

# NIPOMO COMMUNITY SERVICES DISTRICT

## AGENDA

DECEMBER 15, 1999 7:00 P.M.  
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

### BOARD MEMBERS

ROBERT BLAIR, **PRESIDENT**  
GENE KAYE, **VICE PRESIDENT**  
AL SIMON, **DIRECTOR**  
RICHARD MOBRAATEN, **DIRECTOR**  
ALEX MENDOZA, **DIRECTOR**

### STAFF

DOUGLAS JONES, **GENERAL MANAGER**  
DONNA JOHNSON, **SECRETARY TO THE BOARD**  
JON SEITZ, **GENERAL COUNSEL**

John J  
5 20  
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12 70

**NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.**

### **CALL TO ORDER AND FLAG SALUTE**

1. ROLL CALL

### **PUBLIC COMMENTS PERIOD**

2. PUBLIC COMMENTS

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

### **SPECIAL PRESENTATION**

SLO COUNTY - Nipomo Growth Limitations  
County Representatives to discuss the 2.3% Growth Limitation for the Nipomo Mesa adopted by the County Board of Supervisors on December 7, 1999.

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

3. LOCAL AREA PLANNING  
Review support for a Local Land Use Planning Committee
4. OUTSIDE DISTRICT SEWER SERVICE  
Community Health Center request for sewer service at 150 Tejas Place
5. RECORDS MANAGEMENT AND RECORDS RETENTION SCHEDULE POLICY  
Review and approve a Record Management/Retention Policy for the District
6. CANCELLATION OF BOARD OF DIRECTORS MEETING  
Cancel January 5, 2000 regular District Board meeting
7. ELECTION OF BOARD OFFICERS  
Elect a President and Vice President of the Board of Directors for the year 2000.
8. **CONSENT AGENDA** *The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the consent agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.*
  - a) WARRANTS (APPROVE)
  - b) BOARD MEETING MINUTES (APPROVE)  
Approval of minutes of the November 17, 1999 Regular Board meeting
  - c) NOTICE OF COMPLETION (APPROVE)  
File Notice of Completion for the Thompson/Tefft water line and storage facility

### **OTHER BUSINESS**

9. MANAGER'S REPORT
  1. US WATER NEW ARTICLE ON SUNSPOTS AND DROUGHT
  2. PUBLIC HEARING WIDOW LANE REIMBURSEMENT
  3. SDRMA VIDEO

10. DIRECTORS COMMENTS

### **CLOSED SESSION**

- CONFERENCE WITH LEGAL COUNSEL GC§54956.9 (a) & (b)
- ✓ a. SMVWCD vs NCSD Case No. CV 770214 and related cases  
Case Nos. CV 990556, CV 990391, CV 990392, CV 990558, CV 990266,  
CV 770214, SM 113422, SM 112867, SM 113425, SM 113421
  - ✓ b. NCSD vs. State Dept of Health Services CV 990706
  - c. NCSD vs. Shell Oil, et. al, Case No. CV 077387

### **ADJOURN**

AGENDA ITEM  
DEC 15 1999



TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: DECEMBER 15, 1999

## SLO COUNTY - NIPOMO GROWTH LIMITATION

### ITEM

County Board of Supervisors have adopted a 2.3% growth limitation to the Nipomo Mesa

### BACKGROUND

At the County Board of Supervisors meeting on December 7, 1999, the supervisors reviewed the annual resources summary report which indicated that a substantial pumping depression has developed on the Mesa and therefore, the Board proceeded to limit growth in the Nipomo Mesa to 2.3%. This percentage was established by the County Growth Limitation Ordinance. In the past, the limitation percentage was County-wide, whereas, if one area grew faster than another area as long as the percentage was not exceeded, building permits were issued accordingly. This policy by the Supervisors has been refined to the point where it will not be County-wide with respect to the Nipomo Mesa but will be stipulated to add 2.3%.

Attached is a copy of the water sections of the County Annual Resource Summary for the Board review. A copy of the full report is in the office.

It is unknown how the County will administer the issuance of building permits. The County anticipates approx. 120 permits for the year 2000.

Mr. John Hand from the County Planning Department, who prepared the annual resource summary report for the County, will be present to discuss this item with your Honorable Board.

### RECOMMENDATION

After your Honorable Board has reviewed the testimony from staff, the County, and the public, they may make recommendations and comments on how this new County policy may be administered or affect NCSD.

Bd99\growth limitation

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: DECEMBER 15, 1999

LOCAL AREA PLANNING COMMISSION

**ITEM**

A review and support of a Local Land Use Planning Commission

**BACKGROUND**

The District has received correspondence from Templeton Community Services District requesting support for planning and zoning ad hoc committees for different areas in the County. Attached are the correspondences received from Templeton CSD which were briefly reviewed during the December 1, 1999 NCSD Regular Board meeting. Your Honorable Board requested that this item be placed on the agenda for possible action.

Attached is the draft letter supporting the County establishing area planning and zoning committees. The Nipomo Advisory Council may also be in support of this item.

**RECOMMENDATION**

If your Honorable Board approves of the draft letter, the Board may authorize the Board President to execute the document and possible concurrence from NAC and send it to the County Board of Supervisors.

