

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *msl*  
GENERAL MANAGER

DATE: SEPTEMBER 6, 2013

**AGENDA ITEM**  
**F**  
**SEPTEMBER 11, 2013**

## GENERAL MANAGER'S REPORT

### ITEM

Standing report to your Honorable Board -- *Period covered by this report is August 10, 2013 through September 5, 2013.*

### DISTRICT BUSINESS

#### Administrative

- Southland Wastewater Treatment Plant Improvement Project continues on schedule and within budget. The July 2013 construction report is attached.
- Initiation of Supplemental Water Project Phase 1 continues to demand significant staff time. The Project is proceeding on schedule.
- On September 5, 2013, the CDARS (Supplemental Water Funds) at Mission Community Bank matured. The balance was \$924,699.29. The funds were wired from Mission Community Bank to Rabobank. On September 6, 2013, the District wired the funds to LAIF. The funds are now liquid and can be used to pay supplemental water project progress payments.
- Received five proposals for Water Rate and Capacity Charge Study – under staff review, scheduled for consideration by Finance and Audit Committee on 9/12/13.
- Circulated and posted a request for Strategic Planning facilitator – responses due 3PM, Friday, September 20, 2013.
- Rejected damage claims made by original developer of a project formally known as Maria Vista Estates (see attached).
- Issued contracts for Supplemental Water Project, Bid Package 3 (Blosser Road Pipeline) to Specialty Construction, Inc.
- Issued contracts for Supplemental Water Project, Bid Package 4 (Pump station, well head improvements) to Spiess Construction Co., Inc.
- Provide SLO County Board of Supervisors written Board comments on Laetitia Agricultural Cluster EIR.
- Recruitment for Wastewater Supervisor, Utility Operator, and Customer Service vacancies continues. All application periods closed, exams and interviews scheduled.
- The District has granted bill relief due customer water leaks on nine occasions since your Board adopted the new policy last winter. Approximately \$5,000 of revenue has been 'written-off' by granting this relief. The amount of relief to an individual customer ranges from \$120 to \$1,700 dollars. Two of the nine allowances are over \$1,000.
- Most recent data from Nipomo area County rain gauges recorded no rain during the past two weeks. County rain gauges are reset on July 1 each year. The Nipomo South gauge (Sensor 730) measured total rainfall for the year of 7 inches, 44% of the 16-inch annual average. The Nipomo North gauge (Sensor 730) measured 5.9 inches for the

past year, 33% of the 18 inch annual average. Twitchell Reservoir reports 0.0% capacity (at gauge minimum); Lopez Lake stands at 64.3% capacity (31,759 Acre-feet).

**Safety Program**

- Overnight from 8/26/2013 to 8/27/2013 – District Operations Yard and Southland WWTF tagged with graffiti – Report filed with Sherriff’s office and graffiti removed.
- 8/28/2013 – District vehicle backed into while parked – Report filed with California Highway Patrol.
- 9/4/2013 – Water theft from hydrant on Vista Del Rio – Report filed with Sherriff’s Office.

**Public Outreach**

The following public outreach related information is attached to the Manager’s Report:

- A summary of outreach and education activities
- Recent outreach materials;
  - August ‘Inside NCSD’ column
  - paid advertisements
  - Newsletter
  - Rate notice

**Monthly Connection Report**

Nipomo Community Services District  
 Water and Sewer Connections

**End of Month Report 2013**

	DEC-12	JAN-13	FEB-13	MAR-13	APR-13	MAY-13	JUN-13	JUL-13	AUG-13	SEPT-13	OCT-13
Water Connections (Total)	4259	4268	4268	4268	4268	4287	4287	4289	4290	4290	
Sewer Connections (Total)	3055	3064	3064	3064	3064	3083	3083	3083	3084	3084	
Meters turned off (Non-payment)	20	18	34	32	14	20	13	13	28	30	
Meters off (Vacant)	52	55	57	56	58	57	55	53	48	45	
Sewer Connections off (Vacant)	20	22	24	22	23	24	20	28	18	14	
New Water Connections	12	9	0	0	0	2	0	2	1	0	
New Sewer Connection	12	9	0	0	0	2	0	0	1	0	
Galaxy & PSHH at Orchard and Division											
Sewer Connections billed to the County	462	462	462	462	462	462	462	462	462	462	

**Other News of Interest (All items attached to this report)**

- September 10, 2013 San Luis Obispo County Board of Supervisors Meeting Agenda
- September 11, 2013 SLO Co. Integrated Waste Management Authority Mtg. Agenda
- September 12, 2013 Nipomo Mesa Management Area Technical Group Mtg. Agenda
- Regional Water Quality Control Board (RWQCB) Notice of public hearing
- CSDA Mid-Year Legislative Report – July 2013
- CSDA Notice on 2014 Committee and Feedback Team participation
- South County Advisory Council comment letters (2 each) on Laetitia Ag Cluster EIR
- RWQCB Notice to comment on Santa Maria River Basin study and proposed actions
- August 13, 2013, Water district rate setting litigation news

### Meetings

*Meetings Attended (telephonically or in person):*

- August 12, Nipomo Mesa Management Area Technical Group
- August 13, Agenda review with District Counsel
- August 14, Regular Board Meeting
- August 15, Annual Staff Evaluation
- August 15, and 16, Operation Staff Coordination
- August 15, County Planning Staff – Nipomo Mesa Water Conservation Area topics
- August 19, and September 4, Board Officers
- August 20, and September 5, Management Coordination
- September 4, WRAC

*Meetings Scheduled:*

- September 9, Water Resources Committee Members
- September 10, Tyler Tech Billing System Demo
- September 11, Regular Board Meeting
- September 12, Finance and Audit Committee
- September 12, and 19, Management Coordination
- September 13, Website Consultant
- September 16, Board Officers
- September 16-19, CSDA Annual Conference

### RECOMMENDATION

Staff seeks direction and input from your Honorable Board

### ATTACHMENTS

- A. July 2013 Construction Report, Southland Wastewater Treatment Plan Improvements
- B. August 14, 2013 Claim Rejections (2)
- C. District Outreach and Education Materials
- D. Board of Supervisor Agenda
- E. Waste Management Authority Agenda
- F. NMMA Technical Group Agenda
- G. RWQCB Notice of Hearing
- H. CSDA Mid-Year Legislative Report
- I. CSDA Memorandum
- J. South County Advisory letters (2)
- K. RWQCB Notice to Comment
- L. August 13, 2013 Water Rate News

SEPTEMBER 11, 2013

ITEM F

ATTACHMENT A

# Nipomo Community Services District



## Southland WWTF Improvements Phase 1 Project Monthly Progress Report



Prepared By:  
MNS Engineers, Inc.

**July 2013**

# Schedule and Budget Summary

## Schedule Summary

Notice to Proceed	July 30, 2012
Original Contract Days	645
Contract Days Added	60
Revised Contract Days	705
Elapsed Time (Days)	(363)
Remaining Time (Days)	342
Contract Completion Date	July 5, 2014
Time Elapsed to Date	51%
Work Completed to Date	58%
Approved Change Orders (Days)	60 days

## Budget Summary

Original Contract Amount	\$10,224,900.00
Approved Change Orders (Cost)	\$920,566.00
Revised Contract Amount	\$11,145,466.00
Previous Payments	\$5,227,118.61
Current Month Pay Request	\$1,253,670.00
Total Work Completed	\$6,480,788.61
Work Remaining	\$4,664,677.39

# Progress Summary

## General Site Work – Piping and Electrical

### Summary of Work:

Cushman installed the 6-inch DR piping along the west side of the Sludge Drying Beds and the 6-inch TWAS and 6-inch NPW (non potable water) piping along east side of Sludge Drying Beds. They also installed the 3-inch NPW line between the Sludge Drying Beds and completed installation of the 4-inch DR laterals from Sludge Thickening System and the Sodium Hypochlorite Building which connect to the 6-inch DR pipe. Cushman began work on installation of the concrete pads at the ponds, installing the 18-inch pipe inlet structure slab for Pond 1. Bergelectric received several pull box vaults and installed Pull Boxes #11, 22 and 25. They also excavated for the duct banks and installed conduit between the pull boxes, then placed red slurry over the conduit.

### Pictures:



Cushman installing the 6-inch DR piping to the west of the Sludge Drying Beds.



Cushman installing the 6-inch TWAS west of the Sludge Drying Beds.



Cushman installing the 6-inch TWAS to the east of the Sludge Drying Beds.





Cushman installing fittings on the 6-inch TWAS pipe.



Cushman installing the 6-inch NPW along the east side of the Sludge Drying Beds.



Cushman installing 3-inch NPW line between the Sludge Drying Beds.



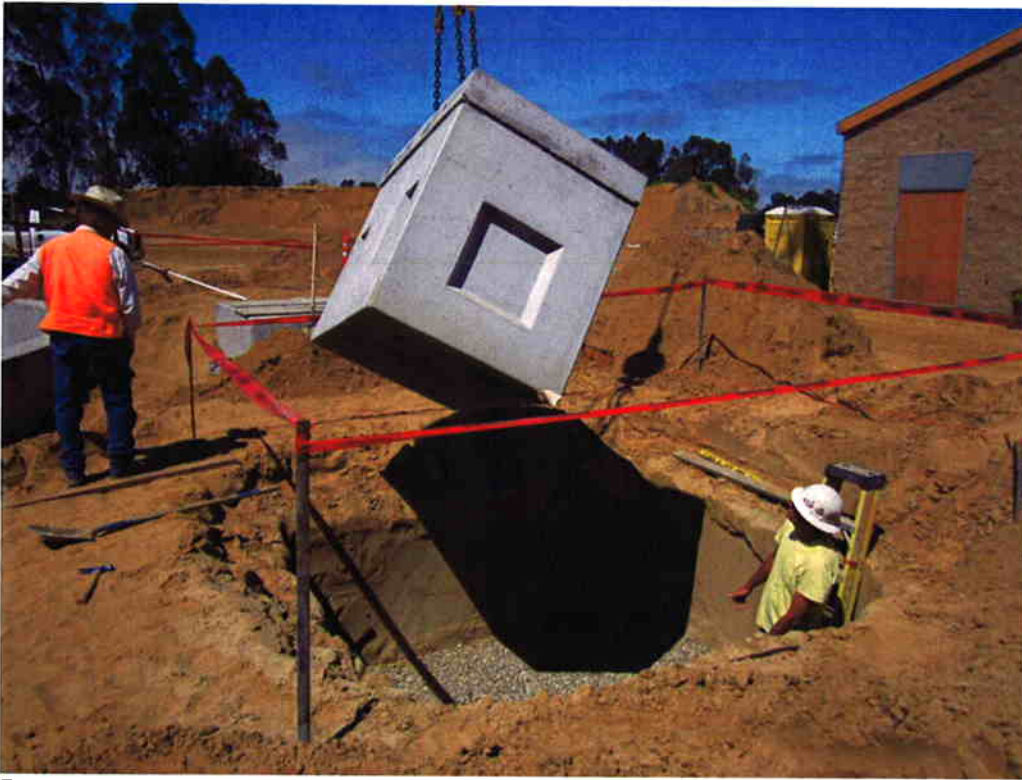
Forming for the 18-inch pipe inlet structure slab at Pond 1.



Pouring the inlet structure slab at Pond 1.



Bergelectric taking delivery of electrical pull box vaults.



Bergelectric and Cushman installing Pull Box #25.



Bergelectric installing Duct Bank #16 conduit between Pull Boxes #11 and 22.



Bergelectric installing Duct Bank #22.



Bergelectric installing Duct Bank #25 from the Electrical/Blower Building.



Bergelectric installing Duct Bank #25 into Pull Box #25.



Bergelectric pouring red slurry over electrical conduit Duct Banks #16 & 22.

## **Process 10 Influent Pump Station**

### **Summary of Work:**

Cushman poured the walls, installed hatches and formed the deck of the Influent Pump Station. They also poured the interior prerotation basin walls and installed the prerotation basins. Manholes 1 and 2 were excavated and installed along with the piping between them and into the Influent Pump Station.

### **Pictures:**



Cushman setting Manhole #1 and connecting piping to the Influent Pump Station.



Cushman installing Manhole #1 and piping.



CMC Rebar tying wall reinforcing at the Influent Pump Station.



Cushman pouring the walls of the Influent Pump Station.





Stripping the forms at the Influent Pump Station after the wall pour.



Stripping forms at the Influent Pump Station after the wall pour.



Backfill and compaction around the Influent Pump Station.



Backfilling around Influent Pump Station.



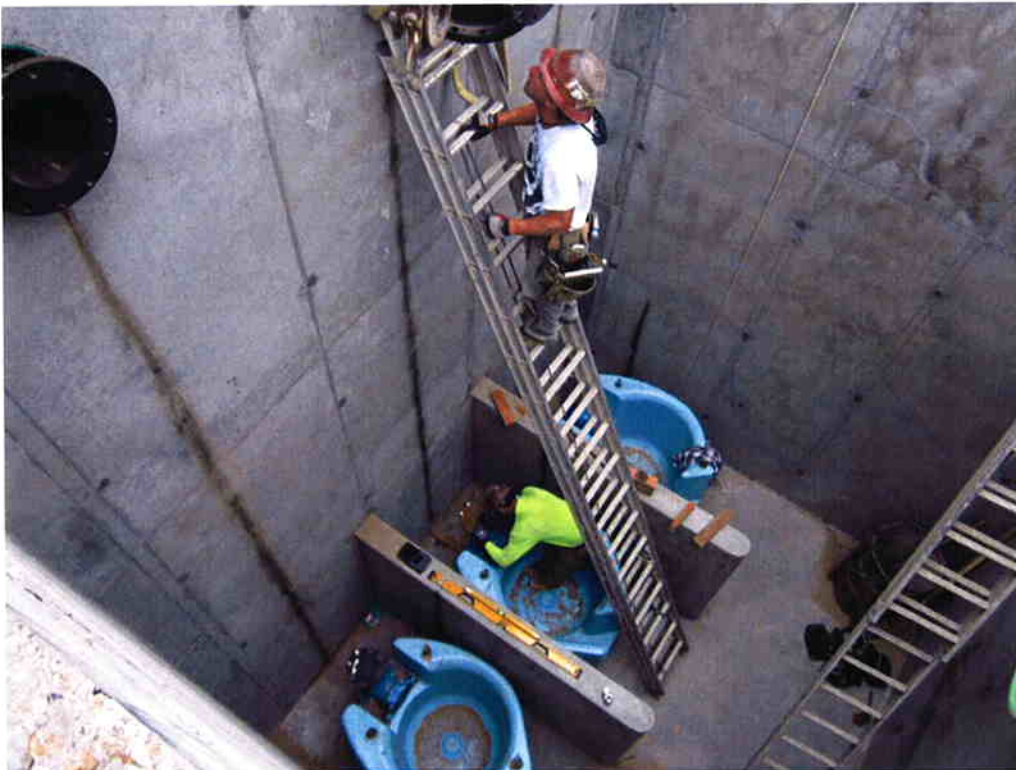
Pouring the dividing walls for the prerotation basins in the Influent Pump Station.



Stripping forms from the walls dividing the prerotation basins.



Aligning the prerotation basins inside the Influent Pump Station



Aligning the prerotation basins inside the Influent Pump Station.



Installing supports for shoring to prepare for deck pour at Influent Pump Station.



Setting shoring for pouring the deck of the Influent Pump Station.



Forming deck of Influent Pump Station.



Installing the reinforcing for the Influent Pump Station deck.

## **Process 20 & 30 Headworks Screening System & Grit Removal System**

### **Summary of Work:**

Cushman excavated for the Headworks and Screening System, and Grit Removal System structures, placed and compacted base material, then formed and poured part of the foundation for the lower sump invert slab and the grit chamber foundation and walls.

### **Pictures:**



Laying out the headworks and grit removal system.



Excavating for headworks and grit removal system.



Excavating for the headworks and grit removal system.



Placing and compacting base for headworks and grit removal system.





Forming lower level of headworks.



Reinforcing being installed at lower headworks and grit removal chamber.



Pouring the foundation for the grit removal system.



Reinforcing and wall forms for grit removal chamber.



Pouring concrete for lower section of the headworks foundation.



Compacting base under the upper headworks.



Forming the walls for the lower headworks.



Receipt of screw conveyor and grit classifier.

# **Process 40 & 80 Aeration Basin #1 & Emergency Holding Basin**

## **Summary of Work:**

Cushman installed the weir gate at the Emergency Holding Basin effluent weir box along with grating at both effluent weir boxes. They also placed concrete fill inside Distribution Box #2 and installed the gates and grating at Distribution Box #1.

## **Pictures:**



Cushman placing concrete fill inside Distribution Box #2.



Weir gates and grating installed at Distribution Box #1.

## **Process 45 Electrical/Blower Building**

### **Summary of Work:**

Dueck Roofing installed the standing seam roof at the Electrical/Blower Building. Bergelectric pulled some wires at the Electrical/Blower building, and installed seismic restraint on electrical gear along with some instrumentation hardware.

### **Pictures:**



Subcontractor Dueck Roofing installing standing seam roof on Electrical/Blower Building.

## **Process 50 – Secondary Clarifier No. 1 and 2.**

### **Summary of Work:**

Cushman assembled and installed clarifier mechanisms and baffles in both clarifiers along with bridges and handrails. The telescoping valve was installed at both RAS/WAS pump stations with associated piping and knife gates, and piping was installed at RAS/WAS Pump Station # 1.

