface Interpolation**

14 The individual GSE measurements from each year were used to produce a GSE field by
15 interpolation using the inverse distance weighting (IDW) method.

16 **Groundwater Index**

17 The GWI is defined as the saturated volume above sea level and bedrock multiplied by the
18 specific yield of 11.7 percent. The value of the groundwater index was computed for the area
19 defined in Phase III of the trial. The base of the saturated volume is mean sea level surface
20 (elevation equals zero) or the bedrock above sea level, whichever is higher. The bedrock surface
21 elevation is based on Figure 11: Base of Potential Water-Bearing Sediments, presented in the
22 report, Water Resources of the Arroyo Grande - Nipomo Mesa Area (DWR 2002). The bedrock
23 surface elevation was preliminarily verified by reviewing driller reports obtained from DWR
24 (Figure 2). The specific yield is based on the average weighted specific yield measurement
25 made at wells within the Nipomo Mesa Hydrologic Sub-Area (DWR 2002, pg. 86).

26 **Key Well Index**

27 The NMMA Technical Group selected the data from eight inland key wells to represent
28 the whole of the NMMA. The Key Well Index was calculated annually using spring GSE
29 measurements from 1975 to 2011. The key wells were selected to represent various portions of
30 the groundwater basin within the NMMA. In selecting the eight key wells, the following
31 criteria were applied so that the wells generally represent the NMMA as a whole:

- 32 (1) The wells are geographically distributed,
- 33 (2) No single well overly influences the Key Well Index.

34 The first criterion was met in the selection of the wells, such that no well represented a
35 disproportionate area. To meet the second criterion, groundwater elevations from each well
36 were normalized so that any well where elevations were on the average higher or lower than

TO: NCSB Board of Directors

RE: Fall 2012 GWI

DATE: December 03, 2012

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1 the other wells did not overly influence the magnitude of the Key Well Index. This
2 normalization was accomplished by dividing each spring groundwater elevation measurement
3 by the sum of all the Spring GSE data for that well.

4 The Key Well Index was defined for each year as the average of the normalized spring
5 groundwater data from each well. The lowest value of the Key Well Index could be considered
6 the "historical low" within the NMMA.

7

8 **REFERENCES**

9 Department of Water Resources (DWR). 2002. Water Resources of the Arroyo Grande - Nipomo
10 Mesa Area, Southern District Report.

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**Spring and Fall
Groundwater Index
(GWI)**

Year	Rainfall (inches)	Spring GWI (Acre-Feet)	Number of Wells	Fall GWI (Acre-Feet)	Number of Wells	Spring to Fall Difference (Acre-Feet)
1975	17.29	99,000	54	91,000	54	8,000
1976	13.45	82,000	45	76,000	65	6,000
1977	10.23	64,000	59	54,000	63	10,000
1978	30.66	84,000	62	—	35	—
1979	15.80	72,000	57	77,000	63	(5,000)
1980	16.57	88,000	55	89,000	46	(1,000)
1981	13.39	97,000	46	75,000	47	22,000
1982	18.58	123,000	42	—	31	—
1983	33.21	—	35	95,000	42	—
1984	11.22	—	14	76,000	37	—
1985	12.20	106,000	37	82,000	41	24,000
1986	16.85	98,000	51	67,000	51	31,000
1987	11.29	83,000	48	71,000	52	12,000
1988	12.66	80,000	51	66,000	49	14,000
1989	12.22	59,000	47	47,000	57	12,000
1990	7.12	62,000	55	49,000	53	13,000
1991	13.18	62,000	52	55,000	54	7,000
1992	15.66	61,000	52	35,000	48	26,000
1993	20.17	72,000	54	52,000	61	20,000
1994	12.15	60,000	54	—	36	—
1995	25.87	87,000	35	74,000	52	13,000
1996	16.54	76,000	45	62,000	57	14,000
1997	20.50	—	20	91,000	48	—
1998	33.67	105,000	41	93,000	44	12,000
1999	12.98	106,000	56	88,000	49	18,000
2000	17.07*	108,000	44	84,000	41	24,000
2001	18.52*	118,000	43	85,000	35	33,000
2002	8.87*	96,000	29	79,000	41	17,000
2003	11.39	94,000	37	66,000	42	28,000
2004	12.57	89,000	42	81,000	35	8,000
2005	22.23	98,000	38	79,000	39	19,000
2006	20.83	107,000	44	78,000	41	29,000
2007	7.11	93,000	44	66,000	42	27,000
2008	15.18	83,000	43	65,000	42	18,000
2009	10.31	76,000	44	65,000	43	11,000
2010	20.07	80,000	45	67,000	42	13,000
2011	34.05	87,000	43	81,000	43	6,000
2012	15.35*	89,000	45	65,000	44	24,000

