

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

DATE: SEPTEMBER 5, 2013

**AGENDA ITEM
E-1
SEPTEMBER 11, 2013**

RAMCO ENTERPRISES OUTSIDE USER REQUEST FOR WATER SERVICE

ITEM

Consider Ramco Enterprises request for water service, via hydrant, to land located outside District [RECOMMEND CONSIDER REQUEST AND PROVIDE DIRECTION TO STAFF].

BACKGROUND

On September 4, 2013, Mr. James Rietkerk with Ramco Enterprises provided a written request for District water service via a hydrant meter. The request is attached to this report.

Mr. Rietkerk is requesting water for periodic 'weather related' emergency use.

In response to private wells across the north eastern area of the mesa going dry due to drought conditions prevailing in the area back in 1990, your Board adopted Resolution No. 419 (Attached), providing for emergency outside water sales via hydrant. However, Resolution 419 addresses single family residential use and specifically disallows emergency water sales for irrigation/crop purposes.

Furthermore, District Code section 3.16, Water Service Outside the District provides:

3.16.010 - When allowed.

It is the general policy of the district that district water service is limited to parcels within the district boundaries. The district board of directors may authorize water service to parcels outside the district boundaries upon a finding that:

- A. There exists an extreme hardship and there is excess capacity within the district system to serve such parcel; or*
- B. There is a benefit to the district or the community, such as the applicant providing the district with a water resource.*

(Ord. 98-87 22 (part), 1998: Ord. 16 2, 1973)

RECOMMENDATION

Staff recommends that the Board consider the outside user water service request, accept public comment on the request. Your Board may decide to:

- Deny the request; or
- Direct staff to work with the applicant to pursue a Variance from District Policy; or
- Revise District Policy; or
- Direct staff in another manner.

ATTACHMENTS

- A. September 4, 2013 Request for Hydrant Meter
- B. Resolution 419

SEPTEMBER 11, 2013

ITEM E-1

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT
 148 S. WILSON ST,
 PO BOX 326, NIPOMO CA 93444
 (805) 929-1133 FAX (805) 929-1932



HYDRANT METER PERMIT
PURSUANT TO ORD. 95-79

COMPANY NAME <i>Ramco Enterprises</i>	PHONE <i>805-922-9888</i>
CONTACT PERSON <i>James Rietkerk</i>	CELL PHONE <i>805-325-0302</i>
MAILING ADDRESS <i>2318 Skyway Dr, Santa Maria, CA 93455</i>	
<i>We have organic strawberries and our irrigation well capacity has lowered and we are in need of more water for irrigation primarily during weather-related emergencies.</i>	
TRACTOR OR PROJECT LOCATION: <i>Tefft across from abatti hay on Dana Ranch</i>	
REQUESTED METER SET LOCATION: <i>End of Dana St.</i>	
ESTIMATED DURATION OF USE <input type="checkbox"/> FOR POTABLE USE <input type="checkbox"/> FOR NON-POTABLE USE <i>emergency only - weather related</i>	

Terms and Conditions:

- Do not move the meter to another location. If this is required, please call the District office.
- The original of this permit must be maintained within the above-referenced project site and available for inspection at all times. This permit must be presented upon request of District employee or Sheriff.
- Failure to present this permit upon request is grounds for immediate revocation of the permit and termination of the use of the fire hydrant meter.
- Failure to present this permit upon request constitutes a misdemeanor (District Code Section 3.20.050).
- All costs associated with the damage of the Hydrant or Meter will be your responsibility.
- **ALL WATER TRUCK TANKS MUST HAVE AN AIR-GAP DEVICE for backflow prevention.**

James Rietkerk
 Signature of Applicant

9-4-13
 Date

 Authorized Signature

 Date

FOR OFFICE USE ONLY
 GUARANTEE DEPOSIT \$500.00 PAID CK# _____



SET DATE	METER #	BEGIN READ
ACCOUNT #	CUSTOMER #	ROUTE #

SEPTEMBER 11, 2013

ITEM E-1

ATTACHMENT B

RESOLUTION NO. 419

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING THE SALE OF DISTRICT WATER
FOR CONSUMPTION OUTSIDE THE DISTRICT
FOR SPECIFIED EMERGENCY PURPOSES ONLY

WHEREAS, District ordinances prohibit the sale generally of District water for consumption outside the District; and

