

NIPOMO COMMUNITY SERVICES DISTRICT

REGULAR MEETING - NOVEMBER 20, 1991

BOARD PRESENT

David Manriquez  
Steven Small  
Kathleen Fairbanks  
Alex Mendoza  
Gordon Gracia

STAFF PRESENT

Art Shaw, General Counsel  
Ryder Ray, General Manager

CALL TO ORDER AND FLAG SALUTE

President Manriquez called the meeting to order and led the flag salute.

President Manriquez informed those in attendance that Route 66 TV was in attendance and the tape of this meeting would be shown Sunday evening, November 24, 1991 at 8:30 P.M.

APPROVAL OF MINUTES

1. REGULAR MEETING - NOVEMBER 13, 1991  
On the motion of Director Gracia, seconded by Director Fairbanks the Board unanimously approved the minutes.

BOARD ADMINISTRATION

2. REVIEW STATE WATER PROJECT ALTERNATIVES
  - A. EMERGENCY ORDINANCE PERMITTING PARTICIPATION, OR
  - B. RESOLUTION NOTIFYING COUNTY NIPOMO COMMUNITY SERVICES DISTRICT WILL NOT PARTICIPATE

Manager Ray stated that without water the District has to find other sources of water. De-salinization has been mentioned, however, south of San Luis Obispo the economics of bringing water here by de-sal is not feasible because of the high cost involved.

Ryder also stated that Nipomo does not overlie the Santa Maria Basin which means we have to go outside the District to obtain more water. Manager Ray again stated that State Water is the cheapest water available.

Ryder stated that there is an Emergency Ordinance Permitting Participation, or A Resolution Notifying County Nipomo Community Services District Will Not Participate, in the State Water Project.

Director Manriquez stated that 15% of the voters had voted for state water and if Nipomo is to become a viable community in the future water is needed now.

Chairman Manriquez then opened the meeting for comments from the audience. (He asked them to identify themselves - some did and some didn't).

Barbara K. T. Haslam, Past President of the Board and employee of the District introduced herself and said that she was very happy to see so many people in attendance this evening.

She also mentioned the fact that 5 Public Workshops had been held to inform all residents of the District. This was all prior to the election.

Next the three r's - repetitive - reiterate and redundant.

President Manriquez then called on Jackie Neary, also a former Board Member and resident of the District, "You said you would do what the voters said - a man is as good as his word".

Jack Swords, Camino Caballo, "it doesn't matter what percentage of the vote passed the election. If you rescind your vote, then you have no vote".

David Putnam, stated he had voted against State Water because of what had been presented. We have a problem, the issue is state water - yes or no - we have no alternative.

Manager Ray stated that the cost of State Water would be about \$530, the cheapest source of available water.

J. Mathey, Higos Way, "peoples' apathy is coming up to haunt them. De-sal for Saudi Arabia is great - for us - no ocean".

J. Swords, "what are you saying to our future voters? Our system is faulty, why vote?".

P. Linain, E. Dana, "shame on Nipomo for not voting - I don't have much time but I changed clothes, bathed, etc. to come to this meeting - it's important".

Mohle, 1885 Dawn, (Outside District). "I have lived here 31 years and we need State Water".

J. Pudwell, "I have lived outside the District for 20 years". He further stated that with de-sal the costs never stop, the maintenance is so high and it goes on and on and on. Mr. Pudwell went on to say that in all probability in the future the people who have the surface rights to water will take your water from you.

President Manriquez said that the County has a General Plan for Nipomo showing 30,000 people in the area. What will we do for water? At the present time we have approximately 1800 customers using 1200 AFY. However, we have no jurisdiction over planning to provide water and sewer where applicable.

It may even come down to adjudication of water.

President Manriquez stated that if the proposed Dana Middle School is supplied with water our reserves will be close to maximum. Another year of drought and we will have an unreliable source of water.

C. Hunter, "what can we do to reverse the vote"?

Papageorge, "we own property in the District and pay the water bills and yet we do not have the right to vote for what we pay".