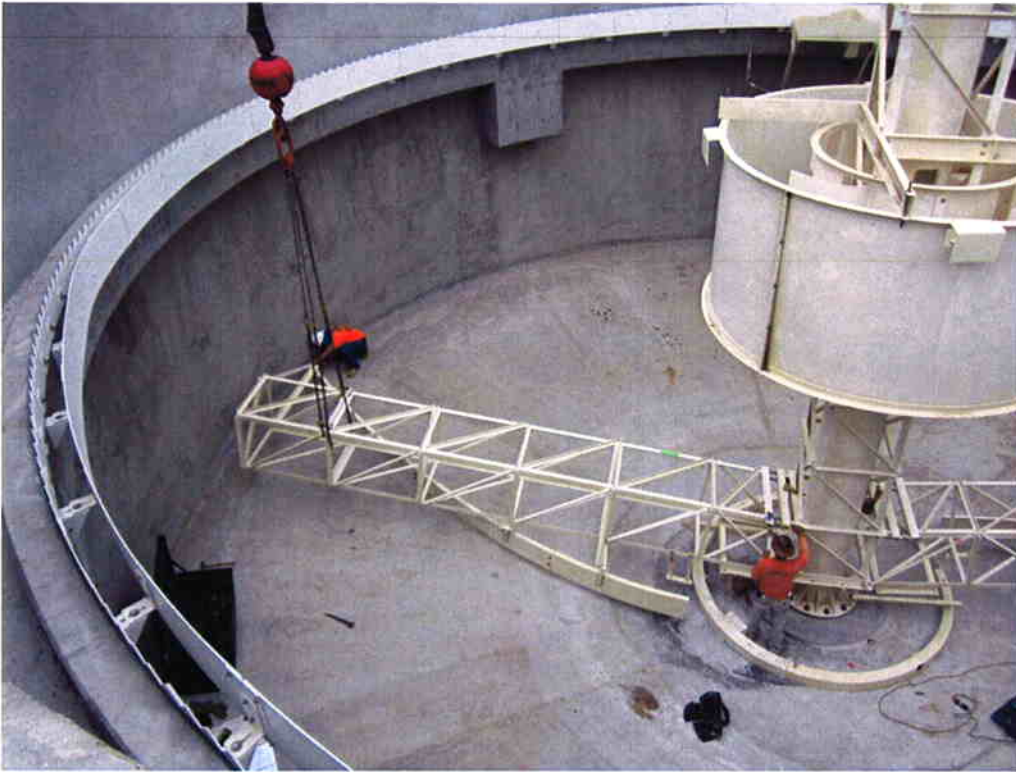
### **Pictures:**



Installing mechanisms inside Clarifier #1.



Installing mechanisms inside Clarifier #1.



Installing mechanisms installed inside Clarifier #1.



Assembling the metal bridge and handrail for the clarifiers.





Installing the bridge for Clarifier #1.



Installing the peripheral baffle inside Clarifier #1.



Installing center column inside Clarifier #2.



Installing motor for mechanisms inside Clarifier #2.



Installing mechanisms inside Clarifier #2.



Installing the peripheral baffle inside Clarifier #2.



Cushman pouring concrete for the deck of the Scum Well.



Cushman installing the telescoping valve inside RAS/WAS Pump Station #1.



Cushman installing piping at RAS/WAS Pump Station #1.



Cushman installing below ground piping at RAS/WAS Pump Station #1.

## **Process 60 – Sludge Thickening System**

### **Summary of Work:**

The Sludge Thickening System structure was excavated, under-ground piping and electrical installed followed by sub-grade prep, then base material was placed and compacted, footings formed, and concrete placed. The slab reinforcing was installed with embedment of bolts for steel columns and the concrete slab was poured.

### **Pictures:**



Cushman installing base at for footing at Sludge Thickening System.



Bergelectric installing conduits under the foundation at Sludge Thickening System.



Cushman forming footing for the Sludge Thickening System.



Reinforcement installation for the Sludge Thickening System footing.



Underground conduit installed in the Sludge Thickening System footing.



Tying more reinforcing in the footing for the Sludge Thickening System.





Cushman pouring the footing for the Sludge Thickening System.



Cushman finishing the footing for the Sludge Thickening System.



Installing the vapor barrier under the slab for the Sludge Thickening System.



Cushman pouring concrete for Sludge Thickening slab.

## **Process 70 – Process Water Pump Station and Sodium Hypochlorite Storage**

### **Summary of Work:**

The Sodium Hypochlorite Storage structure slab was poured followed by installation of split faced block and structural steel roof plates and trusses. Electric conduit and receptacles were installed concurrently through walls by Bergelectric.

### **Pictures:**



Cushman forming the starter wall for Sodium Hypochlorite Building.



Cushman pouring concrete for the starter wall at the Sodium Hypochlorite Building.



Cushman stripping forms from the concrete starter wall of the Sodium Hypochlorite Building.



CMC Rebar tying reinforcement for slab at Sodium Hypochlorite Building.



Pouring slab of the Sodium Hypochlorite Building.



Beinscroth Masonry placing first course of block at the Sodium Hypochlorite Building and Bergelectric installing conduit running through the walls.



Beinscroth Masonry installing CMU block at the Sodium Hypochlorite Building.



First grout pour at the Sodium Hypochlorite Building.



Installing reinforcing and pouring grout at the Sodium Hypochlorite Building.



Beinscroth Masonry placing CMU at Sodium Hypochlorite Building.



Building corner leads at the Sodium Hypochlorite Building.



Last grout pour at Sodium Hypochlorite Building.





Cushman setting steel channels at Sodium Hypochlorite Building.



Cushman installing the metal roof trusses at the Sodium Hypochlorite Building.



Dueck Roofing installing the standing metal roof on the Sodium Hypochlorite Building.



Receiving the hydropneumatic tank.

## **Process 90 – Sludge Drying Beds**

### **Summary of Work:**

Cushman established the wall lines and started forming the footings along Sludge Drying Bed # 1 along with installation of reinforcing and forming of construction joints with waterstop.

### **Pictures:**



Cushman excavating and compacting the wall line along Sludge Drying Bed #1.

SEPTEMBER 11, 2013

ITEM F

ATTACHMENT B

# NIPOMO COMMUNITY

## BOARD MEMBERS

JAMES HARRISON, PRESIDENT  
LARRY VIERHEILIG, VICE PRESIDENT  
BOB BLAIR, DIRECTOR  
DAN A. GADDIS, DIRECTOR  
CRAIG ARMSTRONG, DIRECTOR



# SERVICES DISTRICT

## STAFF

MICHAEL S. LEBRUN, GENERAL MANAGER  
LISA BOGNUDA, FINANCE DIRECTOR  
PETER SEVCIK, P.E., DIRECTOR OF ENG. & OPS.  
MICHAEL W. SEITZ, GENERAL COUNSEL

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

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## NOTICE OF REJECTION OF CLAIM

Robert B. Lorance  
237 Town Center West, #256  
Santa Maria, CA 93458

Notice is hereby given that the **claim** that you presented to the Nipomo Community Services District is **rejected** on August 14, 2013.

### WARNING

Subject to certain exceptions, you have only six (6) months from the date this letter was personally delivered or deposited in the mail to file a court action on this **claim**. See Government Code section 945.6.

You may seek the advice of an attorney of your choice in connection with the matter. If you desire to consult an attorney, you should do so immediately.

Dated: August 14, 2013

NIPOMO COMMUNITY SERVICES DISTRICT

By Michael S. LeBrun  
MICHAEL S. LeBRUN, General Manager



# NIPOMO COMMUNITY

## BOARD MEMBERS

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LARRY VIERHEILIG, VICE PRESIDENT  
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*Serving the Community Since 1965*

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

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## NOTICE OF REJECTION OF CLAIM

Erik Benham  
237 Town Center West, #256  
Santa Maria, CA 93458

Notice is hereby given that the **claim** that you presented to the Nipomo Community Services District is **rejected** on August 14, 2013.

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Dated: August 14, 2013

NIPOMO COMMUNITY SERVICES DISTRICT

By Michael S. LeBrun  
MICHAEL S. LeBRUN, General Manager





SEPTEMBER 11, 2013

ITEM F

ATTACHMENT C

**NCS D Outreach Summary  
August 2013**

<b>Date Started</b>	<b>Outreach</b>	<b>Description</b>	<b>Status</b>	<b>Date Completed</b>
5/2/2013	Value of Water Display	Value of Water display for lobby	In Progress	
6/17/2013	Plaque	Creation of brass plaque honoring the District's first Board members	In Production	
7/2/2013	FOG	Creating page and graphics for website regarding Fats, Oils, and Grease	In Progress	
7/12/2013	Supplemental Water Project Signs	Creation of construction signs for Supplemental Water Project	In Production	
7/18/2013	Manager's Column	Article 6 for Manager's Column in Adobe Press, pub date 7/26	Complete	7/22/2013
7/29/2013	Ad	Irrigation 1/4 page ad in Adobe, pub date 8/2	Complete	7/31/2013
8/5/2013	Ad	Operations job opportunities 1/4 page ad in Adobe, pub date 8/9	Complete	8/7/2013
8/5/2013	Website Updates	Addition of irrigation information; clean-up of Conservation page; home page update; addition of District newsletter 3	Complete; Ongoing	8/8/2013
7/3/2013	District Newsletter	Third quarter newsletter for August 15th distribution	Complete	8/15/2013
8/19/2013	Brochure	Update of "Leaky Toilet" handout card	In Progress	
8/19/2013	Brochure	Update of "Reading Your Water Meter" brochure	In Progress	
8/19/2013	Bill Stuffer	Rates Increase bill stuffer for Sept/Oct bills	Complete	8/23/2013
8/21/2013	Manager's Column	Article 7 for Manager's Column in Adobe Press, pub date 8/30	Complete	8/26/2013
8/26/2013	Ad	Labor Day/Fall Planting 1/4 page ad in Adobe, pub date 8/30	Complete	8/27/2013
8/26/2013	Website Updates	Addition of links, Creek Day info, Manager's Columns, homepage clean-up	Complete; Ongoing	9/4/2013

# MINOR MADNESS

## YOUTH BRIEFS

### Kids can learn to sew at Hancock

A Sewing for Kids class at Hancock College will be offered this fall at Hancock College. The class will be offered from 9 a.m. to noon Saturdays, Sept. 7 to 21, for kids from ages 9 to 12. People can find more details and see information in the 2013 Special schedule of Community Education classes available at campus locations and online at [www.hancockcollege.edu](http://www.hancockcollege.edu). For further information, call 922-6966, ext. 3609, or visit Community Education (Building 5) on the Santa Maria campus.

### AG offering preschool this fall

A preschool program for children 3 to 5 years old will be offered this fall by the Arroyo Grande Recreation Services Department. Playful Learning Preschool classes start Tuesday, Sept. 3, and openings are available in the Tuesday/Thursday class from 12:30 to 3:30 p.m. Children will be introduced to coloring, numbers, letters, modeling, reading, verbal skills, socialization, music and nature, and a parent-spoken program. The cost is \$85.50 for Arroyo Grande residents and \$99.50 for all



Contributed

Kids like 12-year-old Joey Ortao can learn basic sewing skills this fall in a Sewing for Kids class at Hancock College.

other people from week-enders, plus an annual registration fee of \$10 for city residents and \$12 for non-residents. For more information, call the Recreation Services office at 473-5474.

### Local students perform at Disneyland Resort

Students from the Studio of Performing Arts became stars of their

own Disney show July 14 when they entertained visitors at Disneyland. The youths from around the South County traveled from Arroyo Grande to the Disneyland Resort in Southern California to take part in the Disney Performing Arts Program. For 25 years, the program has offered band, choral, dance and auxiliary performers the opportunity to learn, perform and compete at

the resort, a Disney spokesperson said.

Dance groups, choirs, ensembles and marching bands from around the world apply to perform each year at both the Disneyland and Walt Disney World resorts, the spokesperson said.

Once the best are selected, the troupes have an opportunity to perform for an international audience of theme park guests.

For more information, visit [www.disneyperformingarts.com](http://www.disneyperformingarts.com) or call toll-free 800-603-0322.

### Summer Carnival today at Elm Street Park

All ages are invited to attend the Summer Carnival to be presented by the Arroyo Grande Recreation Services Department from 11 a.m. to 2 p.m. today, Aug. 9, at Elm Street Park.

Game booths with toy and candy prizes, a bounce castle and a barbecue are among the attractions at the annual event, a department spokesperson said.

In addition, the Summer Playground Pinewood Derby Race will take place at approximately 1:30 p.m.

Children from the summer child-care programs will race their car for first-, second- and third-place trophies in various categories, the spokesperson said, but anyone with a Pinewood Derby car may join in the fun.

The cost of the carnival is \$2 for unlimited use of the game booths. The bounce castle is an additional \$2.

Barbecued hamburgers and hot dogs will be served with chips and punch at \$3.50 for the hamburger lunch and \$2.50 for the hot dog lunch.

For more information, call the Recreation Services office at 473-5474 or 473-5476.

### Grant to help Cal Poly develop algae fuels

Cal Poly is one of two universities in the country that will receive Department of Energy funds for projects focused on developing sustainable and cost-effective algae fuels.

The university was awarded \$1.5 million to increase the productivity of algae strains and compare separate processing technologies, said Congressman Lois Capps, D-Santa Barbara.

Two businesses also received funding to conduct similar research.

Capps said the projects will focus on breaking down technical barriers and accelerating the commercial development of algae bio-fuels.

The projects will build on the Energy Department's broader efforts to bring cost-competitive next-generation algae biofuels online by 2022.

**NIPOMO FOOT & ANKLE**  
620 W. Tefft St. Nipomo

Dr. Thomas Vincent specializes in the prevention and treatment of injuries and diseases of the foot and ankle. Sores, Wounds, Calluses, Broken Bones, Ingrown or Fungal Nails, Hammer Toe, Heel Pain, Custom Orthotics, Diabetic foot complications, Diabetic Shoes

929-8055

**Brian Beres D.D.S.**

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671 West Tefft Street, Suite 3 • NIPOMO

**CHC**  
Community Health Centers  
Healthcare For Life

**CHC Nipomo Expands Services**  
Your new home for Women's Health

CHC is pleased to welcome Anika Moore, MD and Sarah Cole, NP, to the team at our new state of the art CHC Nipomo health center!

**Anika Moore, MD**

- Hours: Every Wednesday, 8 am to 5 pm
- Board Certified Ob/Gyn
- Graduate, Wright State University School of Medicine and Harbor UCLA Medical Center

**Sarah Cole, NP**

- Hours: Every Friday, 8 am to 5 pm
- Graduate, Women's Health Nurse Practitioner Program, Vanderbilt University

**Now accepting new patients.**

Also new at CHC Nipomo - Pediatrics and Optometry!  
For more information or to make an appointment:

CHC Nipomo  
150 Tefft Place, Nipomo  
Main Phone: (805) 929-3211  
Se habla español.

[www.communityhealthcenters.org](http://www.communityhealthcenters.org)  
Serving the Central Coast since 1978.

**Attention smart and dependable individuals looking for an excellent career opportunity!**

Nipomo Community Services District is now accepting applications for an entry level position in its operations department.

A high school degree, or equivalent, and clean driving record are the minimum requirements. The successful applicant will be trustworthy, well-spoken, and enthusiastic about learning and advancing in the water and wastewater profession.

This full-time entry level position starts at nearly \$34,000 and includes: excellent benefits, training, and advancement opportunities. Water and wastewater professionals are in high demand throughout California, the USA, and the World.

Looking for a bright future? See the District's website and get your application in today! (application period for this position closes on August 23, 2013)

Nipomo Community Services District  
148 S. Wilson St., Nipomo 93444  
(805) 929-1133 [www.ncsd.ca.gov](http://www.ncsd.ca.gov)

CALL US TO LIST YOUR CLASSIFIEDS **1-888-422-8822**



# District News



## Board of Directors Award Supplemental Water Project Contracts

On June 20, 2013, the Board of Directors awarded \$14.5M in construction contracts and \$2M in construction related contracts for the Supplemental Water Project Phase I. This award of contracts is the 'beginning of the end' for the District's 20-year quest to obtain a second source of water to supplement its groundwater only supply. The project will construct a water line interconnecting the District's water system with that of the City of Santa Maria. The project is expected to be complete by late 2014. Following completion of the pro-

ject, the District will purchase a portion of its water from the City. Construction is now underway. In the coming months, drilling activities will take place on the south end of the Mesa and on the south side of the Santa Maria River levee. A 2,600 foot long pipe will be installed under the river using horizontal drilling methods which greatly reduce the impact within the river bed environment. Construction crews will also be working along Blosser Road in the City of Santa Maria installing a mile of 24-inch water line to connect with

the City's main water infrastructure. The project is being financed by a \$2.2M grant from the State and \$14.3 million in District funds – both reserves and bond funds secured by District water rates and property tax income. The District has spent nearly \$4M developing the project since 2005. The funds for developing the project came from supplemental water charges collected from new customers added to the District's system since 2005.

## Nipomo Continues to Experience Critical Levels of Groundwater

Water levels in key wells on the Nipomo mesa have declined significantly. If groundwater levels fall much further between now and next spring, the District could be ordered to reduce pumping, thereby making less water available to District customers. Since groundwater is currently the District's only source of water, **we are urging all of our customers to use water wisely and to conserve water where possible.**

For conservation tips and ideas, visit [www.ncsd.ca.gov](http://www.ncsd.ca.gov) and click on the "Save Water, Save Money" quick link.

Nipomo Community Services District  
148 South Wilson Street, Nipomo, CA  
93444

### Board of Directors

**Jim Harrison**  
President

**Larry Vierheilig**  
Vice President

**Dan A. Gaddis**  
Director

**Bob Blair**  
Director

**Craig Armstrong**  
Director

### Staff

**Michael S. LeBrun**  
General Manager

**Lisa Bognuda**  
Finance Director

**Peter Sevcik**  
Director of Engineering and  
Operations

**Jessica Matson**  
Public Information Assistant

### Inside this issue:

**Southland Wastewater Facility Update** 2


**Don't Flush the Wipes!** 2

**Meet the Director of Engineering and Ops** 3

**Tampering with Meters** 3

**FAQs** 3

**Important Dates** 4



## \$75 REBATE

for

## High-Efficiency Washers!

Save Water, Save Money!

Nipomo Community Services District  
www.ncsd.ca.gov | 805.929.1133

To find out if you are eligible for the \$75 clothes washer rebate, visit the NCSD website at [www.ncsd.ca.gov](http://www.ncsd.ca.gov), click on the "High Efficiency Washer Rebate" link under Quick Links, then scroll down for the clothes washer rebate information and application

If you have any questions, stop by the office at 148 S. Wilson in Nipomo or call NCSD at 929-1133.