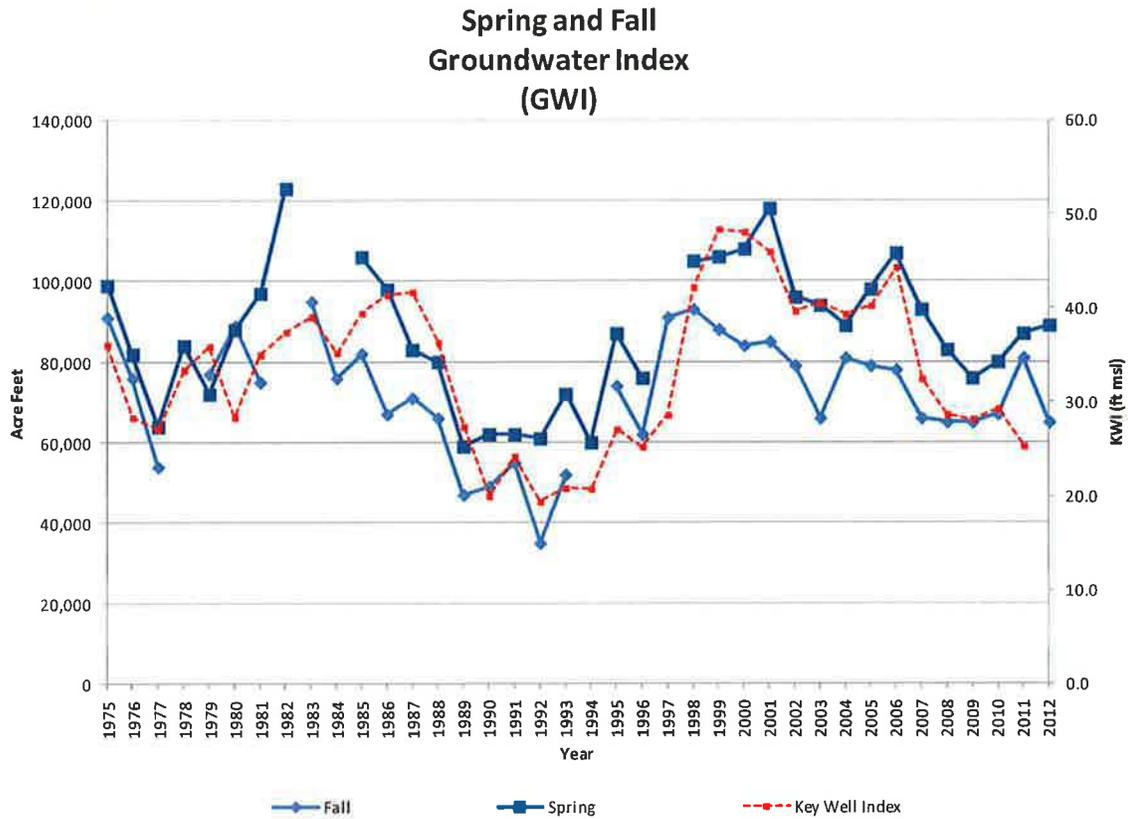
—: Insufficient for evaluation

*: Preliminary value

1
2

Table 1: Groundwater Index computed from Spring 1975 to Fall 2012.

TO: NCSB Board of Directors
 RE: Fall 2012 GWI
 DATE: December 03, 2012
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1

2 Figure 1: Groundwater Index from Spring 1975 to Fall 2012 and the Key Well Index computed from Spring 1975 to Spring 2011.

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

DATE: JANUARY 3, 2013

AGENDA ITEM

E-2

JANUARY 9, 2013

**APPROVE WAGNER & BONSIGNORE TASK ORDER BUDGETS FOR
2013 CONSULTING SERVICES**

ITEM

Wagner & Bonsignore Task Order Budgets for 2012 consulting services. [RECOMMEND APPROVAL]

BACKGROUND

Dr. Brad Newton has provided litigation support services and general hydrologic consulting services throughout the groundwater adjudication process. Dr. Newton represents the District on the Nipomo Mesa Management Area Technical Group.

The contract for Dr. Newton's services are reviewed by your Board each year. The attached Memorandum from Wagner & Bonsignore outlines the proposed scope of services and budget for 2013.