Peggy Miller read a letter to all in attendance, stating that they (the Millers) were landlords to 22 tenants, who may be out of business if we don't get water.

Bill, 707 Division, noted that it would be 5 years before we would get State Water.

Susan Ostrow, stated that the District should start to buy up rights to water.

Manager Ray stated that at the present time there is surplus water and the County is in the process of building another dam similar to San Luis Rey Dam.

Cecelia Fitzgerald - "I own property and pay water bills in the District, and I can't vote - we need water for all of us".

Vincent, Dana Foothill Road, "I appreciate what Mr. Swords said, the will of the people - however, the will of the people appears to be quite different than the election results".

Holloway, outside the District, "what can we do to get State Water"?

Legal Counsel Shaw, remarked that one of the alternatives is a proposed Urgency Ordinance.

Putnam, "there is one viable option if we don't get State Water - that is, stringent conservation of water".

Manager Ray remarked that in order to have a de-sal plant, we would have to have an intake and exhaust into the ocean, which we do not have at the present time.

He further stated that at the present time the Regional Board has not issued a clearance taking care of the brine. State Water is also much cheaper.

Someone asked have you figured out what State Water would cost?

Director Small said we have had 5 public meetings at which time the costs were discussed. At the present time it would involve a matter of approximately \$30 to \$33 a month.

Ryder also informed the audience that if we don't get State Water even with conservation we will have to find another source of water. Water rates will also have to be raised in order to cover costs of maintaining all the wells, pipes, etc. The District is a public entity not a money making business like California Cities Water Company.

Dick Knotts, urged the Board to consider the extremely low voter turn-out and consider all those who have property or businesses in the District and cannot vote.

Jackie Neary, again asked the Board to honor the vote of the people.

J. Mathey said he guessed he would have to have a 50 gallon drum to get water.

Legal Counsel, Art Shaw, stated that the District is like a city or county and just the residents are by law allowed to vote.

Putnam, "how can we conclude this meeting"?

The Board was then asked how would they vote.

Director Small remarked that he is considering it, because of the right of the people who voted.

Director Mendoza, we will proceed to make comments and you'll hear the results.

Director Gracia, we will go to closed session.

Director Fairbanks, we don't know if we'll turnaround a vote because of the election process.

One of the members stated that the Board is "watching a blind man standing in front of the bus" so, what do you do?

Several people from outside the District stated that if State Water is not available the District is doing away with their future.

Sue Faris, stated "I have a residence outside the District and can't vote - I also have a senior home in the District that needs water".

A few people in the audience said let's have a class action suit, we voted.

The Board will review the above comments and questions and bring back to the next meeting.

### 3. MANAGERS REPORT

Manager Ray thought his report was covered.

### FINANCIAL REPORT

#### 4. CLAIMS

Director Fairbanks moved, seconded by Director Gracia the Board unanimously approved the claims.

### LAND DEVELOPMENT

5. PROJECT 91011SP OFFICE COMPLEX AT SOUTHWEST CORNER OF THOMPSON ROAD AND CHESTNUT. COMMENTS TO SAN LUIS OBISPO PLANNING DEPARTMENT  
Paperwork to be returned to county.

### OTHER BUSINESS

6. COMMITTEE REPORT ON EL MERCADO SHOPPING CENTER REQUEST FOR WILL SERVE
7. COMMITTEE REPORT ON REQUESTED WATER AND SEWER SERVICE TO PROPOSED DANA MIDDLE SCHOOL
8. CONSIDER REQUEST FOR WATER SERVICE TO THE SUMMIT STATION AREA

Items 6, 7 and 8 to be included in the District's pump capacities, present and future demands as noted in memorandum from Manager Ray. (See attached)

#### 9. DIRECTORS COMMENTS

On the motion of Director Fairbanks, seconded by Director Mendoza the Board unanimously moved to schedule another meeting on Tuesday, November 26.

10. PUBLIC COMMENTS

Legal Counsel Shaw called for a closed session to discuss pending litigation.

Adjourned to Closed Session.

ADJOURN