WHEREAS, the District has been advised and recognizes that the current multi-year drought is causing some wells utilized for domestic and small farm purposes to go dry on rural single-family parcels in the Nipomo area, but outside the District boundaries; and

WHEREAS, one such family has already requested the District to sell potable water which the family can haul to their residence outside the District; and

WHEREAS, this Board finds and declares that the District policy against sale of water for consumption outside the District is appropriate and necessary for the protection of the District's water supply and service capability for taxpayers within the District; and

WHEREAS, this Board also finds and declares that short term emergency water assistance for persons outside the District would not be incompatible with established District policy, but that the terms and restrictions regarding any such assistance must be specifically established to be sure that no person receiving such assistance would tend to become dependent upon the District's water supply.

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

- A. The District hereby authorizes the sale of District water for emergency use outside the District subject to each and all of the following restrictions and limitations:
1. The need for water must be the direct and un-anticipated result of the current long-term drought. Those seeking such water must appear before the Board and explain to the satisfaction of the Board what measures the applicant has taken to remedy the water deficiency problem before seeking District water.
 2. District water will be provided only for single-family domestic purposes. The water shall not be used for irrigation or commercial husbandry or crop growing purposes.

3. The maximum amount of water to be sold shall average no more than 80 gallons per day for each resident on the premises receiving the water.
4. The applicant shall obtain the water from District water sources designated by the General Manager.
5. Water provided pursuant hereto for the benefit of any one residence shall be limited in duration to no more than one period of thirty or fewer consecutive days in any twelve month period of time.
6. No water supply authorized hereunder for a particular residence or family shall be sold, given, or otherwise transferred or delivered to any other premises.
7. The District will deliver normal potable District water to the tanks or containers provided by the applicant. The District will not be responsible for the appropriateness of the water for domestic use or human consumption once it leaves the District's supply system. Applicant will sign an agreement to defend and hold harmless from any and all claims arising from or concerning water quality, purity, health or safety deficiencies occurring after the water is delivered to applicant.

- B. The geographical area eligible to purchase District water pursuant to this Resolution shall be limited as described and depicted upon Exhibit "A" map and diagram attached hereto, and incorporated herein; provided that no regular customer of California Cities Water Company or any other operating public utility or entity shall be provided emergency water service pursuant hereto.
- C. The General Manager shall establish procedures as necessary and appropriate to assure that the program authorized herein is not abused.
- D. The General Manager shall personally provide a certified copy of this Resolution to the County Health Officer or his designee.
- E. This Resolution shall be reviewed annually by the Board, with the objective of repealing it as soon as normal groundwater replenishment begins.

