

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

JANUARY 7, 1998 7:00 P.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

### **BOARD MEMBERS**

ALEX MENDOZA, **PRESIDENT**  
KATHLEEN FAIRBANKS, **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**

President Mendoza called the meeting to order at 7:01 p.m. and led the flag salute.

### **ROLL CALL**

At Roll Call all members were present except Director Fairbanks who arrived shortly after Roll Call.

### **APPROVAL OF MINUTES**

1. REGULAR MEETING OF DECEMBER 17, 1997  
Director Kaye mentioned the following corrections for the minutes:  
Item 10 -Director Kaye would like to see more details on the Public Comments.  
Item 3 - Director Blair made a motion to retain the present Board officers  
but motion failed due to lack of a second.

During this agenda item the following people spoke:

Brad Balzano - 226 Summit Station Rd: Made a suggestion to present the minutes at one meeting and approve them the next. On another matter, he quoted Evidence Code Division 5 California Chapter 3 Article 2 Section 33.

Mrs. Holder - 234 Summit Station Rd: Was concerned that the tapes of the meetings would be available for possible future examination.

Judith Supper - 226 Summit Station Rd: Asked how long the tapes are kept? She asked about a back-up recorder.

Upon motion of Director Blair and seconded by Director Simon, the Board approved the Minutes of the December 17, 1997 meeting with corrections.

- 1A. PRESENTATION TO PAST PRESIDENT OF THE BOARD  
Item postponed.

### **PUBLIC COMMENTS PERIOD**

2. PUBLIC COMMENTS

During this agenda item the following people spoke:

John Snyder - 662 Eucalyptus Rd. (outside District resident) suggested District purchase the DWR Bulletin 186 "Groundwater Storage Program for the State Water Project San Fernando Basin Theoretical Model" for \$3.00 from the DWR. Also, he informed the Board that Cal Cities PUC rate increase to pay for capital costs of State Water would be covered through a \$6,000 per hook-up for the next 2500 hook-ups.

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

3. **SUMMIT STATION**

Item agendaized per request of property owner

Mr. Jones explained that there was no new information on this area except that pressure is holding at 40 psi.

During this agenda item the following people spoke:

Mrs. Holder - 234 Summit Station Rd: Related the conversation she had with Kurt Souza of the State Health Department and is frustrated about the lack of action on the water pressure in her area.

Ms. Supper - 226 Summit Station Rd: She is concerned about the safety of the water being delivered. Also suggested a backup tape recorder.

Mr. Jones - The District complies with standards set by the State Clean Water Act.

Mr. Balzano - 226 Summit Station Rd: Expressed the following concerns: Safety and possible abnormalities in the water being delivered. Made several suggestions about hiring an independent engineer to analyze the system. He is concerned about being able to get water to his property without outside costs. He is also concerned about the cost of the connection fee.

Mr. Jones - Explained that the State Health Dept. requires the District to take monthly samples throughout the District.

Mrs. Holder - 234 Summit Station Rd: Stated that her dishwasher was destroyed. Around Thanksgiving she had very low pressure.

Jose Herrera - 228 Futura Lane: Asked about results of samples brought to the District.

Maudie Swanson - 1250 Futura Lane: Expressed that she had no water and was concerned about particles in water. She reminded President Mendoza that he was present when they changed the pipe between the backflow and her meter and asked if he would drink the water.

Director Kaye - Suggested an independent engineer to check the system but wanted to give Garing, Taylor a chance to report his findings.

Fred Holder - 234 Summit Station Rd: Read from a copy of Boyle Report Summit Station was in trouble at the onset, Page 34 of the Boyle Report with possible remedies for the problem.

Mary Holder - 234 Summit Station Rd: We want some results. We paid just as much as any one else.

President Mendoza - Asked the residents to continue to present their problems to the Board. He assured the residents of Summit Station that NCSD is trying to find the cause of the problems and correct them.

The Board continued this item until additional information is obtained.



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

Mr. Jones explained that this item was brought back to the Board for a decision on copper or PVC to be used for the PB pipe replacement.

During this agenda item the following people spoke:

Todd Crandall of TLC Backhoe Service explained his process of installing the PVC. Richard Morbraaten - 704 Ridge Rd. who works for a phone company agreed that boring could reach within 2-3 feet of desired destination.

Upon motion of Director Kaye and seconded by Director Fairbanks, the Board approved Resolution 98-630 with Director Blair voting no.

**RESOLUTION NO. 97-630  
RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AWARDING THE CONTRACT TO TLC BACKHOE  
FOR REPLACING POLYBUTYLENE (PB) WATER SERVICES**

5. WASTEWATER STATE REVOLVING FUND LOAN  
a) Consideration to adopt a resolution dedicating a revenue source for re-payment of the loan.  
b) Consideration to adopt a resolution establishing a Wastewater Capital Reserve Fund.

Mr. Jones explained the need to adopt resolutions for obtaining a loan from the State Revolving Fund.

There were no public comments.

Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approved Resolution 98-631.

**RESOLUTION NO. 98-631  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
DEDICATING A SOURCE OF REVENUE FOR THE  
REPAYMENT OF THE STATE REVOLVING FUND LOAN**

Upon motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously approved Resolution 98-632.

**RESOLUTION NO. 98-632  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ESTABLISHING THE SOUTHLAND WASTEWATER CAPITAL RESERVE FUND**

6. WATER RESOURCE ADVISORY COMMITTEE MEMBERSHIP  
Selection and approval of representatives to WRAC

Director Kaye made a motion to retain Mr. Jones as member and Director Blair as alternate member to the Water Resources Advisory Committee.

During this agenda item the following people spoke:

Mr. Balzano - 226 Summit Station Rd: - commented that he disagrees with Mr. Jones as a member of the WRAC committee.

Director Fairbanks seconded the motion. The motion passed unanimously.

7. SAFE DRINKING WATER BOND ACT, AB 1180  
Request for support for AB 1180

Director Simon made the motion to send letter of support of AB 1180 (a \$100 million general Obligation Bond Measure to be used to capitalize the State Revolving Fund Program to assist in funding public water system improvements.) The motion failed due to a second. There were no public comments.

#### FINANCIAL REPORT

8. APPROVAL OF WARRANTS  
Upon motion of Director Blair seconded by Director Fairbanks, the Board unanimously approved the Warrants presented at the January 7, 1998 meeting. There were no public comments.

#### OTHER BUSINESS

9. MANAGER'S REPORT  
Mr. Jones presented information on the following items:
  1. Complaint and Compliment Log
  2. County correspondence to CCWA on turnout valves

During this agenda item the following people spoke:

John Snyder - 662 Eucalyptus Rd (out of District resident) commented about Cal Cities and WRAC meeting concerning the Flood Control District.

10. DIRECTORS COMMENTS  
Director Kaye - Happy New Year

11. PUBLIC COMMENTS  
During this agenda item the following people spoke:

John Snyder - 662 Eucalyptus Rd: (out of District resident) Asked if District has responded to letters he has written.

Jon Seitz, District Legal Counsel, explained the need to go into Closed Session.

#### CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Existing litigation GC§ 54956.9

1. NCSD vs. Shell Oil, et. al. Case No. CV 077387
2. Deferville/NCSD Arbitration

The Board came back into Open Session. No reportable action was taken during the Closed Session. A presentation was made to Director Fairbanks for being the Board President for the year of 1997.

#### ADJOURN

President Mendoza adjourned the meeting at 9:45 p.m.

A copy of the tape recording of the meeting is available for public inspection.