

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

REGULAR BOARD MEETING MARCH 19, 1997 7:00 P.M.
BOARD ROOM 261 W. DANA STREET, SUITE 100 NIPOMO, CA

BOARD MEMBERS

KATHLEEN FAIRBANKS, **PRESIDENT**
ALEX MENDOZA, **VICE PRESIDENT**
AL SIMON, **DIRECTOR**
ROBERT BLAIR, **DIRECTOR**
GENE KAYE, **DIRECTOR**

STAFF

DOUGLAS JONES, **General Manager**
DONNA JOHNSON, **Secretary to the Board**
JON SEITZ, **General Counsel**

CALL TO ORDER AND FLAG SALUTE

Vice-President Mendoza opened the meeting at 7:03 p.m. and led the flag salute.

ROLL CALL

At Roll Call the following Board members were present:
Directors Mendoza, Kaye, Blair, and Simon.
President Kathleen Fairbanks was absent.

APPROVAL OF MINUTES

1. REGULAR MEETING OF MARCH 5, 1997

Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously approved the Minutes of the March 5, 1997 meeting.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

Public comments on matters other than scheduled items. Presentations limited to three (3) minutes

Vice President Mendoza asked if there were any Public Comments on matters other than scheduled items. The following commented:

Cees Dobbe asked about Tract 1696 at Willow Rd. and Hwy 1 concerning a well site. Estar Holliday-Laguna Negra Mutual Water Co.-asked about Tracts 2172, 1696 and 1749. She suggested that a well in that area may affect the Mutual Water Co. well. The Board directed staff to put this item on a future agenda.

BOARD ADMINISTRATION (The following may be discussed and acted on by the Board.)

3. FIRE SERVICE OUTSIDE DISTRICT

Mr. Herrera is requesting to install a fire hydrant, outside the District boundary, on Dana-Foothill Rd. to provide fire protection for his residence.

Mr. Jones explained the request from Gilberto Herrera to install a fire hydrant at the storage facilities at Dana-Foothill Rd. and Tefft St. After some Board discussion and no public comments, the Board unanimously agreed to deny Mr. Herrera's request.

4. EMERGENCY TURNOUT ON COASTAL AQUEDUCT

Consideration to request the SLO Flood Control and Water Conservation District for an emergency turnout on the Coastal Aqueduct.

At the Board's request, Mr. Jones presented information concerning a possible Emergency Turnout on the Coastal Branch Aqueduct. Included in the packet of information were copies of letters from Clint Milne (SLO Engineering Dept), John Silveria (Dept of Water Resources) and James L. McFadden (CDF/SLO County Fire Dept.) to remind the Board of the history of the Emergency Turnout request process. John Snyder recommended that the Board members call each member of the Board of Supervisors before meeting with them as a Board.

Upon motion of Director Simon and seconded by Director Blair, the Board directed staff to investigate the process of obtaining an emergency turnout.

5. ACCEPT IMPROVEMENTS FOR PROJECT CO 94-038
Acceptance of Offer of Dedication and Engineer's Certification for
Project No. 94-038, a 4 lot development on Live Oak Ridge.

Mr. Jones explained that Project No. CO 94-038 was complete and all District requirements are met. Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved Resolution 97-610 accepting the water improvements for the project.

**RESOLUTION NO. 97- 610
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER IMPROVEMENTS FOR PROJECT NO. CO 94-038**

6. WIRE TRANSFER AGREEMENT
Approve a wire transfer agreement with Mid-State Bank for the District's financial transactions.

Mr. Jones explained that Mid State Bank has instituted a new wire transfer policy when transferring funds. The District uses wire transfers to make deposits and withdrawals between Mid-State Bank and L.A.I.F. and for bond payment for the Assessment District. The agreement authorizes the President of the Board, the General Manager and the Assistant Administrator to initiate wire transfers with a limit of \$200,000.00 per transaction.

Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously approved Resolution 97-611 for a wire transfer agreement with Mid-State Bank.

**RESOLUTION NO. 97- 611
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING BANK WIRE TRANSFER AUTHORIZATION**

FINANCIAL REPORT

7. APPROVAL OF WARRANTS
Upon motion of Director Kaye and seconded by Director Simon, the Board unanimously approved the Warrants presented at the March 19, 1997 meeting.

OTHER BUSINESS

8. MANAGER'S REPORT
Manager Doug Jones presented information concerning the following items:
1. CALLENDAR WATER ASSOC. CORRESPONDENCE
 2. CSDA - Government Affairs Day
 3. US WATER NEWS - DROUGHT PREDICTION
9. DIRECTORS COMMENTS
Director Blair would like to see the tracts mentioned earlier served.
Gene Kaye informed the public about a meeting at the Nipomo Recreation Center Thurs. March 20 concerning finances.
Director Mendoza responded to Mr. Blair's comments.

10. PUBLIC COMMENTS

Estar Holliday -NCS D does not need to perpetually promise water service to every development that asks. Groundwater Management Plan would be difficult to manage or get cooperation. A five man board for an agency would be managed by (1) Recreational interests, such as Cypress Ridge, Woodlands, other golf courses. (2) Agricultural, (3) Water distributors such as Cal Cities and NCS D which distribute water for money, (4) an overseer of the County, and the fifth member would be a representative of a conglomerate of all the individuals and users who have primary water rights. If any of the primary, water-right individuals ever have dispute over access to the water, they would have to pay their own legal fees and those of their adversaries. She agrees that groundwater management is necessary. Land use management is a prerequisite. You put too many straws in a can and its going to collapse. You cannot continue to drill wells and promise water. Think in terms of a finite resource.

Cees Dobbe-Agrees with Mrs. Holliday

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Jon Seitz, Legal Counsel, explained the need for the Board to adjourn to closed session.

1. Existing litigation GC§ 54956.9
NCS D vs. Shell Oil, et. al. Case No. CV 077387
2. Existing Litigation, Pratt vs. NCS D Case No. CV 79715 GC§54956

*GC§ refers to Government Code Sections

The Board came back into open session with no reportable action.

ADJOURN

Vice President Mendoza adjourned the meeting at 8:10 p.m.