### Update on Southland Wastewater Treatment and Reclamation Facility Upgrade

Construction is now approximately 50% complete on a significant upgrade to the District's Southland Wastewater Treatment and Reclamation Facility. Once the project is complete it will replace the current pond-based plant and provide advanced



treatment and improved plant discharge quality. At the July 10<sup>th</sup> Board meeting, the District's Board of Directors authorized the General Manager to approve a change order in the amount of \$876,900 with Cushman Contracting Corporation for the construction of additional disposal facilities as part of the ongoing project. The District awarded the project's \$10.2M construction contract to Cushman Contracting Corpora-

tion in June 2012. Project bid documents included an additive alternate bid item for additional on-site disposal facilities. To date, anticipated Project costs are well within budget, allowing the District sufficient funding to construct the additional disposal facilities. The expansion of disposal facilities will provide additional surface area for disposal of highly treated plant discharge and increase the on-site disposal capacity by more



than 100,000 gallons per day, adding years to the useful life of 'on-site' disposal facilities. The expansion gives the District additional time to develop off-site disposal facilities to meet the future needs of the Nipomo community.

### Don't flush the wipes! - Where to Dispose Household Items

Many household products do not dissolve (nondegradable) and are detrimental to not only a home's pipes but also the public sewer system's pipes.

When nondegradable wipes (including baby wipes, cleaning wipes, and rags) are flushed they bind together to form extremely long ropes and plug the sewer pipes (as shown in the pictures to the far right).



When disposing of the wipes, please throw them in the trash can or purchase wipes that will dissolve (are degradable).

Being mindful of what you flush down the toilet can save you a plumbing bill and also help save your community's sewer system. It takes several hours and is costly to unplug the sewer system from items such as wipes.



For information on where to dispose of household hazardous waste items such as batteries, motor oil & antifreeze, medication, electronics and more, contact the Integrated Waste Management Authority of San Luis Obispo County at 805-782-8530 or visit [www.iwma.com](http://www.iwma.com)



WE WANT TO HEAR FROM YOU!

Send us your comments, questions and suggestions to [info@ncsd.ca.gov](mailto:info@ncsd.ca.gov)

## Meet the District's Director of Engineering and Operations

The District hired Mr. Peter Sevcik in 2007 as District Engineer. Peter came to the District with seventeen years of diverse experience in the water and wastewater field. Peter holds a bachelor's degree in civil engineering from the University of Illinois. He also holds a master's degree in Public Administration from Nova Southeastern University and is a California licensed Professional Civil Engineer. Peter's work experience prior to coming to the District

included the development and implementation of numerous water and wastewater infrastructure projects, making him a particularly good fit for the District.

Since coming to the District, Peter has been instrumental in getting the District capital improvement plan implemented including; replacing a mile of aging, at-capacity sewer trunk line, coordinating with San Luis Obispo County to install new water main in the Willow Road extension, upgrading the Dis-

trict's operations monitoring and control system, and most significantly, getting both the \$13M Southland sewer plant upgrade and \$17M supplemental water project designed and under construction. When the District's Utilities Superintendent retired this past spring, Peter assumed the title of Director of Engineering and Operations and took over responsibility for the District's eleven person operations staff, and the 24/7 operation of the District's two wastewater treatment and reclamation plants, wastewater collection system and water supply.



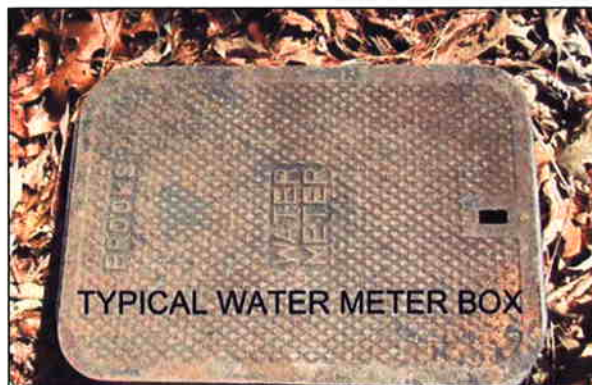
**Peter Sevcik,  
Professional Engineer (PE)**

Peter and his wife Ana are raising their two young boys in the nearby community of Orcutt. The family enjoys camping and sports.

## Don't Tamper with Water Meters—Just Call the District!

Water meters are an important tool for understanding and monitoring water use. Water meters belong to the District and tampering with the meter can lead to fines.

From time to time you may need to turn off your water due to an emergency. If you must do this, look for a valve located on the



**Call the District for help. The District will send a worker out to turn off your meter, at no charge.**

outside of your home where the water line goes into the house. Your sprinkler systems may have a separate valve.

**The District's water meter box (shown in picture) should only be accessed by District staff if your own valves do not work.** The District water meter valve requires a special tool.

## Frequently Asked Questions

### What is a water service charge?

The charge shown on your bill is the service charge for having water service available at your connection 24 hours per day, 7 days per week, 365 days per year.

### What is the Sewer charge?

The Sewer charge shown on your bill is the service charge to pay for operating the sewer collection system, treatment plant and safe reintroduction of treated waste water back into the environment.

### Who fixes a leak?

NCSD maintains the entire water system up to and including the water meter. It is the customers' responsibility to fix any water leak that happens after the water meter (customer side of meter).



**We welcome your feedback and questions! If you have a question you would like us to answer, feel free to contact [info@ncsd.ca.gov](mailto:info@ncsd.ca.gov)**

*Providing the community with reliable, quality, and cost-effective services now and in the future.*

Phone: 805-929-1133 | Fax: 805-929-1932 | E-mail: [info@ncsd.ca.gov](mailto:info@ncsd.ca.gov) | [www.ncsd.ca.gov](http://www.ncsd.ca.gov)

Nipomo Community Services District  
148 South Wilson Street, Nipomo, CA 93444



## Upcoming Meetings and Dates to Remember

**Wed, August 14th @ 9:00 am**  
Board Meeting at NCSD Office  
(public welcome)

**Wed, September 25th @ 9:00 am**  
Board Meeting at NCSD Office  
(public welcome)

**Mon, September 2nd**  
District Office closed for  
Labor Day

**Wed, October 9th @ 9:00 am**  
Board Meeting at NCSD Office  
(public welcome)

**Wed, September 11th @ 9:00 am**  
Board Meeting at NCSD Office  
(public welcome)

**Wed, October 23rd @ 9:00 am**  
Board Meeting at NCSD Office  
(public welcome)

*Check [ncsd.ca.gov](http://ncsd.ca.gov) for updates*

Pay your bill online!

[www.ncsd.ca.gov](http://www.ncsd.ca.gov)

For customer convenience, Nipomo Community Services District continues to offer an online bill paying service. This service accepts Visa, Master Card, Discover, and American Express, as well as debit cards and e-checks. Customers can also pay in the office Monday - Friday 8:00am - 4:30pm, except holidays. There is a payment drop box in the driveway.

**CONSERVATION TIP**

Spreading a layer of organic mulch around plants retains moisture and saves water, time and money.



[www.slowaterwiselandscaping.com](http://www.slowaterwiselandscaping.com)

**NIPOMO COMMUNITY SERVICES DISTRICT  
NOTICE OF WATER RATE INCREASE – EFFECTIVE NOVEMBER 1, 2013  
(Resolution No. 2011-1235 - Adopted October 11, 2011)**

On October 11, 2011, the Board of Directors of Nipomo Community Services District held a Public Hearing and adopted Resolution No. 2011-1235 based on a five year financial plan. The Resolution and Financial Plan are available for review on the NCS D website at [www.ncsd.ca.gov](http://www.ncsd.ca.gov).

**BI-MONTHLY AVAILABILITY CHARGES [2]**

<u>METER SIZE</u>	<u>November 1, 2012</u>	<u>November 1, 2013</u>
1 inch and less	\$29.40	\$32.19
Litigation Charge	\$6.32	\$6.32
<hr/>		
1 1/2 inch	\$83.46	\$91.39
Litigation Charge	\$14.36	\$14.36
<hr/>		
2 inch	\$132.19	\$144.75
Litigation Charge	\$19.92	\$19.92
<hr/>		
3 inch	\$245.98	\$269.35
Litigation Charge	\$27.92	\$27.92
<hr/>		
4 inch	\$408.48	\$447.29
Litigation Charge	\$36.00	\$36.00
<hr/>		
6 inch	\$814.41	\$891.78
Litigation Charge	\$59.58	\$59.58
<hr/>		
8 inch	\$1,301.69	\$1425.35
Litigation Charge	\$68.08	\$68.08

The above referenced litigation charge reflects the adjusted rate to offset the District's financial obligations related to the lawsuit titled *Santa Maria Valley Water Conservation District v. The City of Santa Maria, the Nipomo Community Services District, et al.* This lawsuit is commonly referred to as the Santa Maria Groundwater Adjudication. When the District's financial obligations regarding this lawsuit have been satisfied, the litigation charge will be eliminated.

**RESIDENTIAL WATER COMMODITY RATES [1][2]**

<u>SINGLE FAMILY</u>	<u>November 1, 2012</u>	<u>November 1, 2013</u>
0 to 24 Ccf	\$1.80	\$1.97
25 to 40 Ccf	\$2.25	\$2.46
41 to 100 Ccf	\$3.15	\$3.45
Over 100 Ccf	\$5.40	\$5.91
<hr/>		
<u>MULTI-FAMILY (Per Dwelling Unit)</u>	<u>November 1, 2012</u>	<u>November 1, 2013</u>
0 to 8 Ccf	\$1.80	\$1.97
9 to 12 Ccf	\$2.25	\$2.46
13 to 25 Ccf	\$3.15	\$3.45
Over 25 Ccf	\$5.40	\$5.91

**AGRICULTURE AND CONSTRUCTION COMMODITY RATES [1]**

<u>Agriculture</u>	<u>November 1, 2012</u>	<u>November 1, 2013</u>
Agriculture	\$2.59	\$2.84
All Other	\$2.59	\$2.84

One Ccf equals 748 gallons

[1] Does not include availability charges

[2] Does not include Blacklake Buy-In-Charge (NCS D Code § 3.40)



NIPOMO COMMUNITY SERVICES DISTRICT  
 NOTICE OF WATER RATE INCREASE – EFFECTIVE NOVEMBER 1, 2013  
 (Resolution No. 2011-1235 - Adopted October 11, 2011)

**COMMERCIAL COMMODITY RATES [1][2]**

Meter Size	Rate Block	November 1, 2012	November 1, 2013
5/8" Meter	0 to 35 Ccf	\$2.25	\$2.46
	Over 35 Ccf	\$3.15	\$3.45
3/4" Meter	0 to 50 Ccf	\$2.25	\$2.46
	Over 50 Ccf	\$3.15	\$3.45
1" Meter	0 to 55 Ccf	\$2.25	\$2.46
	Over 55 Ccf	\$3.15	\$3.45
1 1/2" Meter	0 to 290 Ccf	\$2.25	\$2.46
	Over 290 Ccf	\$3.15	\$3.45
2" Meter	0 to 165 Ccf	\$2.25	\$2.46
	Over 165 Ccf	\$3.15	\$3.45
3" Meter	0 to 82 Ccf	\$2.25	\$2.46
	Over 82 Ccf	\$3.15	\$3.45
4" Meter	0 to 25 Ccf	\$2.25	\$2.46
	Over 25 Ccf	\$3.15	\$3.45

**IRRIGATION COMMODITY RATES [1] [2]**

Meter Size	Rate Block	November 1, 2012	November 1, 2013
5/8" Meter	0 to 50 Ccf	\$2.25	\$2.46
	Over 50 Ccf	\$3.15	\$3.45
1" Meter	0 to 75 Ccf	\$2.25	\$2.46
	Over 75 Ccf	\$3.15	\$3.45
1 1/2" Meter	0 to 350 Ccf	\$2.25	\$2.46
	Over 350 Ccf	\$3.15	\$3.45
2" Meter	0 to 350 Ccf	\$2.25	\$2.46
	Over 350 Ccf	\$3.15	\$3.45
3" Meter	0 to 3000 Ccf	\$2.25	\$2.46
	Over 3000 Ccf	\$3.15	\$3.45
4" Meter	0 to 3000 Ccf	\$2.25	\$2.46
	Over 3000 Ccf	\$3.15	\$3.45

One Ccf equals 748 gallons

<sup>[1]</sup> Does not include availability charges

<sup>[2]</sup> Does not include Blacklake Buy-In-Charge (NCS D Code § 3.40)

**MANAGER'S MESSAGE**

The cost of providing a safe and reliable water supply to our customers continues to increase. We are scheduled to see increases (on the order of 9%) again in each of the next two years. If there is 'good news' here, it is that NCS D water rates remain some of the lowest in our area and our County. See our website ([www.ncsd.ca.gov](http://www.ncsd.ca.gov)) to review a comparison of local water rates recently completed by Atascadero Water Company. Many District customers could actually lower their water bills even as our rates continue to increase. What is the secret? CONSERVATION; A typical customer uses more than ½ the water they purchase annually to water landscape. Most landscapes are over-watered. Saving water in your yard does NOT necessitate a 'dust-bowl' approach. Many 'drought tolerant' plants need little or no supplemental water once established. Most landscapes with a modest area of lawn along with native/drought-tolerant trees and shrubs can be kept happy and beautiful year round with very little irrigation.

THANK YOU FOR DOING YOUR PART TO CONSERVE OUR PRECIOUS WATER RESOURCES,  
 MICHAEL S. LEBRUN, GENERAL MANAGER

## **District provides most necessary utilities of all**

**Michael LeBrun**

Can you imagine going a week or a month without television, phone or Internet? How about no gas or electricity to heat your home in the coldest winter month?

Those scenarios are certainly not desirable, but for most of us, they would be survivable.

Now, consider a month without water or sewer service. Not a pretty thought and not even doable. Many often take water and sewer service for granted.

Water makes up two-thirds of a typical human's weight. Without water, the human body will begin shutting down nonessential functions within 24 hours. Death from dehydration can occur in as few as three or four days.

No water for your home landscape or our community landscape would severely impact property values. No water to fight fires would be disastrous.

Sewer collection and treatment systems are every bit as important as water to an urbanized community like Nipomo.

It was an outbreak of disease related to fecal contamination of private wells that led to the formation of Nipomo Community Services District back in 1965.

According to [water.org](http://water.org), worldwide, a child dies every 21 seconds from water-related illness, and a majority of illness is due to fecal matter contamination of the water supply.

Efficiently managed and maintained water and sewer systems are vital to a community's health and livelihood.

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

Since the district is a "customer-owned" local governmental organization, our customers and property owners play a critical role in keeping the district's operation sound.

NCSD is a stand-alone local government agency. We are not associated with or controlled by the county, state or federal government.

Our customer/owners control the operation through the election of five directors who serve on the governing board and set district policy and direction.

Be informed and involved in your services district. This is local control and governance at its best — and it will only stay that way — if customers stay involved.

q q q

Conservation note: Fall is "in the air," or at least "right around the corner," and now is the time to plant.

Removing turf and grass areas and replacing them with trees and shrubs that need little to no water once they are established can provide a lasting savings of water and money.

Planting in the fall takes advantage of winter rains to get plants established. When planted in the fall, most drought-tolerant plants will require only one summer of irrigation.

Until next time... .

Michael LeBrun is the general manager of the Nipomo Community Services District. He can be reached by calling 929-1133 or by email at [info@ncsd.ca.gov](mailto:info@ncsd.ca.gov).

Posted Friday August 30, 2013

# SPEAKING OUT

## Letters to the Editor

### Investing in our children

To the Editor:

While pursuing a graduate degree, I have had the opportunity to study policy issues surrounding child abuse and domestic violence across America. In the U.S., 2,000 children die in outbreaks of family violence each year. Another 140,000 are injured physically and emotionally, and between 33 million and 10 million witness some form of domestic violence. At this rate, in the next five years our nation will have tens of millions of victims

who will have lifelong physical and emotional scars. However, there is an opportunity to mitigate the impacts of child abuse and domestic violence for victims and the lifelong care provided by social programs often funded by taxpayers. To prevent chronic physical and psychological problems, a society must create and invest in proven and effective programs that improve everyone's well-being. The Domestic Violence Judicial Support Act of 2013 provides additional resources to increase the effectiveness of existing programs and the success rates

of victims. The bill allows the U.S. Attorney General to provide grants to state and local governments to ensure children and victims of domestic violence have resources and properly trained advocates working on their behalf. The law mandates a court-appointed special advocate for every victim of child abuse or neglect. It also mandates child abuse training programs for judges, lawyers and those involved in the litigation aspects of these crimes. Congress has charged juvenile courts with oversight of child welfare cases. Highly-trained judges and lawyers are required for effi-

cient and effective case oversight and system reform. System reforms in other states have been shown to save significant financial resources involved in these programs, and have improved the outcome for victims. Unfortunately, Congress has balked at the actions on this bill, so victims continue to struggle through the justice system and become re-victimized. Our lawmakers have an obligation to ensure this law is supported and acted upon so that sufficient resources are created to aid victims.

Charlie Martinez  
Santa Maria

### Huckfest

Continued from A2

me it was the first time it ever happened that early," he said, which is incredible considering the crowds that attended the Fourth of July fireworks shows. "People all the way from Michigan drove vehicles to come out and celebrate." When many spectators found out they couldn't drive to the site -- at Champaign Hill in the aftermath of the 2012 event -- they pushed on the streets and walked in, he said. There were some reports that the large crowds pushed through some of the event's fences, which Gar-

ner said are required by permit to keep spectators 400 feet from the jump. But San Luis Obispo County Sheriff's Department reported no incidents from the event. Huckfest, which Manuel said got its name from Tommy Trigo of Central when he attended the Fourth of July fireworks shows. "People all the way from Michigan drove vehicles to come out and celebrate." He said the event has become so popular, it has grown beyond the Gannett Wildcat domain. But he said it's still all about people having fun. He said the event has become so popular, it has grown beyond the Gannett Wildcat domain. But he said it's still all about people having fun. He said the event has become so popular, it has grown beyond the Gannett Wildcat domain. But he said it's still all about people having fun.