The proposal covers two Tasks, General Consultation (not to exceed limit of \$10,000) and Santa Maria Groundwater Adjudication (not to exceed limit of \$80,000).

FISCAL IMPACT

The FY 12-13 Budget includes funding for six months of services. The remaining six months of services will be included in the FY 13-14 Budget.

STRATEGIC PLAN

Strategic Plan Goal 1.1 – Protect, Enhance, and Assess available Water Supplies.

RECOMMENDATION

Staff recommends the Board of Directors by motion and roll-call vote, approve the 2013 Support Services Contract with Wagner & Bonsignore for a not exceed amount of \$90,000.00 and direct staff to issue Task Order 100-13 in the amount of \$10,000 and Task Order 200-13 in the amount of \$80,000.

ATTACHMENTS

- A. December 3, 2012 Wagner & Bonsignore Proposal

JANUARY 9, 2013

ITEM E-2

ATTACHMENT A

Wagner & Bonsignore

Consulting Civil Engineers, A Corporation

Nicholas F. Bonsignore, P.E.
Robert C. Wagner, P.E.
Paula J. Whealen
Henry S. Matsunaga

Brad E. Newton, Ph.D., P.G.
David Houston, P.E.
David P. Lounsbury, P.E.
Vincent Maples, P.E.
Emily MacDonald
Ryan E. Stolfus

James C. Hanson
Consulting Civil Engineer
A Corporation

December 3, 2012

Mr. Michael LeBrun, General Manager
Nipomo Community Services District
148 S. Wilson Street
Nipomo, CA 93444

RE: Proposal for Engineering Services

Dear Mr. LeBrun:

Please find attached hereto for your review and approval the proposal for consulting services for Nipomo Community Services District for the 2013 calendar year. Also attached is a scope of work along with our current fee schedule.

If everything is acceptable, please sign and return one fully executed original for our records.

Very truly yours,

WAGNER & BONSIGNORE
CONSULTING CIVIL ENGINEERS



Robert C. Wagner, P.E.

Encls. ✓
Via: US Mail

Task 100 – General Consultation

Task Order 100, General Consulting, is proposed to allow for Wagner & Bonsignore (Engineer-Consultant) to provide the following services, on an as-requested basis, that are not included within the scope of other Task Orders. Such services include Part A and Part B as follows:

- A. Preparation of Spring and Fall Groundwater Index (GWI) technical memorandum and presentation thereof to the District Board of Directors. It is understood that reports will, in whole or in part, be based on confidential information obtained in confidence from landowners related to private wells. (see specifically Section 26 of the Agreement related to confidential information). The estimated cost for each GWI and presentation at NCSB Board of Directors meeting under Task Order 100 is four thousand (\$4,000) dollars, which accounts for twelve (12) hours of Dr. Newton's efforts plus budget for travel, and twelve (12) hours of support staff effort, plus materials and other direct costs. The estimated budget for Task Order 100 Part A is eight thousand dollars (\$8,000).
- B. Preparation of other technical memorandums at the request of either the General Manager or the District Board of Directors. The estimated budget for Task Order 100 Part B is two thousand dollars (\$2,000).

Budget

The budget for Task Order 100, through December 31, 2013, is ten thousand (\$10,000) dollars to be billed on a time and material basis in accordance with the Agreement.

Task 200 – Santa Maria Groundwater Adjudication

Task Order 200, is proposed to allow for Wagner & Bonsignore (Engineer-Consultant) to provide the following litigation support service related to the Groundwater Adjudication presented in Part A through Part D as follows:

A. Preparation for, travel and attendance/participation at Nipomo Mesa Management Area (NMMA) Technical Group (TG) regular monthly meetings. The estimated cost for each of NMMA TG twelve (12) regular meetings under Task Order 200 is three thousand (\$3,000) dollars, which accounts for twelve (12) hours of Dr. Newton's efforts plus budget for travel. The estimated budget for Task Order 200 Part A is thirty six thousand dollars (\$36,000).

B. Preparation for travel and attendance/participation at Management Areas (MAs) Subcommittee regular monthly meetings, including meetings with the NCMA and SMVMA representatives. The estimated cost for each of MAs Subcommittee twelve (12) regular meetings under Task Order 200 is one thousand five hundred (\$1,500) dollars, which accounts for six (6) hours of Dr. Newton's efforts plus budget for travel. The estimated budget for Task Order 200 Part B is eighteen thousand dollars (\$18,000).