LIMIT OF EMERGENCY
SERVICE

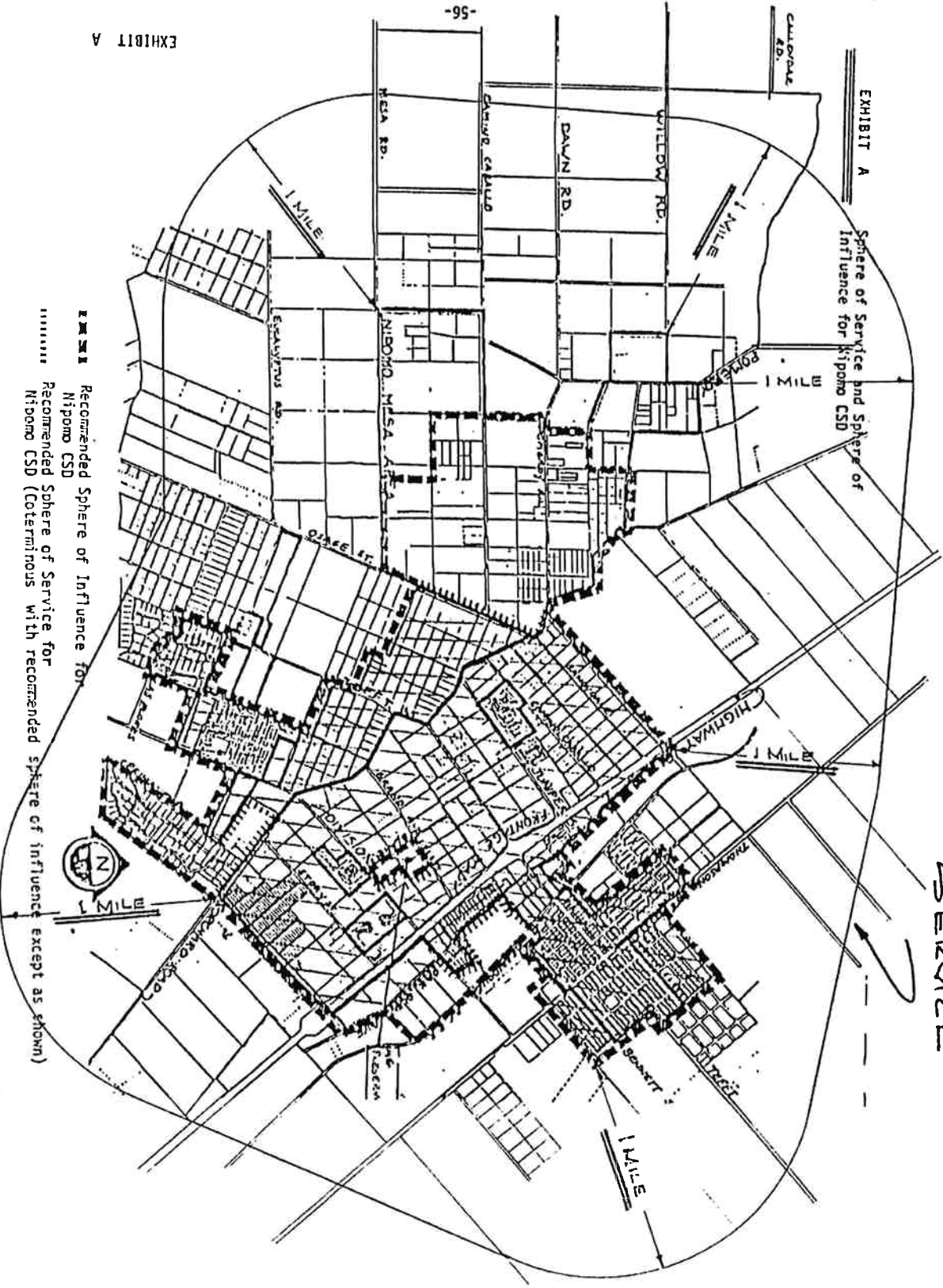


EXHIBIT A

EXHIBIT "A"
RESOLUTION No.

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MGL*
GENERAL MANAGER

DATE: SEPTEMBER 6, 2013

AGENDA ITEM

E-2

SEPTEMBER 11, 2013

**APPROVE SUPPORT SERVICES CONTRACT FOR WATER SYSTEMS
CONSULTING INC.**

ITEM

Consider proposal from Water Systems Consulting (WSC) Inc. for ongoing support services at a not to exceed cost of \$17,940 [RECOMMEND APPROVAL]

BACKGROUND

WSC assisted the District with updating the Urban Water Management Plan in 2010/2011 and has been providing ongoing support services under Task Order contract since that time.

Specifically WSC's proposal (attached) is for providing ongoing support service to ensure the District remains compliant with California Department of Water Resources and California Urban Water Conservation Council reporting requirements. Compliance with the reporting requirements of these agencies is a requirement of the District's grant agreement with the County regarding the \$2.2 million grant the District received for the supplemental water project.

FISCAL IMPACT

The adopted 2013-2014 budget includes funding for these professional services.

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 WSC providing ongoing support services and direct staff to issue WSC a Task Order with a not to exceed value of \$17,940 for these services.

ATTACHMENTS

- A. August 20, 2013 WSC Proposal

SEPTEMBER 11, 2013

ITEM E-2

ATTACHMENT A



8/20/2013

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

SUBJECT: CONTRACT AMENDMENT PROPOSAL– ONGOING SUPPORT SERVICES FOR BMP IMPLEMENTATION AND CUWCC ACTIVITIES

Dear Mr. LeBrun,

This letter presents a proposal by Water Systems Consulting, Inc. (WSC) to provide ongoing support services for the California Department of Water Resources' (DWR) Digital Online Submittal Tool (DOST) Submittal, Implementation of Best Management Practices (BMPs), and California Urban Water Conservation Council (CUWCC) Activities. These services will be provided in accordance with the November 9, 2009 Professional Services Agreement executed between the Nipomo Community Services District (NCSD) and WSC.