## District provides most necessary utilities of all



Michael LeBlum

Water makes up two-thirds of a typical human's weight. Without water, the human body will begin shutting down essential functions within 24 hours. Death from dehydration can occur in as few as three or four days. No water for your home landscape or our community would severely impact property values. No water to fight fires would be disastrous. Sewer collection and treatment systems are every bit as important as water to an urbanized community like Nipomo. It was an outbreak of disease related to fecal contamination of private wells that led to the formation of Nipomo Community Services District back in 1966. According to water.org, worldwide, a child dies every 21 seconds from water-related illness, and a majority of illness is due to

fecal matter contamination of the water supply. Efficiently managed and maintained water and sewer systems are vital to a community's health and well-being. NCS D's mission is to provide its customers with reliable, quality and cost-effective services now and in the future. Since the district is a "customer-owned" local governmental organization, our customers and property owners play a critical role in keeping the district's operation sound. NCS D is a stand-alone local government agency. We are not associated with, or controlled by the county, state or federal government. Our customer/owners control the operation through the election of five directors who serve on the governing board and set district policy and direction. Be informed and involved

in your services district. This is local control and governance at its best -- and it will only stay that way if customers stay involved. Conservation note: Fall is "in the air," or at least "right around the corner" and now is the time to plant. Removing turf and grass areas and replacing them with trees and shrubs that need little to no water once they are established can provide a lasting savings of water and money. Planting in the fall takes advantage of winter rains to get plants established. When planted in the fall, most drought-tolerant plants will require only one summer of irrigation. Until next time... Michael LeBlum is the general manager of the Nipomo Community Services District. He can be reached by calling 929-1133 or by email at mleblum@ncsd.gov.

Can you imagine going a week or a month without television, phone or internet? How about no gas or electricity to heat your home in the coldest winter months? Those scenarios are certainly not desirable, but for most of us, they would be survivable. Now, consider a month without water or sewer service. Not a pretty thought and not even doable. Many often take water and sewer service for granted.

### Thunder:

Continued from A3

In late July that the air show had been canceled, a victim of federal budget cuts and, to an extent, its own success. "The cancellation of the show was like leaving a wounded brother or sister on the home front battlefield," Geddy said at the time, in a letter explaining the decision. The show had been increasing in popularity, attracting about 8,000 visitors regionwide last year -- up from 5,000 in 2005, Geddy said. Its future had been up in the air ever since the federal government failed to stop taxpayer budget cuts, which seriously curtailed operations of the Federal Aviation Administration and the U.S. Armed Forces. "These cuts have delivered a one-two punch to air shows all over the country. FAA inspectors are required to approve airports, airplanes and pilots for air

shows held throughout the country. At the same time, the military provides equipment and personnel for public outreach at the shows. Despite the odds, supporters went ahead with planning the event, trying to find enough funding. They aimed to put together an event with at least three or more warbird acts at a cost of more than \$40,000. It had \$15,000 provided by the Santa Maria Public Airport, but after going to the show's 30 sponsors, Geddy said organizers could only raise another \$12,000. Geddy said the economy -- still rocky here as elsewhere in the country -- made it hard to get the funding it needed from the private corporations that are usually helpful. But he said he was confident that as times improve, so will the chances of getting adequate financing. The sponsor, he said, truly want to help. "Our sponsors have spirit as big as Alaska and Texas combined," he said.

**Happy Labor Day from Nipomo Community Services District!**

**Fall is right around the corner and now is the time to plant!**

Removing turf/grass areas and replacing with trees and shrubs that need little to no water once they are established can provide a lasting savings of water and money.

Planting in the fall takes advantage of winter rains to get plants established. When planted in the fall, most drought tolerant plants will require only one summer of irrigation.

For more water wise landscaping ideas and links, visit the District's web site ([www.ncsd.ca.gov](http://www.ncsd.ca.gov)) or [www.slowaterwiselandscaping.com](http://www.slowaterwiselandscaping.com).

[www.ncsd.ca.gov](http://www.ncsd.ca.gov)  
929-1133

**NOW OPEN in SANTA MARIA**

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**We Bring the Ocean to You!!**  
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**LABOR DAY 2013**

**THANK YOU to ALL of our employees here at The Rock.**

**Two Locations:**  
 Santa Maria 510 E. Main St. 349-2628  
 Nipomo 622 W. Tefft St. 929-8121

**Hours: Sunday - Thursday 11am - 8pm  
Friday & Saturday 11am - 9pm**

## **Trio of Nipomo residents apply for vacant seat**

*By April Charlton/acharlton@theadobepress.com*

A trio of Nipomo residents are vying to replace the late 4th District Supervisor Paul Teixeira, joining three others from Arroyo Grande who are also hoping to be appointed to the vacant seat.

Former Nipomo Community Services District board member Michael Winn, Jim Harrison, current NCSD board president, and Jacqueline Frederick, local attorney and founding member of the Olde Towne Nipomo Association, have applied.

Although it's more likely than not that others have also applied for the vacancy on the San Luis Obispo County Board of Supervisors, Gov. Jerry Brown's office won't release any of the candidates' names nor confirm or deny the number of applicants.

Brown is expected to appoint a replacement supervisor to fill Teixeira's seat for the remainder of his term, although it's unknown how long the process will take.

Whoever is selected by Brown to fill Teixeira's seat, which became vacant after he died from a heart attack at the end of June, will serve out the remainder of his term. The person would need to run for election to retain the job for another four-year term.

Winn, who confirmed he applied for the position, is already organizing a campaign team and would seek election if he was appointed to the board, he said.

"You would be nuts not to plan to run for a full term," Winn said. "What can you get done in 15 months? I'm definitely running for a full term. That's part of the deal."

Teixeira's seat expires at the end of 2014, with an election for the seat occurring in June. That contest could go to a runoff in November, however, if one of the candidates doesn't get more than 50 percent of the votes.

Winn threw his hat in the ring, in part, because he believes he can help the county deal with issues such as water, which is at the forefront of supervisorial business with Paso Robles' rapidly depleting groundwater basin.

A currently split Board of Supervisors has recently looked at enacting emergency measures in Paso Robles designed to reduce water usage by vineyards and residents.

"If I am appointed, I can add my voice to those that are saying, 'Let's work this out,'" Winn said. "If I can help in this time of crisis, I feel I need to step up."

Winn sat on the NCSD and was a member of the county's Water Resources Advisory Committee for 12 years.

He also believes whoever is appointed to the job will need to be a good communicator and able to build some type of consensus on the board.

As someone with years of arbitration and mediation under her belt, Frederick feels she is a good fit for the position and applied for the job after numerous individuals from "different walks of life, political viewpoints and ethnicity" urged her to do so, she said.

“They all said I’d be a perfect person (for the job),” Frederick said. “I think I would do a good job. I know how to work well with people.”

If selected for the seat, the longtime Nipomo resident feels it would be her job to look at issues from all viewpoints and listen to others’ opinions before making a decision. She also wouldn’t make her decisions based on political motivations or expediency and would plan to seek election in June, she said.

“I think I would bring the heart and dedication (to the office) that Paul brought,” Frederick added.

Much like his counterparts, Harrison also believes he would do a good job as 4th District supervisor, and he, too, has applied for the job.

Having served on the NCSD for the past seven years and in public service for his entire adult life, Harrison knows his experience would serve him and the county well if he’s selected to fill Teixeira’s shoes, he said.

“You have to listen to everyone, and you deal with a lot of different people,” he said, adding it would be his job as a county supervisor to make decisions and policies based on what’s best for the community as a whole.

If tapped by the governor to replace Teixeira, Harrison would have to step down from his seat the NCSD board, leaving a vacancy on that elected body. His term expires at the end of 2014.

In Harrison’s opinion, it’s imperative that whoever is appointed to the Board of Supervisors is concerned about water supply and demand in the county, especially on the Nipomo Mesa.

Arroyo Grande residents Michael Byrd, Mark Millis and Caren Ray have also applied for the seat.

The 4th District represents Nipomo, Oceano, Arroyo Grande and a small portion of southern San Luis Obispo.

Posted Friday August 30, 2013

Last Update: 03 Sep 2013 - 06:45



Reported period: Aug 2013 OK

### Summary

Reported period Month Aug 2013

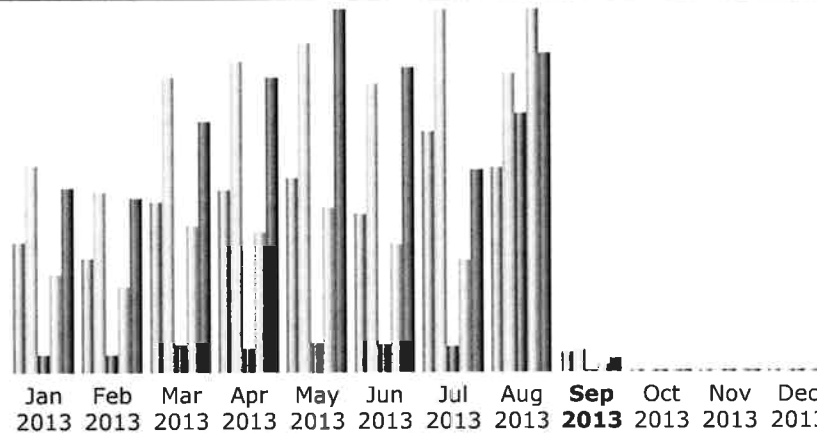
First visit 01 Aug 2013 - 00:30

Last visit 31 Aug 2013 - 23:53

	Unique visitors	Number of visits	Pages	Hits	Bandwidth
Viewed traffic *	<b>1,113</b>	<b>1,631</b> (1.46 visits/visitor)	<b>109,608</b> (67.2 Pages/Visit)	<b>154,067</b> (94.46 Hits/Visit)	<b>1.78 GB</b> (1143.88 KB/Visit)
Not viewed traffic *			<b>128,218</b>	<b>135,841</b>	<b>496.17 MB</b>

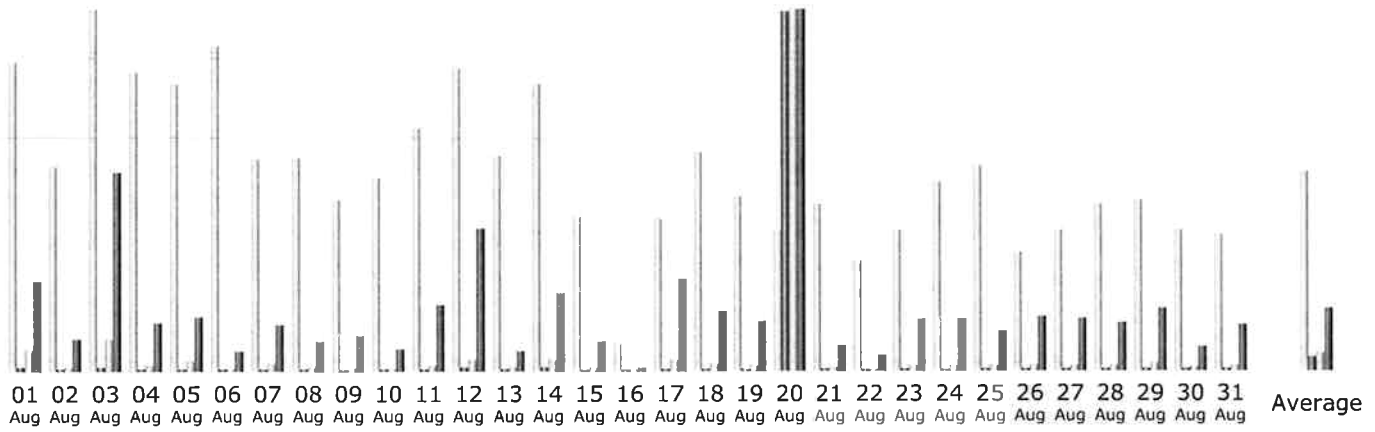
\* Not viewed traffic includes traffic generated by robots, worms, or replies with special HTTP status codes.

### Monthly history



Month	Unique visitors	Number of visits	Pages	Hits	Bandwidth
Jan 2013	710	1,125	7,017	41,747	1.03 GB
Feb 2013	625	986	6,898	36,449	998.28 MB
Mar 2013	931	1,615	11,348	61,699	1.40 GB
Apr 2013	995	1,702	9,711	59,832	1.65 GB
May 2013	1,058	1,803	12,377	69,347	2.03 GB
Jun 2013	868	1,574	11,599	54,731	1.70 GB
Jul 2013	1,312	1,979	10,696	47,487	1.13 GB
Aug 2013	1,113	1,631	109,608	154,067	1.78 GB
<b>Sep 2013</b>	101	116	502	3,028	80.23 MB
Oct 2013	0	0	0	0	0
Nov 2013	0	0	0	0	0
Dec 2013	0	0	0	0	0
Total	7,713	12,531	179,756	528,387	11.77 GB

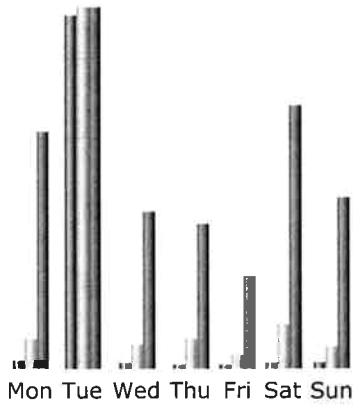
### Days of month



Day	Number of visits	Pages	Hits	Bandwidth
01 Aug 2013	82	586	5,651	83.91 MB
02 Aug 2013	54	251	844	30.25 MB
03 Aug 2013	96	832	8,837	186.19 MB
04 Aug 2013	79	346	1,166	45.18 MB
05 Aug 2013	76	304	2,690	49.75 MB
06 Aug 2013	86	111	501	18.04 MB
07 Aug 2013	56	417	1,713	42.69 MB
08 Aug 2013	56	176	925	28.35 MB
09 Aug 2013	45	159	872	33.45 MB
10 Aug 2013	51	90	457	20.76 MB
11 Aug 2013	64	405	1,672	62.15 MB
12 Aug 2013	80	1,017	3,132	133.21 MB
13 Aug 2013	57	362	698	18.61 MB
14 Aug 2013	76	601	2,928	72.81 MB
15 Aug 2013	41	139	858	28.35 MB
16 Aug 2013	7	20	63	1.98 MB
17 Aug 2013	40	393	3,208	87.06 MB
18 Aug 2013	58	306	1,743	55.50 MB
19 Aug 2013	46	232	1,378	45.58 MB
20 Aug 2013	37	100,127	100,910	341.41 MB
21 Aug 2013	44	115	828	23.38 MB
22 Aug 2013	29	78	490	14.41 MB
23 Aug 2013	37	532	1,605	48.13 MB
24 Aug 2013	50	229	1,519	49.24 MB
25 Aug 2013	54	231	1,168	36.80 MB
26 Aug 2013	31	350	1,255	50.14 MB
27 Aug 2013	37	236	1,200	48.77 MB
28 Aug 2013	44	220	1,229	43.91 MB
29 Aug 2013	45	356	2,125	57.78 MB
30 Aug 2013	37	90	995	21.40 MB
31 Aug 2013	36	297	1,407	42.77 MB
Average	52	3,535	4,969	58.77 MB
Total	1,631	109,608	154,067	1.78 GB

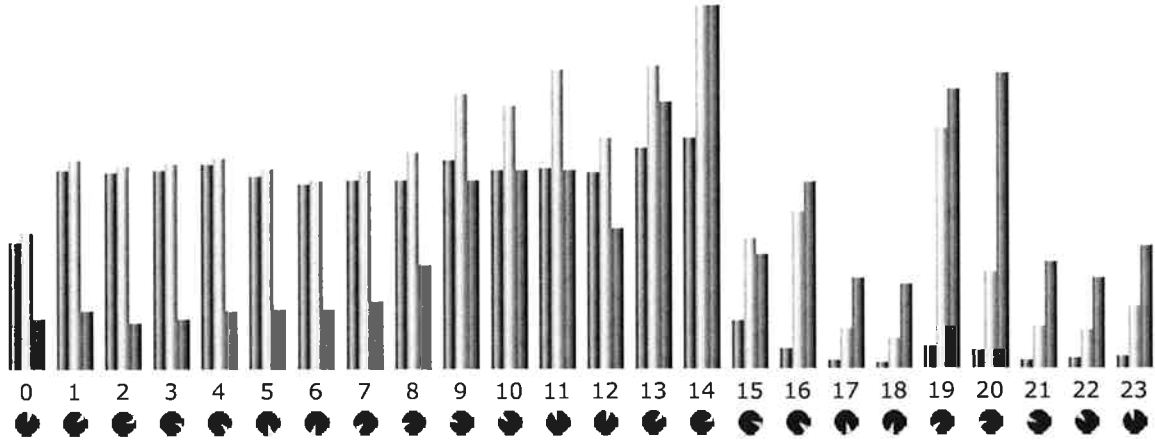
**Days of week**





Day	Pages	Hits	Bandwidth
Mon	475	2,113	69.67 MB
Tue	25,209	25,827	106.71 MB
Wed	338	1,674	45.70 MB
Thu	267	2,009	42.56 MB
Fri	210	875	27.04 MB
Sat	368	3,085	77.20 MB
Sun	322	1,437	49.91 MB

### Hours



Hours	Pages	Hits	Bandwidth	Hours	Pages	Hits	Bandwidth
00	4,482	4,818	27.70 MB	12	6,984	8,203	78.22 MB
01	7,048	7,432	32.16 MB	13	7,866	10,791	148.71 MB
02	7,017	7,183	25.40 MB	14	8,240	12,919	202.26 MB
03	7,071	7,250	27.47 MB	15	1,660	4,606	63.09 MB
04	7,264	7,498	32.17 MB	16	707	5,564	104.20 MB
05	6,884	7,158	32.62 MB	17	267	1,371	49.63 MB
06	6,549	6,704	33.08 MB	18	204	1,047	46.79 MB
07	6,733	7,051	37.71 MB	19	741	8,603	155.21 MB
08	6,689	7,697	57.89 MB	20	598	3,411	164.75 MB
09	7,404	9,797	105.37 MB	21	277	1,477	58.89 MB
10	7,050	9,334	110.15 MB	22	304	1,300	50.32 MB
11	7,144	10,650	110.36 MB	23	425	2,203	67.80 MB

SEPTEMBER 11, 2013

ITEM F

ATTACHMENT D

# AGENDA

Dan Buckshi  
County Administrator



# BOARD OF SUPERVISORS

Frank R. Mecham, 1<sup>st</sup> District  
Bruce Gibson, Vice-Chairperson, 2<sup>nd</sup> District  
Adam Hill, 3<sup>rd</sup> District  
Vacant, 4<sup>th</sup> District  
Debbie Arnold, 5<sup>th</sup> District

Tuesday, September 10, 2013

CONSENT AGENDA

9:00 AM

REVIEW AND APPROVAL

PUBLIC COMMENT PERIOD

HEARINGS

CLOSED SESSION

RECESS

AFTERNOON SESSION

1:30 PM

REPORT ON CLOSED SESSION

PRESENTATIONS

BOARD BUSINESS

ADJOURNMENT

5:00 PM

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: [www.slocounty.ca.gov](http://www.slocounty.ca.gov). Packets are also available at the County Government Center and may be viewed on-line at the Atascadero, Arroyo Grande, Paso Robles, Nipomo, Morro Bay, SLO City/County Libraries and the SLO Law Library.
- All persons desiring to speak on any Board item, including the Consent agenda, Closed Session or during the general public comment period are asked to fill out a "Board Appearance Request Form" and submit to the Clerk of the Board *prior* to the start of the Board item. Each individual speaker is limited to a MAXIMUM of three (3) minutes.
- Please refer to the information brochure located in the back and outside of the Board Chambers for additional information regarding accommodations under the Americans with Disabilities Act, supplemental correspondence, and general rules of procedure.

