

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

DECEMBER 17, 1997 7:00 P.M.

BOARD ROOM 148 S. WILSON STREET 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 called the December 17, 1997 meeting to order at 7:01 p.m. and led the flag salute.

### **ROLL CALL**

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

### **APPROVAL OF MINUTES**

1. REGULAR MEETING OF DECEMBER 3, 1997

Items 4 and 5 required some correction. Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously approved the Minutes of the December 3, 1997 as corrected.

### **PUBLIC COMMENTS PERIOD**

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

Director Mendoza asked for Public comments. There were none.

### **BOARD ADMINISTRATION** (The following may be discussed and action may be taken by the Board.)

3. ELECTION OF BOARD OFFICERS  
Election of President and Vice President of the Board of Directors

Mr. Jones explained that the Bi-Laws of the Board of Directors require that at the last meeting of the calendar year, the Board shall elect a President and a Vice president for the upcoming year.

Director Blair made a motion to retain the present Board officers but the motion failed due to lack of a second.

Director Kaye nominated Director Mendoza as President. Director Simon seconded the nomination. There were no public comments. Motion passed unanimously.

Director Kaye nominated Director Fairbanks as Vice President. There were no public comments. Director Blair seconded the nomination. Motion passed unanimously.

Director Blair made a motion to have a gavel made for President Fairbanks in appreciation for her service to the board. Director Kaye seconded the motion. Motion passed unanimously. The officers will be seated at the first meeting in January.

4. PB PIPE SERVICE REPLACEMENT  
Review bids received to replace water service lines.

Mr. Jones explained the differences between the PVC and copper materials proposed for PB pipe replacement. Mr. Jim Garing, District Engineer, explained that both copper and PVC are good materials, but that PVC was better because it would not corrode.

Mr. C.J. Brickey told the Board he could use Polyethylene for the same price as the copper.

Director Kaye made a motion to go with TLC and the PVC. Director Mendoza seconded the motion. Vote 2-2.

Director Blair made a motion to go with Brickey Construction and copper. Director Simon seconded the motion. Vote 2-2 Upon motion of Director Blair and seconded by Director Kaye, the Board unanimously agreed to table this matter until a full Board was present.

5. ACQUISITION OF REAL PROPERTY  
Board consideration to purchase property for a well site at Sun Dale and Camino Caballo

Mr. Jones explained that Mr. Paul Geihs, a real estate broker, was hired to search for property for a future well site for the District. Property was located at the northeast corner of Sundale and Camino Caballo. It was explained that a hydrogeologist estimated that this area should produce about 500 gal/min.

Public Comments: John Snyder, outside the District resident, asked for clarification of the escrow. If the EIR does not go through, does the District have to purchase the property? Mr. Seitz answered that if the well does not meet District's expectations, the District would have the option of purchasing the property. Upon motion of Director Blair, seconded by Director Simon, the Board unanimously approved Resolution 97-629 approving acquisition of the well site.

**RESOLUTION NO. 97-629  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
APPROVING THE ACQUISITION OF SUNDALE WELL SITE**

6. DRAFT ENVIRONMENTAL IMPACT REPORT FOR A NEW WELL  
Review draft EIR on proposed production well.  
Set Public Hearing for Draft Report on Jan. 7, 1998

Mr. Jones explained that a Public Hearing needs to be set for the proposed production well which will be located at the intersection of Sun Dale Way and Camino Caballo Road.

An Environmental Negative Declaration Report has been prepared.

John Snyder - Has NCSD changed its conclusion that the basin is in overdraft?

Mr. Seitz: The Negative Declaration and the report from Mr. Garing speaks for itself.

John Snyder: Will there be any limits on the use of the new well?

Mr. Seitz: Public questions will be addressed at the Public Hearing.

John Snyder: How long have you been in violation of Title 22 or how long have you been aware you have been in violation?

John Snyder: Have you issued any Will-Serves while you knew you were in violation of Title 22?

Mr. Seitz: Public comments pertaining to the EIR will be addressed at the public hearing.