In accordance with your request in our meeting on July 26, 2013, this proposal outlines the proposed scope of services and budget for continued support services for BMP Implementation and CUWCC Support Activities for Fiscal Year 2013-2014. This proposal includes the following sections: 1. Background; 2. Scope of Services; and 3. Budget.

1. Background

WSC has enjoyed working with NCSD staff to maintain the District's BMP compliance and associated State funding eligibility. To date, WSC has provided support on an as-needed basis directed by NCSD staff for the following activities and submittals:

Activities

- Acted on behalf of NCSD as the main point of contact for CUWCC activities and updates.
- Monitored CUWCC Plenary meetings. Provided status updates for items relevant to NCSD.
- Monitored CUWCC Statewide Water Use Efficiency (WUE) and G1 Caucus meetings. Provided status updates for items relevant to NCSD.
- Participated in multiple CUWCC and DWR Workshops for BMP Training, Implementation, and Compliance. Provided status updates for items relevant to NCSD.

Submittals

- 2010 UWMP data entry into the DOST database
- American Water Works Association (AWWA) Water Loss Audit for 2009-2010
- Turf Replacement Program TM
- Institutional Incentive Programs and Agreements TM
- Water Survey RFQ/RFP TM
- BMP and GPCD Update Memo

2. Scope of Services

The proposed scope of services includes the following tasks:

Task 1. BMP Implementation Support

- Prepare deliverables, submittals, and information necessary to implement NCSD's Best Management Practices (BMPs). Implementation shall facilitate compliance with the CUWCC Memorandum of Understanding (MOU), thus fulfilling the requirements of AB 1420 and the California Urban Water Management Planning Act (UWMP Act). Informational research, status updates, and deliverables will be conducted as directed by NCSD staff. Deliverables will include the following:
 - o CUWCC 2011-2012 BMP Annual Report
 - 2012 AWWA Water Loss Audit
 - Water System Component Analysis of Real Losses
 - CII Mixed Use Meter Conversion Feasibility Study
 - Water Meter Census
 - o AB1420 Self-Certification Tables

Task 2. CUWCC Activities Support

- Provide support services including agency coordination, research and data management, technical review, and as-needed consulting services for CUWCC activities. Provide NCSD with CUWCC news updates and synthesized status reports, participate in CUWCC activities, and act as the main point of contact for all matters and responsibilities relating to NCSD's CUWCC membership.

3. Budget

The total budget amendment is a not-to-exceed expenditure limit of \$17,940, as shown here:

Task No.	Task Description	Principal	Intern Engr.	Staff Planner	Clerical/ Admin	Total Labor Hours	Total Labor	Expenses	Total Fee
1	BMP Implementation Support	2	16	60	6	84	\$9,810	\$900	\$10,710
2	CUWCC Activities Support	2	8	40	6	56	\$6,630	\$600	\$7,230
Column Totals		4	24	100	12	140	\$16,440	\$1,500	\$17,940

We are pleased to be submitting our proposal and appreciate the opportunity to do so. If you have any questions or would like clarification on any aspect of our proposal, please feel free to contact me at (805) 457-8833 ext. 102 or swaterman@wsc-inc.com.

Sincerely,

Water Systems Consulting, Inc.



Spencer Waterman
Staff Planner



Jeffery M. Szytel, PE, MBA
Principal

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: SEPTEMBER 6, 2013

**AGENDA ITEM
E-3
SEPTEMBER 11, 2013**

**UPDATE ON THE DEVELOPMENT OF
JIM O. MILLER PARK**

ITEM

Receive and update on status of Jim O. Miller park development [RECOMMEND DISCUSS AND DIRECT STAFF]

BACKGROUND

In March 2009, your Board entered a Memorandum of Understanding with San Luis Obispo County to identify the responsibilities of the parties in developing Jim Miller Park. The Memorandum outlined County transfer of the property for the park to the District in exchange for District construction and maintenance of a public park at the site. The Memorandum also outlined the process by which the District would apply to the Local Area Formation Commission for activation of park powers to facilitate the District's commitment to operate the park.

The District's funding plan for the park fell through when a property assessment vote failed in fall of 2009. Since that time Olde Towne Nipomo Association (OTNA) has been working with County Planning and Property Services staff to advance the park vision.