9:00 FLAG SALUTE

## CONSENT AGENDA – REVIEW AND APPROVAL

The items listed on this portion of the agenda are scheduled for consideration as a group. The staff recommendations will be approved as outlined within the staff report. Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Consent Agenda - Administrative Office Items:

1. Submittal of a resolution proclaiming September 2013 as "Emergency Preparedness Month" in San Luis Obispo County.

Consent Agenda - Auditor - Controller Items:

2. Submittal of a report of the Annual Fiscal and Compliance Review of establishments subject to the County Transient Occupancy Tax Ordinance and San Luis Obispo County Tourism Business Improvement District assessment for calendar year 2012.

Consent Agenda - Board of Supervisors Items:

3. Submittal of a resolution proclaiming September 2013 as "Childhood Cancer Awareness Month" in San Luis Obispo County.

Consent Agenda - District Attorney Items:

4. Submittal of the FY 2012-13 Annual Report of the Real Estate Fraud Prosecution Program as required per Government Code Section 27388.

Consent Agenda - Health Agency Items:

5. Request to approve the renewal contract (Clerk's File) with Coast Unified School District for FY 2013-14 in an amount not to exceed \$49,284 to provide drug and alcohol prevention counseling services.
6. Request to approve a renewal contract (Clerk's File) with San Luis Obispo Child Development Center, Inc. for FY 2013-14 in an amount not to exceed \$50,000 to provide mental health services to Medi-Cal eligible children.
7. Request to approve: 1) renewal contract (Clerk's File) with Lucia Mar Unified School District for FY 2013-14 in an amount not to exceed \$54,195 under which the County will provide on-site support in addition to educationally related mental health services in the District's special education classes; 2) a budget adjustment in the amount of \$116,421 from unanticipated revenue to Fund Center 166-Behavioral Health and 3) a related resolution amending the Position Allocation List for Fund Center 166-Behavioral Health to add one 1.0 FTE Mental Health Therapist IV.
8. Request to approve a new contract (Clerk's File) with J. Eduardo Guzman, M.D. for calendar year 2013 at a cost of \$121 per hour for regular shifts and a cost of \$163 per hour for on call shifts to provide psychiatric services for Mental Health patients.
9. Request to approve an amendment to the contract with Woods Humane Society, Inc., to update the service fees for spay and neuter services provided to Animal Services, with all other provisions remaining the same.
10. Request to approve a renewal contract (Clerk's File) with Community Action Partnership of San Luis Obispo for FY 2013-14 in the amount not to exceed \$361,347 to provide mental health services in accordance with the Mental Health Services Act and services in support of the 2011 Public Safety Realignment Implementation Plan.

11. Request to approve a renewal contract (Clerk's File) with Sanford L. Friedlander, M.A., L.P.T., L.M.F.T. for FY 2013-14 in the amount not to exceed \$491,886 to provide mental health crisis intervention services.

Consent Agenda - Planning & Building Items:

12. Submittal of two resolutions approving a replacement Land Conservation contract and a Solar-Use Easement agreement granting a Solar-Use easement to the County pursuant to the California Land Conservation Act of 1965 and consideration of the previously-adopted Negative Declaration prepared for the project. District 5.

Consent Agenda - Public Works Items:

13. Submittal of bid opening report for the Klau Mine Road and the Huasna Road Slip Out Repair Contract and to award the subject contract to Whitaker Construction Group, Inc., the lowest responsible bidder, in the amount of \$175,625. Districts 1 and 4.
14. Submittal of bid opening report for 2013 Micro-Surfacing, various county roads and to award the subject contract to Intermountain Slurry Seal, the lowest responsible bidder, in the amount of \$688,120. Districts 1, 2 and 3.
15. The following map has been received and has satisfied all the conditions of approval that were established in the public hearing on the tentative map, Tract 2766, a proposed subdivision for condominium purposes resulting in 6 units by Gary C. Wells, Trustee of the Gary C. Wells 1996 Revocable Trust, Oceano. District 4.
16. Request to approve an agreement for engineering consulting services with Drake Haglan and Associates, Inc. in an amount not to exceed \$393,804.77, for the Air Park Drive at Oceano Beach Lagoon Bridge Replacement Project, Oceano. District 4.
17. Request to approve an agreement for engineering consulting services with Quincy Engineering, Inc., in an amount not to exceed \$539,093.71, for the El Camino Real over Santa Margarita Creek Bridge Replacement Project, Atascadero. District 5.

Consent Agenda Public Works - Board Sitting as Flood Control District:

18. Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of the Nacimiento Water Project's Intake Pipe Repair. All Districts.

Public Comment Period:

19. The general public comment period is intended to provide an opportunity for members of the public to address the Board on matters within the Board's purview that are not scheduled on the current agenda. Individuals interested in speaking are asked to fill out a "Board Appearance Request Form" and submit it to the Clerk of the Board prior to the start of general public comment. When recognized by the Chair, each individual speaker may address the Board and is limited to a MAXIMUM of three (3) minutes or a reasonable period of time as determined by the Board Chairperson.

Hearings:

20. Hearing to announce Proposition 218 results for the proposed Tract 1747 Streetlight Assessment District and submittal of a resolution ordering the improvements for the Tract 1747 Streetlight Assessment District. District 4.
21. Hearing to consider a request by Robert and Melanie Tucker for a variance granting modification of special construction standards in a flood hazard zone and submittal of a resolution denying the requested variance. District 5.

Closed Session Items:

22. I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:
- A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. In re Los Osos Community Services District (Bankruptcy); 2. North County Watch v. County of San Luis Obispo (Santa Margarita Ranch Subd., CV098031).
- B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 3. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 4. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases 2.
- II. PERSONNEL (Gov. Code, § 54957.) It is the intention of the Board to meet in closed session to: 5. Consider Public Employee Appointment for the Position of Director of Building/Planning.
- III. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code ' 54957.6.)
- A. It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator Tami Douglas-Schatz concerning the following: Name of employee organizations are: 6. SLOCEA-Public Services, Supervisors, Clerical; 7. Deputy Sheriff's Association; 8. DAIA; 9. SLOCPMPOA; 10. DCCA; 11. SLOGAU; 12. Sheriffs' Management; 13. SLOCPPOA.
- B. It is the intention of the Board, sitting as the Governing Board of the San Luis Obispo County In Home Support Services Public Authority, to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: Name of employee organization: 14. United Domestic Workers.

RECESS1:30 REPORT ON CLOSED SESSION

Presentations:

23. Submittal of a resolution proclaiming September 9, 2013 as "National Fetal Alcohol Spectrum Disorders Awareness Day."
24. Submittal of a resolution proclaiming September 2013 as "Cancer Awareness Month" in San Luis Obispo County.
25. Submittal of a resolution recognizing the 7th annual Celebration of Mexican Independence from Spain, "El Grito de la Independencia", in San Luis Obispo County.

Board Business:

26. Request to support the San Luis Obispo City's preferred alignment for the section of the Bob Jones Pathway connecting the Octagon Barn, 4595 South Higuera Street, San Luis Obispo, CA to Los Osos Valley Road, based on the City of San Luis Obispo's study. District 3.
27. Consideration of a request to authorize a General Plan /Local Coastal Plan Amendment by Chevron Environmental Management Company to amend the Avila Beach Specific Plan and San Luis Bay Area Plan (Coastal) to change the land use category from Industrial to Recreation, and include development standards for the future redevelopment of the former Avila Tank Farm. District 3.

SEPTEMBER 11, 2013

ITEM F

ATTACHMENT E



**SAN LUIS OBISPO COUNTY  
INTEGRATED WASTE MANAGEMENT AUTHORITY (IWMA)  
BOARD MEETING**

September 11, 2013  
1:30 p. m.

**A G E N D A**

**RECEIVED**  
SEP - 5 2013  
NIPOMO COMMUNITY  
SERVICES DISTRICT

San Luis Obispo Board of Supervisor's Chambers  
County Government Center  
San Luis Obispo, CA 93408

- 
1. **Call to Order and Roll Call.**
  2. **A moment of silence to remember our Board President Paul Teixeira, all those who died on September 11, 2001 and those family and friends who are no longer with us.**

3. **Public Comments.**

Note: Any member of the public may address the Board for a period not to exceed three minutes. Any item not on the agenda, within the jurisdiction of the Board, may be presented. The Board shall listen to all communication, however, in compliance with the Brown Act, no action can be taken at this time.

**Americans With Disabilities Act Compliance.** In compliance with the Americans with Disabilities Act (ADA), the IWMA is committed to including the disabled in all of its services, programs, and activities. If you need special assistance to participate in this meeting, please contact the IWMA clerk at least 72 hours prior to the meeting to enable the IWMA to make reasonable arrangements to insure accessibility to the meeting.

4. **Manager's Report.** Oral report by Bill Worrell
  - Variable rate impact on diversion
  - NCI Project
  - Battery demonstration project

**CONSENT CALENDAR**

The following items listed below are scheduled for consideration as a group. The recommendations for each item are noted in the description. After public comment, any member of the Board or the Manager may request an item be withdrawn from the Consent Calendar to allow discussion.

5. **Draft Minutes of the May 8, 2013 IWMA Board Meeting. (Action Item - Voice Vote)**  
Approve the minutes.
6. **Amendment to the Manager's Employment Agreement (Action Item - Voice Vote)**  
Consider an amendment to the Manager's contract.

#### **REGULAR CALENDAR**

7. **2012 Annual Report (Receive and File)** Receive and file the 2012 annual report.
8. **Board Member Stipends (Action Item - Roll Call Vote)** Consider a Board Member stipend policy.
9. **Update on Organics Management (Receive and file)** Receive a report on the management of organics in the County.
10. **Legislative Update (Action Item - Voice Vote)** Update on legislation.
11. **Election of Vacant Officer Position(s) (Action Item - Voice Vote)** Election of vacant Officer position(s) for FY 13/14.
12. **Member Comments and Future Agenda Items.** Discussion by Members regarding future agenda items and dates.
13. **Adjournment.** The next meeting is scheduled for **November 13, 2013** at 1:30 p.m. in the San Luis Obispo County Board of Supervisor's Chambers, County Government Center, San Luis Obispo, CA 93408.

SEPTEMBER 11, 2013

ITEM F

ATTACHMENT F

**NIPOMO MESA MANAGEMENT AREA – TECHNICAL GROUP**

**MEETING AGENDA**

**9:00 A.M. – September 12, 2013 – NCSD**

*The NMMA technical group meetings are open to stipulating parties,  
but not to the general public.*

- 1. Call to order, roll call, and updates**
- 2. Approval of Meeting Minutes from August 12, 2013**
- 3. Subcommittee Meetings**
- 4. 2013 Annual Report**
  - a. Data Collection**
- 5. Additional Sampling of Sentinel Wells 12C, 36L, 30N**
- 6. Discussion of TG Member Press Releases**
  - a. Review Conservation Targets**
- 7. Discussion Calendar**
  - a. Sub-surface Flow Calculation**
    - i. North**
    - ii. South**
    - iii. East**
    - iv. West**
- 8. Schedule for next meeting:**

SEPTEMBER 11, 2013

ITEM F

ATTACHMENT G

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401**

**NOTICE OF PUBLIC HEARING**

RECEIVED

SEP - 5 2013

NIPOMO COMMUNITY  
SERVICES DISTRICT

**TO CONSIDER UPDATING THE STANDARD PROVISIONS AND REPORTING  
REQUIREMENTS FOR WASTE DISCHARGE REQUIREMENTS**

**NOTICE IS HEREBY GIVEN** that the California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) will hold a public hearing on December 5-6, 2013, to hear comments and consider adoption of a resolution updating *Standard Provisions and Reporting Requirements for Waste Discharge Requirements* (Standard Provisions) and incorporating those updated Standard Provisions into existing waste discharge requirements orders. If you hold an individual waste discharge requirements order issued by the Central Coast Water Board, this resolution will modify your order and require that you comply with the updated Standard Provisions.

Copies of the proposed resolution, associated staff report, draft updated Standard Provisions, and other relevant documents are available on the Internet at:

[http://www.swrcb.ca.gov/centralcoast/board\\_decisions/tentative\\_orders/index.shtml](http://www.swrcb.ca.gov/centralcoast/board_decisions/tentative_orders/index.shtml). These documents are also available by request at the office of the Central Coast Water Board. You may also request a mailed copy of these documents by contacting Harvey Packard at [Harvey.Packard@waterboards.ca.gov](mailto:Harvey.Packard@waterboards.ca.gov) or (805) 542-4639.

The proposed action (updating Standard Provisions) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) because this action by a regulatory agency consists of permitting of existing facilities, within the meaning of §15301 of the *Guidelines for Implementation of the California Environmental Quality Act* in Title 14 of the California Administrative Code (CEQA Guidelines). At the conclusion of the hearing the Central Coast Water Board will consider approval of the proposed Resolution.

Written comments and evidence regarding the proposed actions must be submitted by October 8, 2013. Written comments and evidence submitted after this date will not be accepted into the record, unless allowed by the Chair of the Central Coast Water Board. Comments and evidence received by this date will be considered in preparation of staff recommendations to the Central Coast Water Board. The Central Coast Water Board will provide an opportunity for oral comments at the hearing. Time limits may be imposed. Please note that all exhibits, charts, graphs, and other testimony timely presented as evidence must be left with the Central Coast Water Board as part of the administrative record. If you have any questions regarding these documents or the proposed actions, please contact Harvey Packard at [Harvey.Packard@waterboards.ca.gov](mailto:Harvey.Packard@waterboards.ca.gov) or (805) 542-4639. Please bring this information to the attention of anyone you know to be interested in the issue.

The public hearing is scheduled to be held on December 5-6, 2013, at the Central Coast Water Board offices, 895 Aerovista Place, Suite 101, San Luis Obispo. An agenda will be published at least 10 days before the hearing. The location of the hearing is accessible to persons with

disabilities. If you require special accommodations, please contact Cyndee Jones at 805-549-3372 at least five working days before the hearing.



Date: September 4, 2013

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for Kenneth A. Harris Jr.  
Executive Officer

s:\seniors\shared\wdr\standard provisions\2013 board item\wdrstdprovupdatenotice.doc

SEPTEMBER 11, 2013

ITEM F

ATTACHMENT H





**California Special  
Districts Association**  
*Districts Stronger Together*

**CSDA**

# Mid-Year Legislative Report

## July 2013

The California Special Districts Association (CSDA) Mid-Year Legislative Report provides an overview of all of the legislation that CSDA has actively engaged on to date in the 2013-14 California State Legislative Session. The Report provides a summary of each bill that CSDA has advocated for, or against, as well as its fiscal impact on special districts. The estimated costs and savings are based on data from special districts, legislative committee analyses, and state agency and department projections.



**CSDA Mid-Year Report**  
2012-2013 Legislative Session

BILL/ AUTHOR		ISSUE	DESCRIPTION	BUDGET/FINANCE/TAX	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 229 (Pérez)	Military Base Reuse Authorities	As amended 6/11/13: Authorizes a military base reuse authority to form an Infrastructure and Revitalization Financing District. This is a responsible new tool for established military base reuse authorities that maintain critical protection to core local service revenue utilized by special districts.	Support	Senate Floor	No direct fiscal impact.		
AB 294 (Holden)	Use of Incremental Property Tax Revenue	As amended 5/6/13: Empowers local agencies with the resources necessary to maximize the scope and impact of local projects that benefit statewide objectives and promote economic activity. This bill also establishes a controlled mechanism for the state to authorize a local agency to leverage the local property tax dollars shifted away from the agency via the Educational Revenue Augmentation Fund (ERAF).	Support	2-Year Bill	Up to \$50 million statewide.		
AB 683 (Mullin)	Local Community Health and Safety	As amended 5/28/13: This measure authorizes agencies to assess delinquent fines or penalties against a parcel of real property if the fines or penalties are related to a violation of an ordinance occurring on property that constitutes a threat to public health or safety.	Support	Senate Floor	Unknown, but potentially significant savings.		
AB 690 (Campos)	Tax Increment Financing	As amended 4/9/13: Revises and recasts the provisions governing infrastructure financing districts and instead provide for the creation of jobs and infrastructure financing districts (JIDs) without voter approval. Authorizes a public financing authority to enter into joint powers agreements with affected taxing entities with regard to non-taxing authority or powers only. This bill currently does not allow special taxing entities to consent prior to the diversion of tax revenue and proposes non-voluntary tax increment from local agencies.	Oppose	2-Year Bill	Saved over \$500 million statewide.		
AB 741 (Brown)	Tax Redistribution	As introduced: Sought to shift up to 15% of special districts' and counties' share of property tax revenue from the Redevelopment Property Tax Trust Fund to cities. As a top priority, CSDA worked closely with county partners in advocating for the withdrawal of this measure from consideration.	Oppose	2-Year Bill	Saved approximately \$100 million statewide.		