C. Preparation of the Annual Report to the Court pursuant to the Final Judgment of the Santa Maria Groundwater Litigation. The estimated budget for Task Order 200 Part C is twenty-six thousand dollars (\$26,000), which accounts for eighty (80) hours of Dr. Newton's efforts plus

budget for travel, and one hundred (100) hours of support staff effort, plus materials and other direct costs.

D. Preparation of reports and technical memorandums related to NMMA TG functions with the prior approval of either the District General Manager or District Legal Counsel, and other opinions requested by District Legal Counsel. It is understood that reports will, in whole or in part, be based on confidential information obtained in confidence from landowners related to private wells. (see specifically Section 26 of the Agreement related to confidential information). The estimated budget for Task 200 Part D is unknowable in advance of a specific scope and schedule for said reports, technical memorandums, or other opinions.

Budget

The budget for Task Order 200 Part A, Part B, and Part C through December 31, 2013, is eighty thousand (\$80,000) dollars to be billed on a time and material basis in accordance with the Agreement.

Nicholas F. Bonsignore, P.E.
Robert C. Wagner, P.E.
Paula J. Whealen
Henry S. Matsunaga

Brad E. Newton, Ph.D., P.G.
David Houston, P.E.
David P. Lounsbury, P.E.
Vincent Maples, P.E.
Emily MacDonald
Ryan E. Stolfus

James C. Hanson
Consulting Civil Engineer
A Corporation

FEE SCHEDULE

EFFECTIVE JANUARY 1, 2013

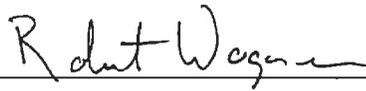
1. Personal Services of Principals & Supporting Services
 - a) Principals including Registered Civil Engineers and Water Right Specialist billed on an hourly rate in accordance with the Schedule of Fees attached hereto; for public hearings and court appearances requiring qualifications and services as expert witness and for assistance to attorneys during course of such hearings and depositions, to be billed at 1.5 times the regular hourly rate, plus transportation and subsistence expenses set forth under (2); Eight hour minimum to be billed for depositions, court appearances and administrative hearings.
 - b) Registered Civil Engineers, Sub-professional Engineers, Technicians and Drafters billed on an hourly rate in accordance with the Schedule of Fees attached hereto, plus transportation and subsistence expenses set forth under (2);
 - c) Special engineering, geotechnical services, testing, surveying and other similar services employed specifically for performance of work at direct invoice cost plus 15 percent.

2. Reimbursable Expenses
 - a) Transportation, direct out-of-pocket expense for public transportation, 75¢ per mile for private auto.
 - b) Subsistence, direct out-of-pocket expense.

The foregoing compensation will include compensation for all general office secretarial services, supplies and overhead including office space required for performance of personal and supporting engineering services. Invoices for Personal and Supporting Services and Reimbursable Expenses will be submitted on a calendar month basis and are due and payable upon receipt.

All work performed will be considered as personal professional engineering and supporting services and will be performed and furnished as an independent contractor.

WAGNER & BONSIGNORE
CONSULTING CIVIL ENGINEERS
A CORPORATION



Robert C. Wagner, P.E.

SCHEDULE OF FEES

EFFECTIVE JANUARY 1, 2013

Principal Engineer	\$195 - \$225/hr.
Principal Scientist	\$180 - \$200/hr.
Geology	
Hydrology	
Fluvial Geomorphology	
Project Manager	\$135 - \$200/hr.
Water Rights	
Construction Management	
Project Management	
Water Right Specialist	\$100 - \$150/hr.
Project Engineer – Registered	\$120 - \$170/hr.
Staff Engineer	\$95 - \$120/hr.
Water Right Assistant	\$75 - \$115/hr.
Senior Technician	\$85 - \$115/hr.
Drafter/Graphics	\$65 - \$100/hr.
Clerical	\$45 - \$65/hr.

TO: MICHAEL LEBRUN *MSL*
GENERAL MANAGER

FROM: TINA GRIETENS
UTILITY SUPERINTENDENT

DATE: DECEMBER 28, 2012



AUTHORIZE PURCHASE OF A HEAVY DUTY SERVICE TRUCK

ITEM

Authorize purchase of a Heavy Duty Service Truck for a not exceed cost of \$81,000. [RECOMMEND AUTHORIZE STAFF TO PURCHASE HEAVY DUTY SERVICE TRUCK FOR \$81,000]

BACKGROUND

On June 13, 2012, your Board adopted the District's FY 2012-2013 budget approving the surplus of two of the current fleet vehicles with over 100,000 miles and approving \$100,000 for the purchase of two replacement vehicles; one Utility Truck – Heavy Duty with Utility Bed and Crane (\$75,000) and one Utility Truck (\$25,000). Purchase of the Ford F-150 Utility Truck was approved at the November 14, 2012 Board Meeting and the vehicle has been ordered.