An Intent To Serve letter is needed from the District prior to the County granting a Minor Use Permit for OTNA's continued efforts. Your Board considered a service request (and Intent To Serve letter) for the Park on July 24, 2013. Your Board continued the item and directed staff to clarify OTNA's role with the County and the project.

With District agreement and support for taking over the park in the future, the County is willing to recognize OTNA as a partner in the overall project. The County has drafted a Use Permit to facilitate OTNA's activities at the proposed park site (which is now on the South side of Tefft).

The Use Permit is drafted as an attachment to the 2009 MOU between the County and the District and will not be valid until the MOU is amended and updated to recognize current conditions (change of proposed location and OTNA's role).

District and County staff are working on amendments to the MOU. A draft MOU is scheduled for review by your Board on September 25, 2013. In the continued absence of a 4th District Supervisor, this schedule may be delayed.

STRATEGIC PLAN

Strategic Plan Goal 7D.1 – Plan for Parks and Open Space

RECOMMENDATION

Staff recommends your Board consider the information presented and direct staff

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: SEPTEMBER 6, 2013

AGENDA ITEM
E-4
SEPTEMBER 11, 2013

LAFCO REQUEST FOR NOMINATIONS

ITEM

Consider Local Agency Formation Commission's request for nominations to fill Alternate Special District Seat. [DISCUSS AND NOMINATE CANDIDATE].

BACKGROUND

The Alternate Special District seat on LAFCO is currently vacant. LAFCO is requesting candidates for the seat which will run through December 2017.

FISCAL IMPACT

None

RECOMMENDATION

Consider the information, should your Board desire, provide a nomination and direct staff to file paper work.

ATTACHMENTS

- A. September 4, 2013 LAFCO request and nomination form

SEPTEMBER 11, 2013

ITEM E-4

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, LAFCO EXECUTIVE OFFICER
DATE: SEPTEMBER 4, 2013
**RE: REQUEST FOR NOMINATIONS FOR LAFCO
ALTERNATE SPECIAL DISTRICT MEMBER**

COMMISSIONERS

Chairman
MURIL CLIFT
Special District Member

Vice-Chairman
KRIS VARDAS
City Member

BRUCE GIBSON
County Member

FRANK MECHAM
County Member

TOM MURRAY
Public Member

MARSHALL OCHYLSKI
Special District Member

DUANE PICANCO
City Member

ALTERNATES

ROBERTA FONZI
City Member

DAVID BROOKS
Public Member

VACANT
County Member

VACANT
Special District Member

STAFF

DAVID CHURCH
Executive Officer

RAYMOND A. BIERING
Legal Counsel

MIKE PRATER
Analyst

DONNA J. BLOYD
Commission Clerk

The LAFCO Alternate Special District seat is currently vacant and nominations of candidates are requested for placement on a ballot. It is a four year term that runs through December 2017.

Background. The appointment could not be completed by the Independent Special District Selection Committee due to the difficulty in gathering a quorum. In the event that a meeting of the Selection Committee is not feasible, the Government Code allows the LAFCO Executive Officer to conduct the business of the committee in writing or via e-mail. If only one candidate is nominated, that candidate shall be deemed selected, with no further proceeding.

Instructions. Nominations are required to be approved by the District's Board of Directors and submitted using the attached form by **5:00 p.m. on October 18, 2013**. If a candidate wants to submit a one-page candidate's statement, it is also due by **October 18, 2013**. The completed nomination form and statement may be submitted to the LAFCO office via Mail, Fax-788-2072, or e-mail to DChurch@slolafco.com.

If more than one nomination is received, the Executive Officer shall prepare and send by electronic mail to each independent special district a ballot with voting instructions. If only one nomination is received that candidate will be deemed the alternate LAFCO Special District representative.

A nomination form is attached to assist you. Also, the LAFCO website (www.slolafco.com) has additional information about LAFCO. Please contact me at 805-781-5795 or Dchurch@slolafco.com if you have any questions.

cc: Members, Formation Commission



**NOMINATION FOR LAFCO
ALTERNATE SPECIAL DISTRICT MEMBER**

The _____
(Insert Name of Special District)

Hereby nominates _____ to serve as the
(Insert Name of Nominee)

Alternate Special District Member on the San Luis Obispo Local Agency Formation Commission (LAFCO).

Board of Director's action in the nomination was taken on:

(Insert Date of Board Action)

(General Manager or Chairman/President)

(Email address)