## BUDGET/FINANCE/TAX

BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 850 (Nazarian)	Rate Reduction Bonds	As amended 6/19/13: Allows joint powers authorities (JPAs) formed by municipal water utilities to issue rate reduction bonds to fund mandated water capital projects. This new tool could result in interest savings, lower debt service and lower local borrowing costs, which will reduce future utility rate increases.	Support	Senate Floor	Unknown, but potentially significant savings to water utilities.
AB 892 (Daly)	Parcel Tax Transparency	As amended 4/29/13: Requires the Board of Equalization to annually report a number of new parcel tax "transparency and accountability" items. It further requires that the legislative body of each local agency establish, by ordinance or resolution, a standard method for calculating the amount of every parcel tax after 2014. Amendments were accepted by the author, successfully resolving CSDA's concerns.	Neutral	2-Year Bill	Unknown, but potentially significant costs due to inability to pass appropriate parcel taxes.
AB 1080 (Alejo)	Community Revitalization & Investment Authorities	As amended 7/2/13: Provides a new mechanism for special districts and other local agencies to invest property tax increment and other available funding to improve infrastructure in disadvantaged communities; clearly prohibits the shifting of revenue from local agencies without their consent.	Support	Senate Appropriations Committee	Unknown, but potentially significant revenue opportunities.
AB 1172 (Bocanegra)	Property Values	As amended 3/21/13: Forces counties to allow any person over the age of 65 years to transfer the base year value of an original property in a different county to a replacement dwelling located in their county, resulting in significant losses in property tax revenue to counties, as well as special districts and other core local service providers. Counties can make a local decision to permit this practice under current law.	Oppose	2-Year Bill	Unknown, but potentially major costs.
AB 1188 (Bradford)	Fire Protection General Obligation Bonds	As Introduced: In combination with ACA 3, places a measure on the 2014 General Election ballot to authorize fire protection districts and other local agency boards to approve general obligation bonds for fire protection facilities with 55% approval of local voters, similar to school bonds. CSDA supports if amended to apply to all types of special districts.	Support if Amended	Senate Governance & Finance Committee	Unknown, but potentially major revenue opportunities.
ACA 3 (Campos)	Public Safety Special Tax Voter Threshold	As Introduced: Places a measure on the 2014 General Election ballot to authorize special districts and other local agency boards to approve general obligation bonds for public safety facilities with 55% approval of local voters, similar to school bonds. CSDA supports if amended to apply to all types of special districts.	Support if Amended	Assembly Local Government Committee	Unknown, but potentially major revenue opportunities.
ACA 8 (Blumenfeld)	Local Bond Voter Threshold	As amended 4/4/13: Places a proposition on the 2014 statewide General Election ballot to allow California's electorate to decide whether special districts and other local agencies may secure local infrastructure bonds with the same 55 percent voter approval threshold that currently applies to schools.	Support	Senate Governance & Finance Committee	Unknown, but potentially major revenue opportunities.
SB 1 (Steinberg)	Sustainable Communities Investment Authority	As introduced 5/2/13: Provides a new mechanism for special districts and other local agencies to invest property tax increment and other available funding to improve infrastructure in a manner that promotes sustainability; clearly prohibits the shifting of revenue from local agencies without their consent.	Support	Assembly Local Government Committee	Unknown, but potentially significant revenue opportunities.

**BUDGET/FINANCE/TAX**

BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 33 (Wolk)	Infrastructure Financing Districts	As amended 3/6/12: Improves infrastructure financing districts in a manner that protects existing core services.	Support	Assembly Floor	No direct fiscal impact.
SB 184 (Senate Governance & Finance Committee)	Local Omnibus Bill	As amended 6/10/13: This is the annual Senate Governance & Finance Committee Omnibus Bill. Amongst a host of technical, non-substantive changes, it includes CSDA's proposal to allow special districts to participate in the Interagency Intercept Collections program, granting special districts new authority to recoup delinquent debts.	Support	Assembly Floor	Unknown, but potentially significant revenue opportunities.
SB 553 (Yee)	Fee Ballot Elections	As amended 5/24/13: Requires, if a local government agency opts to submit a proposed fee or charge for approval by a vote of the subject property owners, that specified procedures be applied regarding the form and tabulation of ballots and requires a county elections official to conduct that election.	Neutral	Assemblies Appropriations Committee	Unknown, but potentially significant costs.
SB 636 (Hill)	Excess ERAF	As Introduced: Rectifies a provision inadvertently included in last year's redevelopment budget trailer bill, Assembly Bill 1484, regarding the allocation of property tax revenues in counties with "Excess ERAF." Thus restored allocations to their intended levels, ensuring fairness and equity for core local service providers.	Support	2-Year Bill	Unknown, but potentially significant savings in "Excess ERAF" counties.
SCA 11 (Hancock)	55% Local Revenue Threshold	As amended 5/21/13: Places a proposition on the 2014 statewide General Election ballot to allow California's electorate to decide whether special districts and other local agencies may secure local special taxes with approval of 55 percent of their local voters. A special tax is dedicated to a specific, focused purpose that offers transparency and accountability to taxpayers. Under current law, special taxes require a two-thirds majority vote while general taxes, which can be used for any purpose, require a 50 percent vote.	Support	Senate Appropriations Committee	Unknown, but potentially major revenue opportunities.

**HUMAN RESOURCES & PERSONNEL**

BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 218 (Dickinson)	Employee Criminal History	As amended 5/24/13: Commencing July 1, 2014, prohibits a state or local agency from asking an applicant to disclose information regarding a criminal conviction, except as specified, until the agency has determined the applicant meets the minimum employment qualifications for the position.	Oppose Unless Amended	Senate Appropriations Committee	Varies by agency; potential one-time cost include adopting new hiring policies and updating existing forms and/or online systems.

# HUMAN RESOURCES & PERSONNEL

ISSUE		DESCRIPTION		CSDA POSITION	STATUS	COST/COST-SAVINGS
AB 517 (Achadjian)	Occupational Safety	As introduced: Authorizes local public entities to apply for a refund of the civil penalties assessed against them pursuant to the California Occupational Safety and Health Act of 1937 if specified conditions are met, as currently authorized for schools districts, boards of education, community college districts, California State University, University of California, or joint power authorities performing education functions.	Support	2-Year Bill	Potentially thousands of dollars in savings for affected agencies.	
AB 537 (Bonta)	Union Impasse Procedures	As amended 6/17/13: Makes significant changes to the Meyers-Milias-Brown Act collective bargaining process, including: authorizes either party to be able to request mediation if they fail to reach agreement, requires that the parties agree upon the appointment of a mediator within five days of the request, and specifies that if the parties fail to agree on the appointment of a mediator, either party may request the Public Employment Relations Board (PERB) appoint a mediator; requires a public agency to engage in the meet and confer process before adopting reasonable rules and regulations governing the administration of employer-employee relations; and makes arbitration agreements contained in an MOU enforceable and prohibits a court from refusing to order arbitration because the issue could also constitute an unfair labor practice under the jurisdiction of PERB.	Oppose	Senate Appropriations Committee	Unknown but potentially significant new costs that may or may not be deemed a reimbursable state mandate.	
AB 616 (Bocanegra)	Union Disputes	As amended 6/17/13: Provides that if either party disputes that a genuine impasse has been reached, the issue of whether an impasse exists may be submitted to the Public Employment Relations Board for resolution before the dispute is submitted to a fact-finding panel.	Oppose	Senate Appropriations Committee	Varies by agency; potential new costs based on number of bargaining units and frequency of impasse declaration.	
AB 729 (Hernandez)	Union Confidential Communications	As amended 5/23/13: Creates a new evidentiary privileges relating to union agents and represented employees. Provides that a union agent and a represented employee or represented former employee have a privilege to refuse to disclose any confidential communication between the employee or former employee and the union agent while the union agent was acting in his or her representative capacity.	Oppose	Senate Floor	No direct fiscal impact.	
AB 1149 (Campos)	Identity Theft	As introduced: Applies state breach notification requirements related to secure personal information to all local agencies, creating costly new requirements and redundancies with current federal law.	Oppose	Senate Appropriations Committee	Unknown but potentially significant new costs to special districts to implement system and carry out breach notifications.	

# HUMAN RESOURCES & PERSONNEL

BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 1164 (Lowenthal)	Liens	As amended 5/6/13: Authorizes an employee to record and enforce a wage lien upon real and personal property of an employer, or a property owner for wages, other compensation, and related penalties and damages owed the employee. CSDA worked with staff to ensure that if the bill continues that amendments will be adopted to remove application to public agencies.	Neutral	2-Year Bill	Unknown but potentially major cost if public agencies subject to wage lien.
AB 1181 (Gray)	Leaves of Absences for Union Activities	As amended 5/16/13: Requires a local public agency to give reasonable time off, without loss of compensation or other benefits, to public agency employee representatives when they are testifying or appearing as the designated representative of the employee organization in proceedings before the Public Employment Relations Board in matters relating to a charge filed by the employee organization against the public agency or by the public agency against the employee organization, or when they are testifying or appearing as the designated representative of the employee organization in matters before a personnel or merit commission.	Neutral	Senate Floor	No direct cost impact.
AB 1333 (Hernandez)	Prevailing Wage Contract Review	As amended 5/20/13: Creates unwarranted requirements for annually renewable, or "evergreen," contracts with private contractors valued at more than \$250,000. Specifically, it requires a local legislative body to open up the evergreen contract to verify that the private contractor provides prevailing or "livable" wage to its employees.	Oppose	2-Year Bill	Potentially significant new costs to special districts for review of eligible contracts every three years; Potential loss of secured low-rates made possible through automatically renewing contract terms.
AB 1373 (Pérez)	Workers' Compensation Death Benefits	As amended 7/11/13: Doubles the existing timeframe for firefighter and peace officer death benefit claims for job-related cancer, tuberculosis, blood-borne illnesses, and others as specified, permitting claims 480 weeks from the date of the injury and in no event more than one year after the date of death if all of the specified criteria are met.	Oppose	Senate Appropriations Committee	Costs vary by agency; statewide costs to local agencies could total hundreds of millions in death benefit payments.

## HUMAN RESOURCES & PERSONNEL

BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 462 (Monning)	Attorney's Fees	As introduced: Makes the award of attorney's fees and costs where the prevailing party is not an employee contingent on a finding by the court that the employee brought the court action in bad faith.	Oppose	Assembly Floor	Unknown but potentially significant new costs due to inability to recover attorney fees.
SB 556 (Corbett)	Contracting Liability	As amended 7/1/13: Creates new requirements for independent contractors or their employees under contract with a public agency who wear a uniform or drive a vehicle bearing a logo of that public agency. Requires the phrase "Not a government employee" to be included on the logo of the uniform or vehicle, as specified.	Oppose	Assembly Floor	Varies by agency; new costs related to logo, uniform, and vehicle signage requirements.
SB 626 (Beall)	Workers' Compensation	As amended 4/18/13: Unwinds key provisions of the Workers' Compensation reform enacted through SB 863 (De León; 2011), by deleting the prohibition against chiropractors serving as primary treating physicians; requiring that the employer/insurer's utilization review doctor and an Independent Medical Review (IMR) doctor must have the same California license type as the requesting physician; removing the confidentiality of the IMR reviewer; permitting an appeal board judge to over-rule an IMR decision, and restores full recognition of the psychiatric, sleep and sexual dysfunction as part of permanent disability assessments.	Oppose	2-Year Bill	Unknown but potentially significant new costs in workers' compensation expenditures.
SB 809 (DeSaulnier)	Drug Reporting	As amended 6/26/13: Creates a dedicated fund to maintain the Controlled Substance Utilization Review and Evaluation System (CURES) Prescription Drug Monitoring Program (PDMP) by the Department of Justice.	Support	Assembly Business, Professions, & Consumer Protection Committee	Potentially major savings in workers' compensation claims.

## TRANSPARENCY & ACCOUNTABILITY

BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 185 (Hernandez)	Televised Public Meetings	As amended 4/23/13: Increases audio or video recording retention of an open and public meeting made at the direction of a local agency from 30 days to two years after the recording.	Oppose	2-Year Bill	Unknown but potentially major new costs depending on size of agency for expanded data retention requirements.

# TRANSPARENCY & ACCOUNTABILITY

## DESCRIPTION

## ISSUE

## CSDA POSITION

## STATUS

## COST/COST-SAVINGS

BILL/AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
AB 194 (Campos)	Public Criticism During Meetings	As introduced: Changes a "cure and correct" violation to a misdemeanor crime for a member of a legislative body, while acting as the chairperson, to prohibit criticism, including threatening comments or derogatory speech, during public comment period at open meetings.	Oppose	2-Year Bill	Unknown but potential new costs due to potential litigation.
AB 792 (Mullin)	Agenda Requirements	As amended 5/6/13: Sponsored by CSDA, clarifies current Brown Act open meeting law requirements related to online agenda posting, clarifies that local government agencies may continue conducting the business of the local agency even if they are unable to post agendas online due to technical glitches, so long as specific requirements are met, including adhering to all other Brown Act open meeting laws.	Sponsor	To be reintroduced in January 2014	No direct cost impact.
AB 1235 (Gordon)	Financial Management Training	As amended 7/1/13: Requires training in financial management for any member of a legislative body if a local agency provides compensation, salary, or stipend to, or reimburses the expenses of a board member. Exempts a member whose term of office ends before January 1, 2015.	Support	Senate Appropriations Committee	Costs vary by agency, likely minor.
AB 1248 (Cooley)	Internal Control Guidelines	As amended 5/24/13: Requires the Controller, on or before January 1, 2015, to develop internal control guidelines applicable to a local agency to prevent and detect financial errors and fraud, based on specified standards and with input from any local agency and organizations representing the interests of local agencies. Designates CSDA as a working group member other local government associations to assist in developing the internal control guidelines.	Neutral	Senate Appropriations Committee	No direct cost impact.
ACA 4 (Olsen)	State Legislative Process	As introduced: Places a constitutional amendment on the statewide ballot to require bills to be in print for 72 hours prior to adoption by either house and 15 days prior to a committee hearing.	Support	Assembly Budget Committee	No direct cost impact.
SB 570 (DeSaulnier)	Public Records	As amended 5/24/13: Prohibits public agencies from charging for copies of records if they are available in portable digital format (PDF) or if the records consist of data extracted from a database.	Oppose	Gutted and amended into non-related policy area on June 27.	Unknown but potentially significant new costs, based on frequency of public record requests
SCA 10 (Wolk)	State Legislative Process	As introduced: Places a constitutional amendment on a statewide ballot to require bills to be in print for 72 hours prior to adoption by either house and 15 days prior to a committee hearing.	Support	Senate Rules Committee	No direct cost impact.



# ENVIRONMENTAL SUSTAINABILITY

ISSUE		DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
AB 39 (Skinner)	Proposition 39 Implementation	As amended 5/24/13: Requires for each fiscal year that revenues are deposited into the Clean Energy Job Creation Fund, that 75% of those revenues be provided to K-14 institutions for grants for eligible projects and requires 25% of the revenues to be transferred to the State Energy Conservation Assistance Account for low-interest and no-interest revolving loans and loan loss reserves for eligible projects. Restricts this funding in Fiscal Year 2013-14 to K-14 institutions.	Neutral	Senate Appropriations Committee	Varies by agency; potential future access to low-interest or no-interest revolving loans for special districts for energy efficiency projects.
AB 416 (Gordon)	Money for GHG Reduction Projects	As amended 4/4/13: Creates the <i>Local Emission Reduction Program</i> to allocate cap-and-trade revenue to local governments for grants and other financial assistance to develop and implement greenhouse gas emission reduction projects.	Support	2-Year Bill	Varies by agency; potentially one-time grants or other financial assistance for special districts for GHG reduction projects.
AB 543 (Campos)	Translations	As amended 5/24/13: Requires a lead agency to translate certain notices required by CEQA and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area.	Oppose	2-Year Bill	Varies by agency and project; potentially substantial new costs to special districts for translation of specified materials.
AB 823 (Eggman)	Agricultural Land Mitigation	As amended 4/23/13: Requires that a lead agency reviewing a development project, require that all feasible mitigation of the identified significant environmental impacts associated with the conversion of agricultural lands be completed by the project applicant, and requires the lead agency to consider the permanent protection or replacement of agricultural land as feasible mitigation for identified significant effects on agricultural land caused by a development project.	Oppose	2-Year Bill	Varies by agency and project; potentially substantial new costs to special districts to mitigate the conversion of agricultural lands.

# ENVIRONMENTAL SUSTAINABILITY

BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 953 (Ammiano)	"Ballona Wetlands" Fix	As introduced 2/22/12: Requires CEQA analysis of "significant effect on the environment" to take into consideration the effect of locating people near, or attracting people to, a reasonably foreseeable natural hazard or adverse environmental condition.	Oppose	2-Year Bill	Varies by agency and project; potentially substantial new costs in the tens and hundreds of thousands of dollars to agencies for additional analysis under CEQA.
SB 617 (Evans)	Notice Requirements & "Ballona Wetland" Fix	As amended 5/28/13: Requires CEQA analysis of "significant effect on the environment" to take into consideration the effect of locating people near, or attracting people to, a reasonably foreseeable natural hazard or adverse environmental condition. Additionally requires that notices provided pursuant to CEQA be filed with both OPR and the appropriate county clerk and be posted by the county clerk for public review within one business day of receipt. OPR is required to post the notice online as well. Previously, a notice of completion was required to be posted by OPR, but not by the county clerk.	Oppose	2-Year Bill	Varies by agency and project; potentially substantial new costs in the tens and hundreds of thousands of dollars to agencies for additional analysis under CEQA.
SB 731 (Steinberg)	CEQA "Modernization"	As amended 5/24/13: Makes numerous changes to existing CEQA law, including requiring the Office of Planning and Research propose revisions to the CEQA Guidelines establishing thresholds of significance for noise, and for the transportation and parking impacts of residential, mixed-use residential, or employment center projects within transit priority areas. Also establishes a new Renewable Energy Ombudsman in the Office of the Governor, requires a lead agency to make draft CEQA findings available 15 days in advance of project approval, and states the intent of the Legislature to appropriate \$30 million to the Strategic Growth Council to provide grants to local agencies for implementation of Sustainable Communities.	Oppose Unless Amended	Assembly Local Government Committee	Unknown fiscal impact; costs and savings vary by agency and project.
SB 798 (De León)	California Green Infrastructure Bank Act	As introduced: Establishes the California Green Infrastructure Bank as a public corporation to provide financial assistance to state and local government entities for green economic development projects. The bank is be governed by a 5 member board of directors (3 governor appointments, with Senate confirmation, 1 appointment by the Senate Rules Committee and 1 appointment by the Speaker). The executive director is appointed by the governor, subject to Senate confirmation.	Support	2-Year Bill	Varies by agency; potential financial assistance for agencies for green economic development projects.