The new Heavy Duty truck would replace the 2004 Heavy Duty vehicle (113,774 miles) and will be used in the performance of preventive and emergency maintenance and repair of District facilities. This vehicle will be equipped with a utility bed and a crane rated for lifting pumps from lift stations, aerators at the wastewater facilities and fire hydrants, to assist staff in performing maintenance and repairs in the field. This vehicle requires a towing capability to allow safe towing of the District's heaviest trailer – a standby generator weighing 8,269 lbs and a minimum payload requirement of 11,500 lbs, which includes the weight of the crane and its maximum lifting capability of 5,000 lbs, the weight of the utility bed, tools and miscellaneous equipment.

At the November 14, 2012 Board Meeting, your Board delayed approval of purchase of a Heavy Duty Truck and requested Staff to research diesel powered trucks and report findings back to the Board.

District Staff compared Ford, Dodge, Chevy and International Commercial Truck manufacturers for the minimum payload requirement to carry the weight of the crane, tools and equipment, and the weight of the utility bed, as well as the towing capability required to tow the standby generator. Only Ford 500 series and Dodge Ram 5500 series models meet these requirements. Comparisons were then made between the two manufacturers' 2013 cab chassis models with diesel engines.

Price quotes were requested from four Dodge Dealers. Two Dodge Dealers provided quotes for the 5500 model; one quoted a 2012 and the other quoted for a 2013. Two Dodge dealers did not provide quotes. Previously, staff contacted four Ford Dealers to provide quotes for the 2013 F550. The two Dealers who responded to the District's previous request for quotes were asked to refresh their quotes.

Both manufacturers' Class 5 series chassis cab vehicles meet the minimum requirements of the District Utility functions. The lowest most responsive quote for the vehicle which most closely meets the District's needs and is within the budget amount of \$75,000.00 is the Ford F550. The District's fleet is made up primarily of Ford vehicles.

meets the District's needs and is within the budget amount of \$75,000.00 is the Ford F550. The District's fleet is made up primarily of Ford vehicles.

Delivery time-frames for the 2013 Ford F550 and the 2012 Dodge Ram 5500 models are estimated to be from 8-12 weeks (56-84 days). The 2013 Dodge Ram 5500, is estimated to take 150 days for delivery.

FISCAL IMPACT

The Fiscal Year 2012-2013 Budget includes \$75,000.00 for the purchase of a Heavy Duty Utility Truck with Utility Body and Crane. The 2013 Ford F550 price quote of \$74,500.00 from Mullahey Ford is the lowest quote within the budgeted amount. Adding fees and sales tax brings the total cost to \$80,173.5, which exceeds the approved budget value by 0.065%. No action is required by this deviation of the budgeted amount.

Budgeted staff time was used in research and preparation of this report.

STRATEGIC PLAN

The District's mission is to provide its customers with reliable, quality and cost-effective services now and in the future.

The District's Core Values include supporting our commitment to maintain our facilities and provide reliability in the services we provide.

Strategic Plan Goal 2.1 – Efficiently Operate Collection, Treatment and Disposal Works
Strategic Plan Goal 4.3 – Continue commitment to a safe workplace environment

RECOMMENDATION

Staff recommends that your Honorable Board approve purchase of a Ford F550 with Utility Body for not to exceed \$81,000.00, including sales tax at 7.5%, from Mullahey Ford.

ATTACHMENT

- A. Summary of quotes
- B. Class 5 Truck Comparison

JANUARY 9, 2013

ITEM E-3

ATTACHMENT A

RESULTS OF REQUEST FOR QUOTES: DODGE 5500 CHASSIS CAB AND FORD F550 CHASSIS CAB

VENDOR	2013 FORD F550 WITH SCHELZI BODY			2013 DODGE 5500 WITH SCHELZI BODY			2012 DODGE 5500 WITH SCHELZI BODY		
	TRUCK	BODY	TOTAL	TRUCK	BODY	TOTAL	TRUCK	BODY	TOTAL
MULLAHEY FORD	\$35,829.96	\$38,474.00	\$74,500.00						
	*8-10 weeks delivery								
PASO ROBLES FORD	\$36,250.00	\$38,474.00	\$74,724.00						
	*12 weeks delivery								
SANTA MARIA DODGE				NO BID			\$42,470.00	\$38,456.00	\$80,926.01
	*8 weeks delivery (truck is in stock)								
CROWN DODGE-VENTURA				\$39,299.00	\$39,496.00	\$78,795.00	NO	2012 MODELS AVAILABLE	
	150 days delivery								
COLE DODGE-SLO				NO BID			NO BID		
HADDAD DODGE-BAKERSFIELD				NO BID			NO BID		