C:\W:\Bd99\Planning & zoning.DOC

# NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET  
POST OFFICE BOX 326 NIPOMO, CA 93444-0326  
(805) 929-1133 FAX (805) 929-1932

December 16, 1999

K. H. Achadjian, 4th District Supervisor  
and the Board of Supervisors  
County Administrative Office, Room 370  
County Government Center  
San Luis Obispo, CA 93408

RE: LETTER OF SUPPORT TO FORM LOCAL PLANNING AD HOC COMMITTEE TO  
STUDY LOCAL PLANNING ISSUES

Dear Katcho:

Please accept this letter as supporting the request of the Templeton Community Services District to have the County Board of Supervisors participate in an ad hoc committee to explore alternative processes that would allow unincorporated urban areas of the County greater input into local planning issues. The committee would be composed of two members from the County Board of Supervisors, two members from the San Luis Obispo County Chapter of the Special District's Association, various members of the Planning Department, and others.

We believe that those who are affected by planning decisions should have a strong voice in the planning process. Like the Templeton Community Services District, it would be our hope that communities such as ours would be able to come to some agreement with the County through a Letter of Understanding, Memorandum of Understanding, or some other device that would allow our community greater autonomy, without having to enforce incorporation.

Perhaps with the exchange of ideas and airing of issues we may all come to a mutual understanding of community needs and County concerns.

We look forward to your support on this issue of local concern. If you should have any questions please do not hesitate to contact the Nipomo Community Services District office.

Very truly yours,

ROBERT L. BLAIR  
President of the Board of Directors  
Nipomo Community Services District

cc: Templeton Planning/Steering Committee  
Donna Mills, President, Nipomo Advisory Council

This letter was unanimously approved by the Board of Directors at its regular meeting of December 15, 1999.

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# TEMPLETON COMMUNITY SERVICES DISTRICT

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BOARD OF DIRECTORS  
Robert Bergman, President  
Clifford S. Beere, Vice-President  
Bill Engels, Director  
Keith Vreeken, Director  
John Gannon, Director



STAFF  
William Van Orden, General Manager  
Laurie Ion, Administrative Supervisor  
Richard Dolling, Utilities Supervisor

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P.O. Box 780 • 420 Crocker Street • Templeton, California 93465 • FAX (805) 434-4820 • (805) 434-4900

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November 22, 1999

President and Board Members  
Nipomo CSD  
P.O. Box 326  
Nipomo, CA 93444

RE: Request for Support  
Planning & Zoning Ad-Hoc Committee

Dear Honorable President and Board Members,

On behalf of the Templeton CSD, and all CSD's in San Luis Obispo County, I am requesting your support for this District's efforts to have the Board of Supervisors appoint a Planning and Zoning Ad-Hoc Committee. The Committee composition would be as outlined in the attached letter to Chairperson Ovitt requesting, such a formation.

I am sure that your agency, like ours, has experienced frustrations in dealing with the County's Planning Department, and their lack of responsiveness to our recommendations regarding projects to be constructed within the boundaries of our agencies.

The Templeton CSD Board could move forward in making this request on its own. However, we believe that we would be in a better position to obtain the Board of Supervisors attention, if we all indicated our support for the establishment of an Ad-Hoc Committee to work on our concerns.

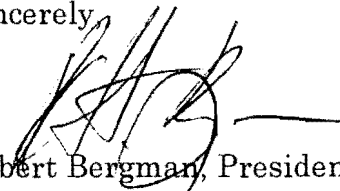
The support we are requesting from you is twofold. First, a letter addressed to the full Board of Supervisors, from your Board, urging their support of the creation of the Planning and Zoning Ad-Hoc Committee, and their appointment of two of their members, and indicated County staff, would

be appreciated. A copy of your letter to Bill Van Orden, General Manager of the Templeton CSD would also be appreciated. Secondly, we would request that you, on behalf of your Board, and District, speak directly to your Supervisor urging their support.

I will be submitting the attached letter sometime during the latter part of the week of November 22<sup>nd</sup>. It is our goal to have the item on the Board's agenda, shortly after the first of the New Year. It is my hope that there is sufficient time for your Board to review our request and take the appropriate action.

Let us start the new millennium by joining together with our united voices being heard. If you have any questions regarding the above request, please give Bill Van Orden, of our District a call at (805) 434-4900.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Bergman', with a horizontal line extending to the right.

Robert Bergman, President  
Templeton CSD Board of Directors

RB:lai

# Templeton Planning/Steering Committee

November 23, 1999

Supervisor Harry Ovitt  
Board of Supervisors  
County Government Center, Rm. 370  
San Luis Obispo, CA 93408

Dear Supervisor Ovitt,

We are hereby requesting that you have placed on a future agenda, a request by the Templeton Planning/Steering Committee to consider a more active role of the community in the planning and development issues in our community. Many residents of our town have experienced continued frustration over what is perceived to be development patterns and proposals that have run contrary to the wishes and vision of the community in general.