## PUBLIC WORKS & CONTRACTING

BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 536 (Wagner)	Disputed Amounts	As amended 4/8/13: Unreasonably limits the amount that a public agency can withhold from a contractor. A "disputed amount" shall not include any of the following: With respect to liquidated damages assessed by the public entity, any amount in excess of the liquidated damages assessment; with respect to mechanics liens and stop payment notices for which the subcontractor is responsible, amount in excess of what the owner is permitted by law to withhold from the prime contractor on account of the mechanics lien or stop payment notice; and the amount of any claim for additional compensation.	Oppose	2-Year Bill	Potentially increased costs to agencies.
AB 1140 (Daly)	Prevailing Wage	As amended 5/24/13: States that if the Director of Industrial Relations determines, within a semiannual period, that there is a change in any prevailing rate of per diem wages in a locality, that determination applies to any public works contract that is awarded or for which notice to bidders is published on or after January 1, 2014. The bill authorizes any contractor, awarding body, or specified representative affected by a change in rates on a particular contract to, within 20 days, file with the director a verified petition to review the determination of that rate.	Oppose	Senate Appropriations Committee	Potentially increased costs for public works projects if this measure leads to an increase in the prevailing wage rate during the life of a project.
AB 1212 (Levine)	Bids	As introduced: Current law prohibits, except in specified circumstances, a state agency, political subdivision, municipal corporation, district, or public officer responsible for letting a public works contract from drafting bid specifications for that contract in a manner that limits the bidding to any one concern or product, unless the specification is followed by the words "or equal." This bill prohibits these bid specifications from requiring a bidder to provide submission of data substantiating a request for a substitution of "an equal" item prior to the bid or proposal submission deadline.	Oppose	2-Year Bill	Potentially increased costs for public works projects to the extent this measure adds costs to or restricts the ability of an agency to use the "or equal" process.
SB 377 (Lieu)	Public Works Determinations	As amended 5/9/13: Requires that for every project performed by a local agency, or in which it has a legal interest, the local agency must notify the Director of Industrial Relations (DIR), the Labor Commissioner and any person asking for the notice, if the agency concludes that the project is not a "public work". Requires the notice be sent either within 30 days of the commencement of any work for projects expected to last six months or more or before the commencement of any work if the project is expected to last less than six months.	Oppose	Assembly Labor and Employment Committee	Potentially increased costs for projects for administrative costs to file notice with the DIR and to the extent that this bill leads to the reclassification of contracts as public works projects.

**PUBLIC WORKS & CONTRACTING**

<b>BILL/ AUTHOR</b>	<b>ISSUE</b>	<b>DESCRIPTION</b>	<b>CSDA POSITION</b>	<b>STATUS</b>	<b>COST/COST- SAVINGS</b>
SB 785 (Wolk)	Design-Build	As amended 5/2/13: Repeals existing law authorizing the Department of General Services (DGS), the Department of Corrections and Rehabilitation (CDCR), and local agencies to use the design-build procurement process. Enacts uniform provisions authorizing DGS, CDCR, and local agencies to utilize the design-build procurement process for specified public works projects.	Support	2-Year Bill	Varies by agency; potential project cost savings for projects that would now qualify to use the design-build process.
<b>NATURAL RESOURCES</b>					
<b>BILL/ AUTHOR</b>	<b>ISSUE</b>	<b>DESCRIPTION</b>	<b>CSDA POSITION</b>	<b>STATUS</b>	<b>COST/COST- SAVINGS</b>
AB 72 (Holden)	Municipal Water District Elections	As Chaptered: Moves the date in which municipal water district directors take office from the first Monday after January 1 to the first Friday in December.	Support	Signed into Law	No direct cost impact.
AB 408 (Bonta)	Municipal Utility District Elections	As amended 4/15/13: Requires a county elections official to submit a certificate of facts to the district board relating to any filings of declared candidacy for a particular ward and inform the board that it may adopt a specified course of action, including appointing a person to the office or holding the election, as provided, if by 5 p.m. on the 83rd day prior to the day fixed for an election no one or only one person has filed a declaration of candidacy.	Support	Senate Floor	Varies by election; significant cost savings for EBMUD and SMUD.
AB 727 (Stone)	Dredging Leases	As Enrolled: Establishes a process in which certain districts would not be required to obtain a lease from the State Lands Commission in order to perform a dredging project. Specifically, this bill requires a local trustee of tide and submerged lands or an applicant for dredging on granted tide and submerged lands that intends to commence dredging on granted public trust lands, upon which any right to minerals on those lands is reserved by the state, to notify the State Lands Commission, in writing, no later than 120 days prior to the time dredging is commenced.	Support	Enrolled to Governor	Varies by dredging project; could save thousands if permit is waived.
AB 896 (Eggman)	Mosquito Control in Wildlife Management Areas	As introduced: Re-enacts expired provisions of law requiring best management practices (BMPs) for mosquito control in wildlife management areas.	Support	2-Year Bill	Costs vary by agency with potential savings due to reduced pesticide application.
AB 1349 (Gatto)	CalConserve Water Use Efficiency Revolving Fund	As introduced: Establishes the CalConserve Water Use Efficiency Revolving Fund to continuously appropriate moneys in the fund, without regard to fiscal year. This bill requires moneys in the fund to be used for purposes that include, but are not limited to, at-or-below market interest rate loans and permits the department to enter into agreements with local governments or investor-owned utilities that provide water or recycled water service to provide loans.	Support	2-Year Bill	Unknown; could create cost savings due to affordable loan program.

<b>NATURAL RESOURCES</b>			
BILL/AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION
AB 1359 (Hernandez)	Quimby Act	As amended 6/26/13: Allows districts that provide recreation & park services to utilize Quimby Act funds outside of the specific area they are collected, giving districts added flexibility. This bill would have limited to discretion for local agencies but was amended due to opposition by CSDA and other local agency organizations.	Neutral
SB 246 (Fuller)	Bighorn-Desert View Water Agency	As amended 4/23/13: Updates and modernizes the enabling act to improve clarity, functionality and provide greater transparency and accountability to its ratepayers. This bill remedies any legal uncertainty currently presented by the enabling act without affecting any other public agency.	Support
SB 700 (Wolk)	Carryout Bags for Parks	As amended 4/23/13: Requires a retail establishment to collect a charge of \$0.05 for each single-use carryout bag provided to a customer, to retain \$0.005 of that charge, and retain an additional \$0.005 if the retail establishment credits the consumer no less than \$0.05 for each carryout bag provided by the consumer for packaging his or her purchases.	Support if Amended

<b>PUBLIC SAFETY &amp; EMERGENCY RESPONSE</b>			
BILL/AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION
AB 5 (Ammiano)	Homeless Bill of Rights	As amended 4/30/13: Creates mandated state and local programs to provide public services to homeless persons, including access to public hygiene centers and court representation, and overrides safety and health ordinances adopted by local agencies. Limits a public agency employers' ability to manage resources and restrict use for and by homeless persons.	Oppose
AB 468 (Chesbro)	Disaster Insurance Surcharge	As amended 5/1/13: Repeals the State Responsibility Area fire prevention fee and creates the Disaster Management, Preparedness, and Assistance Fund in the State Treasury. The bill requires property owners to pay a special purpose surcharge, the Disaster Management, Preparedness, and Assistance Surcharge, on each commercial and residential fire and multi-peril insurance policy issued or renewed on or after January 1, 2014, equivalent to 4.8% of the premium written on residential fire and multi-peril insurance policies.	Support in Concept
AB 639 (Pérez)	Veterans Housing & Homeless Prevention Act	As amended 7/3/13: Authorizes the issuance of bonds in the amount of \$600,000,000 for expenditure by the Department of Housing and Community Development for purposes of the construction, rehabilitation, and preservation of multifamily housing for veterans, in collaboration with the Department of Veterans Affairs.	Support

## OTHER LEGAL TOPICS & TORTS

### DESCRIPTION

### ISSUE

### BILL/ AUTHOR

### CSDA POSITION

### STATUS

### COST/COST- SAVINGS

AB 265 (Gatto)	Dog Park Liability	As amended 4/29/13: Provides that a city, county, city and county, or special district that owns or operates a dog park shall not be held liable for any injury or death suffered by any person or pet resulting solely from the actions of a dog in the dog park.	Support	Senate Judiciary Committee	Unknown; protects districts from undue litigation.
AB 436 (Jones-Sawyer)	Inverse Condemnation	As amended 6/24/13: Applies the comparative fault doctrine to inverse condemnation cases, at the local level, consistent with current law.	Support	Senate Judiciary Committee	Creates savings for districts involved in inverse condemnation litigation
AB 748 (Eggman)	Judgment Interest	As amended 7/8/13: Provides that, unless another provision of law or a collective bargaining contract provides a different interest rate, interest accrues in a tax claim against a public entity that results in a judgment against the public entity at a rate equal to the weekly average one year constant maturity United States Treasury yield, not to exceed 7% per annum. The bill also provides that when the judgment becomes enforceable pursuant to existing law interest accrues at an annual rate equal to the weekly average one year constant maturity United States Treasury yield at the time of the judgment plus 2%.	Support	Senate Floor	Unknown; likely significant savings for special districts involved in this specific litigation.
SBs 181, 182, 183 (Senate Governance & Finance Committee)	Validation Acts	As amended 5/28/13: The Annual Validating Acts help protect investors from minor errors that might otherwise threaten our bonds, boundary changes, and other official acts. The passage of these bills will ensure that our bonds receive the highest possible ratings, resulting in the lowest possible borrowing costs for our constituents.	Support	Various Locations – SB 181 has been signed into law	Protects district financing by certifying actions of the district.
<b>FORMATION &amp; REORGANIZATION</b>					
<b>DESCRIPTION</b>					
AB 115 (Perea)	Funding for Disadvantaged Communities	As amended 6/17/13: Allows multiple water systems to apply to the Department of Public Health for clean water funding, and to do so on behalf of a disadvantaged community's water system. Simply put, the legislation empowers local systems with additional flexibility to develop the most compelling, effective and efficient solutions to their local challenges. This bill follows legislation successfully opposed by CSDA last year, which would have set a precedent of inappropriately forcing consolidations of special districts using a top-down, one-size-fits-all approach.	Support	Senate Appropriations Committee	Unknown, but potentially significant savings for water districts in disadvantaged communities
AB 743 (Logue)	LAFCO Law	As amended 6/11/13: Removes the sunset date on local agency formation commissions' existing ability to waive protest hearings for the annexation of unincorporated islands smaller than 150 acres. CSDA successfully advocated for amendments to remove a provision that would have made it more difficult for communities to weigh-in.	Neutral	Senate Floor	No direct fiscal impact

BILL/ AUTHOR		ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
<b>FORMATION &amp; REORGANIZATION</b>						
AB 1427 (Assembly Local Government Committee)	Assembly LAFCO Omnibus Bill	As enacted 6/26/13: This bill is the Assembly Local Government Committee Omnibus Bill focused on LAFCOs. This bill would make technical and clarifying changes to current law.	Support	Enrolled to Governor	No direct fiscal impact	
<b>MISCELLANEOUS DISTRICT SERVICES</b>						
BILL/ AUTHOR		ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
AB 678 (Gordon)	Community Health Needs Assessment	As amended 4/15/13: Requires health care districts conduct an assessment, every 5 years, of the community's health needs and provide opportunities for public input. Commencing January 1, 2019, the bill requires the annual reports to address the progress made in meeting the community's health needs in the context of the assessment.	Support	Senate Appropriations Committee	Varies by district and may qualify as reimbursable as state mandate.	
ACR 21 (Salas)	Mosquito & Vector Control Awareness Week	As chaptered: The Legislature declared that the week of April 21 to April 27, 2013, inclusive, is designated as West Nile Virus and Mosquito and Vector Control Awareness Week.	Support	Signed into Law	No direct fiscal impact.	
SCR 14 (Wolk)	California Library Week	As chaptered: The Legislature declared the week of April 14, 2013, to April 20, 2013, inclusive, as California Library Week, and commended California's public libraries, librarians, and all library workers for enriching the lives of California residents and helping to make our state an exceptional place to live, learn, and work.	Support	Signed into Law	No direct fiscal impact.	





SEPTEMBER 11, 2013

ITEM F

ATTACHMENT I



**California Special  
Districts Association**  
*Districts Stronger Together*

RECEIVED

AUG 16 2013

NIPOMO COMMUNITY  
SERVICES DISTRICT

**MEMORANDUM**

**DATE:** August 14, 2013  
**TO:** CSDA Members (Board and Staff)  
**FROM:** Stanley Caldwell, CSDA President  
Neil McCormick, Executive Director  
**SUBJECT:** 2014 CSDA Committee & Expert Feedback Team Participation

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CSDA's strength and effectiveness as an organization is directly related to our ability to involve the member district/agency Board members and staff in the work of the Association. The talents and energy that both groups bring to CSDA and to the issues that concern special districts in California through active involvement are critical components of CSDA's success.

With this in mind, we are asking for volunteers from your district (staff and/or Board members) to participate and contribute on one or more of our committees and/or expert feedback teams to assist in shaping CSDA.

If you or any others from your district would like to become even more involved as a member of CSDA, please review and complete the form included with this letter. Committees need dedicated participants who are able to expend the time to provide their expertise in directing the activities and policies of CSDA. CSDA does not reimburse for committee related travel expenses.

In regard to **CSDA's Expert Feedback Teams**, when a need for feedback arises on a particular policy matter, CSDA legislative staff will send an e-mail to an expert feedback team asking for its input. Team members need only reply with their thoughts, opinions and experiences. The workload of a team member will ultimately be what he or she makes of it. Team members will not be required to travel; they should expect to receive a handful of e-mails each month and on rare occasions they may be contacted by phone.

Please return the attached form by **October 18, 2013 by 5:00 p.m.** The selection and ratification of CSDA's 2014 committees will take place in November and selected participants will be notified by the end of November 2013. Committee participation begins in January 2014.

**Thank you for your continued support of CSDA!**

**California Special Districts Associations**

1112 I Street, Suite 200  
Sacramento, CA 95814  
Toll Free: 877-924-CSDA (2732)  
Phone: 916-442-7887  
Fax: 916-442-7889

**A proud California Special Districts Alliance partner**

**Special District Risk Management Authority**  
1112 I Street, Suite 300  
Sacramento, CA 95814  
Toll Free: 800-537-7790  
Fax: 916-231-4111

**CSDA Finance Corporation**  
1121 I Street, Suite 200  
Sacramento, CA 95814  
Toll Free: 877-924-CSDA (2732)  
Fax: 916-442-7889



**California Special  
Districts Association**

*Districts Stronger Together*

**2014 COMMITTEE AND EXPERT FEEDBACK TEAM  
INTEREST FORM**

Please make additional copies for each participant.  
***Please Use Actual Contact Information where you can be reached***

Name: \_\_\_\_\_

Title/Position: \_\_\_\_\_

District/Organization: \_\_\_\_\_

District Address: \_\_\_\_\_

Personal Address: \_\_\_\_\_

Telephone:(District) \_\_\_\_\_ (Contact): \_\_\_\_\_

Fax (District): \_\_\_\_\_ (Contact): \_\_\_\_\_

E-mail: \_\_\_\_\_

**COMMITTEES:** We hope your District will participate in one or more of CSDA's committees. The CSDA Board of Directors encourages the participation of member agencies and Business Affiliates on CSDA's committees. As space is limited, please choose more than one committee which you would like to participate on, and please rank according to preference: **1 = 1<sup>st</sup> choice; 2 = 2<sup>nd</sup> choice; 3 = 3<sup>rd</sup> choice**

If we are able to place you on more than one committee, how many committees would you like to serve on?  
\_\_\_\_\_ (maximum 3)

**NOTE:** All committees meet in person at least twice annually. Committees generally meet in Sacramento, however locations may vary.

\_\_\_\_\_ **Audit Committee:** Responsible for maintaining and updating internal controls. Provides guidance to auditors regarding possible audit and fraud risks. Commitment: Meets with auditors prior to the commencement of the audit, when audit is completed and possibly one meeting during the auditing process. Financial experience preferred.

\_\_\_\_\_ **Education Committee:** Plans, organizes and directs the professional development and events for CSDA. Commitment: Meets at least twice annually.

\_\_\_\_\_ **Elections & Bylaws Committee:** Conducts annual elections and occasionally reviews bylaws upon request of the CSDA Board, members or as needed. Commitment: Minimum of one meeting in Sacramento.

\_\_\_\_\_ **Fiscal Committee:** Oversees the financial direction of the organization including budget review and implementation. Commitment: Meets at least three times annually. Financial experience preferred.

\_\_\_\_\_ **Membership & Recruitment Committee:** Responsible for recruitment of new members, member retention, development of new member benefits and review of current programs. Commitment: Meets at least twice annually.

\_\_\_\_\_ **Legislative Committee (space is limited):** Develops CSDA's legislative agenda; reviews, directs and assists with legislative/public policy issues. Commitment: Meets six times a year in Sacramento.  
Attending CSDA's Special District Legislative Days (May 20-21) and Annual Conference (September 29-October 2) is expected if you serve on this committee. All selected 2014 members will be invited to join the 2013 committee members and CSDA staff for a legislative planning session on November 15, 2013.