prices do not include sales tax and license

JANUARY 9, 2013

ITEM E-3

ATTACHMENT B

2013 Class 5 Truck Comparison Diesel Regular Cab Long Bed D.R.W

Manufacturer	Ford	Dodge	Dodge
year	2013	2013	2012
Model	F-550	Ram 5500	Ram 5500
GVWR lbs.	19,500	19,500	19,500
utility bed & auto crane	6,200	6,200	6,200
auto crane max lift	5,000	5,000	5,000
misc parts	>300	>300	>300
payload total requirement	11,500	11,500	11,500
Max Payload lbs.	12,668	not available	11,700
towing requirement (generator)	8,269	8,269	8,269
Max Towing lbs.	16,000	not available	18,150
Diesel Engine	6.7l Power Stroke V8	6.7l Cummins I-6	6.7l Cummins I-6
Engine Specs-horsepower:	300 hp @ 2800 rpm	325 hp @2800 rpm	305 hp @2800 rpm
Engine Specs-torque:	660 lb-ft @ 1600 rpm	750 lb-ft @ 1600 rpm	610 lb-ft @ 1600 rpm
transmission:	6 speed TorqueShift-auto	6 speed (AS69RC)-auto	6 speed (AS68RC)-auto
Diesel Exhaust Fluid (DEF):	x	x	x
Engine exhaust brakes:	x	x	x
Alternator	200 amp	180 amp	220 amp
wheel base	165"	168.5"	168.5"

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN *MSL*
 GENERAL MANAGER
 DATE: JANUARY 4, 2013



CONSIDER REVISION TO DISTRICT'S BILL PAYMENT POLICY

ITEM

Consider District policy pertaining the payment of high water bills caused by leaks on customer side of meter [RECOMMEND CONSIDER INFORMATION AND PROVIDE STAFF DIRECTION]

BACKGROUND

Current District policy holds that all water metered to a customer is the customer's responsibility regardless of circumstance. When leaks occur and go undetected on the customer side of the water meter, high water use and high water bills can result.

Chapter 3.04.290 of District Code, Water receiving equipment – Responsibility, holds the customer solely responsible for connecting to the District water meter stating; *"The customer shall furnish and install at his own risk and expense that portion of the water system which begins at the outlet side of the meter."* In addition; *"Such water receiving equipment shall remain the property of the customer and he shall be responsible for its maintenance and repair."*

Chapter 3.03.110 of District Code allows for amortizing a customer's high water bill over a period not to exceed twelve months. One amortization is allowed per customer every eighteen months.

There are currently six amortization agreements active with the District as follows:

LEAK AMORTIZATIONS

DATE BILLED	ACCT	LOCATION	ADDRESS	TOTAL BILLED AMOUNT	STATUS
5/10/2012	RUG-3	40167	[REDACTED]	1372.12	OPEN
7/10/2012	BRA-3	40246	[REDACTED]	1693.04	OPEN
7/10/2012	DRA-10	60075	[REDACTED]	544.42	OPEN
8/10/2012	GAR-13	30110	[REDACTED]	612.66	OPEN
11/9/2012	NEA-2	50187	[REDACTED]	1914.89	OPEN
12/5/2012	CAR-5	30314	[REDACTED]	1046.68	OPEN

In November 2011, your Board approved a four-tier 'conservation' water rate that is designed to increase customer awareness on water conservation by charging higher cost per unit of water as use increases.

Any home, no matter how well maintained, will experience a water leak on occasion. A sheered half-inch pipe can flow over 6,000-gallons of water (8.75 billing units) in one-hour at typical District system pressure. Applying the tiered rate under such conditions may not serve your

Board's intended conservation goal and may unfairly impact District customers who experience an unfortunate and infrequent leak in their system.

Staff researched how other Districts and Cities address high bill relief. A number of agencies, like the District, have no formal relief policy. Most agencies are not effective at rigid enforcement of their policies with the result being unpaid bills and uncollectable debt. In contrast, the District has been highly effective over the years implementing its policy and has incurred no uncollected debt. Some agencies allow the senior staff Manager/Administrator to grant measured relief based on specific criteria such as:

- Leak reported and repaired promptly
- No negligence
- Limited to one relief allowance per customer account over a period of time
- The staff level decision is appealable to the Board of Directors

Customers dispute high water bills every billing cycle. Staff handles these disputes by investigation of the property for likely causes of high water use. Typically, there is an obvious reason for the high bill (faulty irrigation, leaking toilet, new landscape). Often broken plumbing fixtures are discovered by either District staff or the customer.