Brad Balzano (226 Summit Station) asked why the Board was not answering the public comment questions.

Mr. Sietz explained that technical questions concerning this project will be addressed at the Public Hearing after staff reviews them to be able to give more appropriate answers.

Motion to set the Public Hearing to January 21, 1998 was made by Director Simon and seconded by Director Blair. Motion passed unanimously.

7. CONSTRUCTION OF WELL

Board consideration to go to bid for the construction of a test hole and production well.

Mr. Jones explained that staff has prepared specifications and a bid document for the construction of a test hole and a production well near the intersection of Sun Dale Way and Camino Caballo Road. Final purchase will be based on the results of the E-log.

Public Comment: John Snyder - Will the drilling of the test hole be after the EIR is successfully completed. Mr. Seitz answered yes.

The bid opening will be January 13 and will be reported to the Board on Jan. 21, 1998.

Upon motion of Director Blair and seconded by Director Kaye, the Board unanimously agreed to go to bid for the construction of the test hole and the production well.

8. SAFETY MEETING

Review minutes of Safety Meeting

Upon motion of Director Simon and seconded by Director Blair, the Board unanimously accepted into file the minutes from the Safety Meeting of December 5, 1997 as presented.

**FINANCIAL REPORT**

9. APPROVAL OF WARRANTS

Upon motion of Director Kaye, seconded by Director Simon, the Board unanimously approved the Warrants presented at the December 17, 1997 meeting.

**OTHER BUSINESS**

10. **MANAGER'S REPORT**

Mr. Jones presented information on the following items:

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| 1. SDRMA Workshop/Education Day              | 6. Complaint Log                                   |
| 2. Priority list for drinking Water SRF Loan | 7. Article on chlorine use                         |
| 3. CSDA News - Brown Act Amendments          | 8. U. S. Water News Articles                       |
| 4. Office closure                            | 9. Summit Station Fire Test Results                |
| 5. So Co. Youth Program                      | 10. Cal. Rural Water Assoc. Conf. (Info. Attached) |

**PUBLIC COMMENTS**

2. Mrs. Holder commented that she had talked to Kurt Souza of the State Health Department. He had no reports of water outages. Mr. Jones explained that a letter had been written telling of the outages. Mr. Balzano asked when the letter was written.

6. Mr. Balzano asked for a copy of the Complaint Log.

9. Mr. Balzano asked which hydrants had been tested and what were the results. Dan Anderson, Medallion Chief for CDF answered questions. He said that Hydrant #18 on Futura Lane was tested at approx. 9:30 a.m. The results were the same as the previous test in July 1996 (874 gal/min.) Requirement to have 20 psi at hydrant. Mrs. Holder asked how long they were tested. Mr. Anderson said 5-10 minutes. Mr. Balzano and Mrs. Holder commented more. The Board asked Mr. Anderson some questions. Mrs. Swanson, Mr. Anderson and Mrs. Holder spoke again.

11. **DIRECTORS COMMENTS**

Director Mendoza asked that proper procedure be followed in the meetings. Director Kaye is glad to have people come to the meetings. It shows interest in the community.

12. **PUBLIC COMMENTS**

Mr. Balzano, 226 Summit Station, commented.

Mrs. Holder asked Mr. Garing why she would have no water.

Mr. Seitz reminded the Board that staff is following Board direction by getting pressure readings and will report back to the Board to address the findings. We are trying to find out what the problems are.

Mr. Garing answered that the District is investigating the reasons. A letter has been written asking the Holders for permission to put a pressure recording device on their property to determine where the problem lies.

Mrs. Swanson, 1250 Futura Lane, commented.

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL**

- Existing litigation GC§ 54956.9
1. NCSD vs. Shell Oil, et. al. Case No. CV 077387
  2. Anticipated Litigation, 2 cases
  3. Deferville/NCSD Arbitration

The Board came back into open session and announced that the claim by Vicki Groth was unanimously rejected. There was no other reportable action.

**ADJOURN**

Vice President Mendoza adjourned the meeting at 9:40 p.m.