Each Legislative Committee member will be assigned to 1 to 2 working groups. Please rank from 1 to 6 which working groups you are interested in participating in:

- \_\_\_\_\_ Budget, Finance & Taxation Working Group
- \_\_\_\_\_ Environmental Sustainability Working Group
- \_\_\_\_\_ Formation & Reorganization Working Group
- \_\_\_\_\_ Human Resources & Personnel Working Group
- \_\_\_\_\_ Public Works & Contracting Working Group
- \_\_\_\_\_ Transparency & Accountability Working Group

I am interested in participating on \_\_\_ (1 or 2) Legislative Committee working groups

\_\_\_\_\_ **Alternative Option: Legislative Distribution List** - Because seats are limited on the Legislative Committee, CSDA has created an alternative option whereby members can receive the same legislative information via email that Legislative Committee members receive. Members on this list may provide input by responding to the legislative staff by email. Select this option instead of the Legislative Committee if you are unable to meet the requirements of serving on the Legislative Committee.

**EXPERT FEEDBACK TEAMS:** In order for CSDA to quickly and effectively gauge the impact new laws may have on special districts we depend on the expertise of the people who are directly impacted in the field. If you have firsthand experience in one or more of the areas below, please join CSDA's Expert Feedback Team.

\_\_\_\_\_ **Budget, Finance & Taxation:** Assessments; Bankruptcy; Bonds; Mandates; Mello-Roos; Property Tax Allocations; Public Financing; Prop 218; Redevelopment; Special Taxes

\_\_\_\_\_ **Environmental Sustainability:** CEQA; Greenhouse Gas Emissions; Renewable Energy; SB 375

\_\_\_\_\_ **Formation & Reorganization:** Cortese-Knox-Hertzberg; Consolidation; Dissolution; LAFCO; MSR; SOI

\_\_\_\_\_ **Human Resources & Personnel:** Health and Other Benefits; Industrial Safety; Labor; Public Retirement; Workers' Compensation and Other Insurance

\_\_\_\_\_ **Legal:** General legal matters affecting special districts

\_\_\_\_\_ **Public Works & Contracting:** Basic Contracting; Bidding Process; Design-Build; Indemnification; Prevailing Wage & Contracted Labor; Public Private Partnerships; Retention Proceeds

\_\_\_\_\_ **Transparency & Accountability:** Audits; Brown Act; Ethics; Governance; Public Records Act; Political Reform Act; Reporting to State Controller

Committee and Expert Feedback Team participation is open to both Board members and Staff. **Please note that the Association does not reimburse any expenses incurred from this participation.** CSDA is committed to keeping travel costs to a minimum for committee members and handles a significant amount of committee work through conference calls, fax correspondence and e-mail; however, most committees do meet at least two times a year in person.

**\*Either the District/Company General Manager or Board President must authorize below**

\*Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please return this completed form to Charlotte Lowe at CSDA by mail, fax (916) 442-7889 or email [charlottel@csgda.net](mailto:charlottel@csgda.net) no later than 5:00 p.m. on **Friday, October 18, 2013**

CSDA, 1112 I St., Suite 200, Sacramento, CA 95814, T - (916) 442-7887, F - (916) 442-7889 [www.csgda.net](http://www.csgda.net)

SEPTEMBER 11, 2013

ITEM F

ATTACHMENT J



**SOUTH COUNTY ADVISORY COUNCIL**

PO Box 1165 Nipomo, CA 93444-1165

**Brian Pedrotti, Project Manager**  
**County Planning and Building Department**  
**970 Osos Street**  
**San Luis Obispo, CA 93408-2040**  
**May 23, 2012**

**Dear Mr. Pedrotti,**

**The South County Advisory Council downloaded and reviewed the RDEIR for the Laetitia Agricultural Cluster Subdivision (Tract 2606) and, at the scheduled SCAC meeting on May 21, 2010, came to the following conclusions:**

**According to the testimony of neighbors of Laetitia, there is an already an apparently unmitigatable impact on the aquifer that has, even prior to the proposed subdivision, resulted in a drawdown in the surrounding areas, requiring deepening of existing wells or drilling of new wells on properties in neighborhoods adjoining Dana Foothill, Sheehey, and Rimrock Roads.**

**The RDEIR , itself, (p.v-51) reports, "With continued pumping, the water level in an aquifer near a well can continue to drop ("drawdown")until it reaches the bottom of the well screen or pump intake, or the water levels may stabilize if capture expands to equal the pumping rate....if the groundwater pumping exceeds the potential for capture, new equilibrium conditions are not possible (e.g., Bredehoft and Durbin, 2009; Walton, 2011; Alley and Leake, 2004)."**

In addition, (p. v-54), The RDEIR reports, "Initial yield from wells in fractured bedrock aquifers is often not representative of longer term yields, which are typically lower. As groundwater is released from storage in fractures, the hydraulic gradient toward the well becomes progressively lower, which causes the well yield to decline (e.g., Robinson, Noble & Saltbush, 2004; Morrison-Maerle, 2002)"

Moreover, according to CEQUA Guidelines "Thresholds of Significance" (p. v-61), the RDEIR states, "For the purpose of the project specific evaluation in this EIR, significant water supply and infrastructure impacts would occur if the demands placed on this area from this development exceeded the available water supply,...or if the well capacity of adjoining parcels was diminished so as to create unsustainable yields or disruption of existing localized water supply...."

The consensus of council members is that the water issues on this tract are serious and cannot be mitigated.

In addition, neighbors of this development reminded us at this meeting of the equally serious traffic issues (not included in this RDEIR) inherent in this proposed development, and asked that you pay special attention to its impact on Dana Foothill, Rimrock, Sheehy, and Thompson Roads, which has worsened since 2004 with increased development and the increased traffic from Nipomo High School in the last eight years.

Traffic issues are of as much concern as water issues since the REIR states the "project is inconsistent with CalFire requirements for maximum road lengths which may result in significant fire hazard" ("Hazards and Hazardous Materials" DEIR , V1-4), and CalTrans and Public Works both recommended the Alternate Access Alternative (V1-41) as "...the existing at-grade intersection of Laetitia Vineyard Drive and Highway 101 operates at LOS F, and any additional trips would exacerbate this condition. In addition, CalTrans has

**noted that this intersection's encroachment permit allows for winery and agricultural use, and is not approved for trips generated by residential land uses" ("#10 Alternative Access" DEIR ,V1 41-42).**

**These traffic and fire safety issues indicate the need for a secondary (frontage) road for safe and proper access to this proposed development.**

**We therefore request you give close attention to the serious negative impacts of the proposed project in regard to water and traffic issues which affect the community and have not been mitigated.**

**By direction of the SCAC,  
Istar Holliday, Corresponding Secretary**





# SOUTH COUNTY ADVISORY COUNCIL

PO Box 1165 Nipomo, CA 93444-1165

**Department of Planning and Building**  
**976 Osos Street, Room 300**  
**San Luis Obispo, CA 93408**  
**October 31, 2008**

**To Brian Pedrotti,**

On October 27, 2008, the SCAC reviewed the Laetitia Agricultural Tract Map and CUP Draft EIR. After hearing from Planner Brian Pedrotti, Allison Donatello, RRM and project representative, and over 20 potential "neighbors" of the proposed project, a motion was passed that the SCAC recommend against the acceptance of the Draft EIR for several important reasons, including down-played lack of water resources, severe and long range negative impact on traffic, circulation and safety, poorly mitigated negative environmental impacts, and significant noise, light air and odor pollution:

- 1 **Water:** As reported by Cleath and Associates, the hydrological engineers hired by the developers, (v-33-38), four new wells drilled from 2004-2005, when tested demonstrated a slow recovery. Since the current drought, neighboring wells, as reported by residents of Upper Los Berros, have dropped up to 40 feet. The well used by The Nipomo Ranch Mutual Water Company, which serves many residents in the area went dry, and the new well tapped after many tries yields "sulfurous" water. This is an area of fractured shale, which has, historically failed to store water against drought (II-24, 31); the current residents of the area fear a loss of their homes to a further strain on the water supply; and an independent study of the applicant's claim that this project does **not** draw from the neighbors' aquifer is critical.
- 2 **Traffic and Circulation:** As pointed out by the Chairman of the Traffic and Circulation Subcommittee, the residual impacts must be considered and occupation of residential units, Dude Ranch facilities, equestrian facility, ranch headquarters, recreation center, community center, and, or, homeowner's association facility (III-6, III-11, III-49), should not be permitted until all CalTrans associated improvements are **complete** (v-210, TR/mm-5). In addition, Transit Impacts (v-212) will be significant. How will transit requests such as Dial-a-Ride, School Bus service, or fixed-route Service be accommodated? The neighbors to this proposed project cite the already dangerous winding, narrow rural roads, curves, and limited sight lines along the proposed ingress-egress route, none of which they feel will be solved by a little widening and paving.

2. **Environmental Impact:** (BIO Impact 3 and BIO mm-14) The proposed removal of 300 Mature Live Oaks (II-4) can not be mitigated by the planting of the oak 22 seedlings which will take 50 years to mature to equal size and beauty. In addition the applicant in BIO/mm-16, on page II-8, is allowed the option of mitigating 50% of the oak woodland impact through “funding to the California Wildlife Conservation Board to be used for the purchase of Oak Woodland Conservation Easements” in areas other than the one denuded. Even the Draft EIR finds this impact on the environment “adverse, significant and unavoidable.” Add to this the negative impact on Los Berros Creek, its endangered species and habitat, and the possibility of groundwater contamination from effluent spills from the proposed wastewater treatment facility (II-30), air pollution from construction and increased traffic and noise.
3. **Air , Light , Noise, and Odor Pollution:** The Draft EIR speaks to each of these pollutants (II-15,16,) , recognizing the reality of each and finding them “less than significant with mitigation.” The neighbors would strongly disagree. Since the waste water treatment plant and effluent disposal areas are proposed to be built relatively close to Los Berros Creek and nearby existing residential areas, we would recommend relocation of the waste water treatment plant and effluent disposal areas elsewhere on the large Laetitia Vineyard & Winery property away from the flowing creek and existing residential areas (III-25, III-26,III31 to III-29)
4. At the SCAC meeting, you suggested an Alternative be selected from the Draft EIR, but only two are fully outlined: No Project Alternative and Redesigned Project Single Cluster Alternative. The first, it is written, “failed to meet the project’s objective to create places to live”. What was suggested was “The environmentally superior alternative...the Redesigned Project Single Cluster Alternative” (II-78), “which would deter residents from using the Laetitia Vineyard Drive / Highway 101 at grade intersection during a non-emergency,”and, therefore send all traffic through upper Los Berros. What was missing was an expanded description of Alternatives 2: Reduced Project: Ordinance and General Plan Consistency, or for that matter, Alternatives 3, 5, 6, 7, and 8.

For all the above reasons, we recommend against the adoption of this Draft EIR and cannot choose an alternative without further description of all of them.

By motion of the SCAC,

Istar Holliday, Corresponding Secretary

SEPTEMBER 11, 2013

ITEM F

ATTACHMENT K



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

### NOTICE OF OPPORTUNITY TO COMMENT

#### PROPOSED APPROVAL OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL BASIN TO ESTABLISH TOTAL MAXIMUM DAILY LOADS (TMDLS) IN THE LOWER SANTA MARIA RIVER WATERSHED AND TRIBUTARIES TO OSO FLACO LAKE FOR NITROGEN COMPOUNDS AND ORTHOPHOSPHATE

**NOTICE IS HEREBY GIVEN THAT** the State Water Resources Control Board (State Water Board) will accept comments on the proposed approval of the Central Coast Regional Water Quality Control Board's (Central Coast Water Board) amendment to the Water Quality Control Plan for the Central Coastal Basin that would establish TMDLs in the lower Santa Maria River watershed and tributaries to Oso Flaco Lake for nitrogen compounds and orthophosphate (Basin Plan amendment). The Basin Plan amendment was adopted by the Central Coast Water Board on May 30, 2013 (Resolution No. R3-2013-0013), and is available for review at:

[http://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/tmdl/docs/santa\\_maria/nutrients/index.shtml](http://www.waterboards.ca.gov/centralcoast/water_issues/programs/tmdl/docs/santa_maria/nutrients/index.shtml)

A copy of the Basin Plan amendment can also be received by mail by contacting Larry Harlan at (805) 594-6195.

**REQUEST NOTICE OF STATE BOARD MEETINGS.** The State Water Board will separately publish an agenda for the meeting at which it will consider adopting a resolution approving the Basin Plan amendment. Oral comments at the State Water Board meeting generally will be limited to a summary of the written comments submitted during the written comment period. Persons interested (including those who submit oral or written comments to the Central Coast Water Board and State Water Board) in receiving notice of the meeting at which the State Water Board will consider approving the Basin Plan amendment **must subscribe** to the State Water Board's email subscription service at:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml). On this webpage check the box for the "Board Meetings" topic category, provide your email address and name, then click on the "subscribe" button.

The State Water Board encourages use of its electronic mailing list. Persons who require notice by regular mail must submit such request to the Central Coast Water Board contact identified below.

**SUBMISSION OF WRITTEN COMMENTS.** Persons interested in the Basin Plan amendment are encouraged to submit comments electronically. Comment letters **must be received by 12:00 noon on October 14, 2013**. Comment letters received after that deadline will not be accepted unless the State Water Board determines otherwise.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

Send comments to Jeanine Townsend, Clerk to the State Water Board, by email at [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) (**must be no more than 15 megabytes**); fax at (916) 341-5620; or mail or hand delivery at:

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100, Sacramento, CA 95812-2000 (mail)  
1001 I Street, 24th Floor, Sacramento, CA 95814 (hand delivery)

Please also indicate in the subject line, "**Comment Letter—Santa Maria Nutrient TMDLs**"

**REQUIREMENTS FOR SUBMITTING COMMENTS** (23 Cal. Code Regs., § 3779, subd. (f)). The State Water Board may refuse to accept any comments that do not satisfy all of the following requirements:

1. Comments must specifically address the final version of the Basin Plan amendment adopted by the Central Coast Water Board.
2. If the Central Coast Water Board previously responded to a similar or identical comment, the commenter must explain why and in what manner the commenter believes each of the responses provided by the Central Coast Water Board to each comment was inadequate or incorrect.
3. The commenter also must include either a statement that each of the comments was timely raised before the Central Coast Water Board, or an explanation of why the commenter was unable to raise the specific comment before the Central Coast Water Board.

Please direct any questions about this notice to Larry Harlan, Environmental Scientist at Central Coast Water Board, at (805) 594-6195 or [lharlan@waterboards.ca.gov](mailto:lharlan@waterboards.ca.gov); or Jessica Jahr, Staff Counsel at (916) 341-5168 or [jessica.jahr@waterboards.ca.gov](mailto:jessica.jahr@waterboards.ca.gov).

September 3, 2013

Date

  
\_\_\_\_\_  
Jeanine Townsend  
Clerk to the Board

SEPTEMBER 11, 2013

ITEM F

ATTACHMENT L

## **Court Rules Voter Initiative Cannot Force Water District to Set Rates Below Level Mandated by State Statute**

### **Water Districts Must Be Able to Pay for Costs to Provide Water**

AUGUST 13, 2013

In *Mission Springs Water District v. Verjil*, a California appellate court invalidated voter initiatives that had proposed to reduce a water district's recently adopted rate increases and limit the amount the district could raise future rates to the percentage increase, if any, in the Consumer Price Index. The court held that the local electorate does not have the power by initiative to set water rates so low that they are inadequate to pay the costs of the water district.

In a prior decision, *Bighorn Desert View Water Agency v. Verjil*, the California Supreme Court held that the California Constitution expressly authorizes the use of an initiative to reduce or repeal water rates. The court, however, also held that an initiative that seeks to "impose voter-approval requirements for future increases in fees and charges" was not authorized by the Constitution. The Supreme Court, however, declined to address whether the authorized initiative power is free of all limitations. In particular, the court did not determine "whether the electorate's initiative power is subject to the statutory provision requiring that water service charges be set at a level that 'will pay the open expenses of the agency, . . . provide for repairs and depreciation of works, pay the interest on bonded debt, and provide a sinking or other fund for the payment of the principal of such debt as it may become due.'"

The Mission Springs Water District (District) is a county water district established and operating pursuant to the County Water District Law. Under section 31007 of the California Water Code, the fees and charges collected by a county water district are required to be established so as to yield an amount sufficient to do each of the following:

- (a) Pay the operating expenses of the district.
- (b) Provide for repairs and depreciation of works owned or operated by the district.
- (c) Pay the interest on any bonded debt.
- (d) So far as possible, provide a fund for the payment of the principal of the bonded debt as it becomes due. It is intended by this section to require the district to pay the interest and principal of its bonded debt from the revenues of the district, except that this requirement is not intended to apply to a bonded debt for sewage disposal purposes.

The District presented extensive and detailed evidence at trial that the rate increases were absolutely necessary due to revenue declines and cost increases beyond the District's control. If the initiatives passed, the District would be unable to meet its costs, pay its debts and stay in business, and the potential consequences for the local water supply would be disastrous.

In its Aug. 8 decision, the appellate court recognized a 1995 Court of Appeal decision in *DeVita v. County of Napa*, which reasoned that "the local electorate's right to initiative . . . is generally

co-extensive with the legislative power of the local governing body,” and that there is a “constitutionally based presumption that the local electorate could legislate by initiative on any subject on which the local governing body could also legislate.” Thus, the court concluded in *Mission Springs Water District* that if the state Legislature has restricted the legislative power of a local governing body, that restriction applies equally to the local electorate’s power of initiative and the voters may not exempt themselves by initiative from the requirements of Water Code section 31007. In sum, neither the District nor the electorate may set water rates so low that they are inadequate to pay the costs listed in Water Code section 31007.

*Disclaimer: BB&K legal alerts are not intended as legal advice. Additional facts or future developments may affect subjects contained herein. Seek the advice of an attorney before acting or relying upon any information in this communiqué.*