Power outages are a routine cause of high water use if the customer's sprinkler timer defaults to factory settings, which are typically daily watering for 15 or 30 minutes on every valve. This can cause high water use and often occurs in winter months when there is no need for irrigation.

Staff proposes language below that would provide a basis for revising District Water Code to provide a methodology for providing some consideration for a customer that is facing a high water bill due to broken plumbing or other type of leak. The language is intended to keep the general intent of the current Water Code that a customer is primarily responsible for water usage when it passes through their meter.

Proposed Language:

The General Manager is authorized to adjust an account for customer reported leaks by applying the customer typical tiered rate ratio to the excessive usage volumes. If inadequate records are available, the General Manager may calculate a reasonable month use and tier ratio using typical data from similar customer/property type. Any adjustment to be applied shall not be made more frequently than once in any thirty-six month period.

A Leak Adjustment Request Form would be created by staff and required when a customer seeks relief. The form will include a section wherein staff would calculate the proposed relief and the customer would document:

- Date of leak discovery
- Date of leak repair
- Evidence (such as plumbing bills)
- Customer signature requesting the relief and acknowledging the policy

Consideration of additional relief in the case of unusual circumstances and/or undue hardship would continue to be brought to the Board of Directors either by staff or the customer.

FISCAL IMPACT

Approximately seventy-percent of the District costs for delivering water are fixed. Leaks will happen and can often go undetected for extended periods.

When a customer is relieved of costs incurred by the District on their behalf, the burden of paying those costs fall to all other customers collectively.

STRATEGIC PLAN

Strategic Plan Goal 5.1 – Maintain clear and functional policies and procedures.

Strategic Plan Goal 5.3 – Provide excellent customer service.

Strategic Plan Goal 6.3 – Ensure that decisions consider short and long term fiscal impacts.

RECOMMENDATION

Staff seeks your Board's direction regarding change to District high water bill relief policy.

If your Board desires to pursue a policy change, you may direct staff to draft revised Water Code language and a leak adjustment request form for consideration at a future meeting.

ATTACHMENTS

None

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JANUARY 4, 2013



**LOCAL AREA FORMATION COMMISSION BALLOT FOR
ALTERNATE SPECIAL DISTRICT COMMISSIONER**

ITEM

Consider the individuals nominated to fill the Alternate Special District seat of the Local Agency Formation Commission (LAFCO). [RECOMMEND DIRECT STAFF TO CAST BALLOT FOR SELECTED SPECIAL DISTRICT REPRESENTATIVE, IF ANY]

BACKGROUND

Two individuals, Muril Clift of Cambria CSD and Dan Burgess of Heritage Ranch CSD, have been nominated for the Special District position currently filled by Director Clift. The term for the position expires December 2016.

FISCAL IMPACT

Minor budgeted staff time preparing these materials.

RECOMMENDATION

Consider LAFCO materials by motion and roll call vote direct staff to file completed ballot with LAFCO no later than January 31, 2013.

ATTACHMENTS

- A. LAFCO Ballot Materials
- B. December 21, 2012 mail from candidate Clift

JANUARY 9, 2013

ITEM E-5

ATTACHMENT A



LAFCO - San Luis Obispo - Local Agency Formation Commission
SLO LAFCO - Serving the Area of San Luis Obispo County

TO: EACH INDEPENDENT SPECIAL DISTRICT
FROM: DAVID CHURCH, AICP, EXECUTIVE OFFICER
DATE: DECEMBER 12, 2012
SUBJECT: BALLOT FOR LAFCO SPECIAL DISTRICT MEMBER

COMMISSIONERS

BRUCE GIBSON
Chair, County Member

ED EBY
Vice Chair,
Special District Member

MURIL CLIFT
Special District Member

JAMES R. PATTERSON
County Member

DUANE PICANCO
City Member

RICHARD ROBERTS
Public Member

KRIS VARDAS
City Member

ALTERNATES

ROBERTA FONZI
City Member

FRANK R. MECHAM
County Member

TOM MURRAY
Public Member

MARSHALL OCHYLSKI
Special District Member

STAFF

DAVID CHURCH
Executive Officer

RAYMOND A. BIERING
Legal Counsel

MIKE PRATER
Analyst

DONNA J. BLOYD
Commission Clerk

Two individuals have been nominated for the Special District position currently filled by Muril Clift of the Cambria CSD. The new term for this position would expire in December 2016. Please schedule this item on a regular meeting agenda and select one of the nominees:

- Muril Clift Cambria Community Services District
- Dan Burgess Heritage Ranch Community Services District

District: _____

Agenda Date: _____

General Manager or President: _____

E-Mailed Ballot. The Government Code allows for the ballot and instructions to be sent electronically if the special district selection committee agrees and written evidence of receipt of the ballot and instructions is retained by the Executive Officer. The local California Special District Association (CSDA) chapter of Special Districts acting as the Selection Committee has agreed that completing the election electronically is appropriate because attaining a quorum is not possible.

Ballot Instructions. Each Independent Special District may vote for one nominee. The vote by a District must be considered by the District's Board of Directors as an item on its agenda. Please schedule this matter for a vote at your Board of Directors meeting. The District's selection must be submitted to the LAFCO office no later than **January 31, 2013** via one of the following ways:

- 1) An email indicating the meeting date the item was on the Board of Directors agenda and the selected nominee,
- 2) A scanned pdf of this ballot attached to an email with one of the nominees selected and the meeting date it was considered, or
- 3) A fax with a cover memo sent to LAFCO with one of the nominees selected and the agenda date of the Board's decision. FAX number 805-788-2072.

Please contact me at 781-5795 or Dchurch@slolafco.com if you have any questions.

cc: Members, Formation Commission

JANUARY 9, 2013

ITEM E-5

ATTACHMENT B

Michael LeBrun

From: Muril Clift [mnclift@charter.net]
Sent: Friday, December 21, 2012 1:54 PM
To: Michael LeBrun
Subject: LAFCO ELECTION

General Manager LeBrun and Directors:

It has been an honor to represent the Special Districts as a Commissioner on the Local Agency Formation Commission since 2009.

I believe that Special Districts are truly that – SPECIAL. They are special because they provide the most direct form of government meeting the needs of their constituents. My votes on LAFCO will always reflect that belief. I ask that you reelect me to serve your interests.

Current commitments to Special Districts:

- Director – Cambria Community Services District, since 2008.
- Director – Special District Risk Management Authority, since 2009.
- Director – Special District Leadership Foundation, since 2011
- Member – California Special District Association Legislative Committee.

Prior Positions:

- Director – Santa Maria Public Airport District
- Trustee – Kern County High School District

Again, I ask that you support me as your representative on the LAFCO .

Thank you,
Muril Clift,

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JANUARY 4, 2013



RATIFY 2013 BOARD COMMITTEE ASSIGNMENTS

ITEM

Ratify 2013 Committee/Delegate assignments. [RECOMMEND APPROVAL]

BACKGROUND

The Board President is tasked with defining committees, committee members, and delegate assignments for 2013. President Harrison will review his proposed assignments.

FISCAL IMPACT

Minor budgeted staff time preparing these materials.

RECOMMENDATION

Staff recommends that the Board by motion and roll call vote ratify the proposed assignments and direct staff to post Committee assignments in compliance with state law.

ATTACHMENTS

None: Draft Assignments will be distributed and discussed at the meeting.

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JANUARY 4, 2013



AFFIRM 2013 BOARD MEETING SCHEDULE

ITEM

Discuss and affirm 2013 schedule of Regular Board Meetings. [RECOMMEND APPROVE SCHEDULE]

BACKGROUND

Section 2.1 of the Board By-Laws states:

Subject to holiday and scheduling conflicts, regular meetings of the Board of Directors shall commence at 9:00 a.m. on the second and fourth Wednesday of each calendar month in the Board Room at the District Office located at 148 South Wilson, Nipomo, CA. The Board of Directors reserves the right to cancel and/or designate other dates, places, and times for Director Meetings due to scheduling conflicts and holidays.

Proposed Regular Board Meeting Schedule for 2013

<u>1st Meeting of Month</u>	<u>2nd Meeting of Month</u>
January 9	January 23
February 13	February 27
March 13	March 27
April 10	April 24
May 8	May 22
June 12	June 26
July 10	July 24
August 14	Cancelled – Summer Recess
September 11	September 25
October 9	October 23
November 13	Cancelled – Holiday Season
December 11	Cancelled – Holiday Season

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

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

All meetings will be noticed pursuant to the Brown Act.

RECOMMENDATION

Staff recommends that your Board by motion and roll call vote approve the 2013 Board Meeting Schedule as presented above.