It is communities such as ours, with an estimated population of 5,000+ that need to be able to more firmly direct the growth patterns. Advisory groups have their purpose, and they should continue to focus on overall community issues, but a more focused "Area Planning Commission" could have a more direct and "hands-on" approach to proposals and development of specific areas. After all, we are the people who live here, and we are the ones being impacted by poorly placed land uses.

We would propose that the Board of Supervisors form an Ad-hoc Committee whose members could possibly include Mr. Paul Hood for his expertise in LAFCO matters, Mr. Victor Holanda and Ms. Pat Beck for their Planning Department experience, two Board Members, who represent a number of special districts, such as Supervisors Achadjian, Bianchi or yourself, and two Community Services District Representatives from the San Luis Obispo County Chapter of Special Districts. It would be our hope that communities such as ours, would be able to come to some agreement with the County through a Letter of Understanding, or some other devise, that would allow us greater autonomy, without having to force incorporation.

Perhaps, with the exchange of ideas and airing of issues, we may all come to a more mutual understanding of community needs, and County concerns.

We look forward to a positive response, and the opportunity to answer any questions you may have.

Sincerely,



William G. Van Orden

On behalf of the Templeton Planning/Steering  
Committee

WGV:lai

cc: TCSD Board Members  
SLO County CSD's – Boards of Directors  
Supervisor – 2<sup>nd</sup> District  
Supervisor – 3<sup>rd</sup> District  
Supervisor – 4<sup>th</sup> District  
Supervisor – 5<sup>th</sup> District



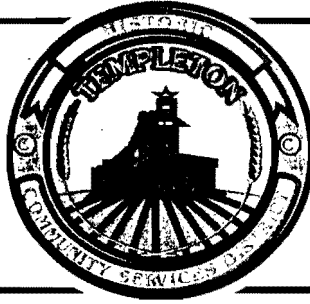
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# TEMPLETON COMMUNITY SERVICES DISTRICT

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**BOARD OF DIRECTORS**

Robert Bergman, President  
Clifford S. Beere, Vice-President  
Bill Engels, Director  
Keith Vreeken, Director  
John Gannon, Director



**STAFF**

William Van Orden, General Manager  
Laurie Ion, Administrative Supervisor  
Richard Dolling, Utilities Supervisor

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P.O. Box 780 • 420 Crocker Street • Templeton, California 93465 • FAX (805) 434-4820 • (805) 434-4900

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November 23, 1999

Mr. Doug Jones, General Manager  
Nipomo Community Services District  
P.O. Box 326  
Nipomo, CA 93444

Dear Doug,

Enclosed please find a letter addressed to your Board President and Directors regarding a request for support in appointing a Planning and Zoning Ad-Hoc Committee. We believe that such a committee would better represent our concerns and issues with respect to planning decisions that affect our individual communities.

I would appreciate your assistance in placing this item on your next Board agenda. If you have any questions regarding this request, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Van Orden", with a long horizontal flourish extending to the left.

William G. Van Orden, General Manager

NOV 24 1999

NIPOMO COMMUNITY SERVICES DISTRICT

## HERITAGE RANCH COMMUNITY SERVICES DISTRICT

4870 Heritage Road  
 Paso Robles, CA 93446  
 Phone (805) 227-6230 • FAX (805) 227-6231

Honorable Board of Supervisors  
 County of San Luis Obispo  
 Room 370, County Government Center  
 San Luis Obispo, CA 93408

December 17, 1999

Subject: Request for the creation of a Planning & Zoning Ad-Hoc Committee

Dear Honorable Board,

Please consider this letter of request to form the subject Committee for the purpose of providing local input on the processes and decisions made on proposals and development made by the county that have a direct and sometimes a serious fiscal impact on other service providers.

Such a committee would facilitate, in these times of competitive revenue allocations, a means of inputting information and concerns that may present short as well as long term results originating from those who otherwise have limited information resources or do not benefit from the insight of what zoning changes and/or development may have on such things as natural resources, services, and existing rate payers.

It is recognized that much of the County's existing processes provide for public input (through reports, hearings, etc.) and that to some degree, there is also opportunity through the LAFCO process but this proposal is different, different because the Committee, as proposed, would mean a certain "legitimacy" in terms of providing *formal* input. Such a Committee too, would work both ways because when the final decisions are made, the County will have comfort in knowing that the "San Luis Obispo Planning and Zoning Ad-Hoc Committee" was part of those decisions!

Rollin G. Lemm, President  
 Board of Directors

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To	Lisa	From
Co.	NCSD	Co.
Dept.		Phone #
Fax #		Fax #

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES ⑨  
DATE: DECEMBER 15, 1999

AGENDA ITEM  
DEC 15 1999



REQUEST FOR SEWER SERVICE  
COMMUNITY HEALTH CENTERS

**ITEM**

Request for sewer service outside the District boundary

**BACKGROUND**

The District has received a letter from Ron Castle, Chief Executive Officer of the Community Health Centers located at 150 Tejas Place in Nipomo. The Community Health Center (CHC) has been contacted by the County Health Department to connect to the District sewer system due to their failing on-site disposal system. CHC property is presently outside the District boundary and is presently served by Cal Cities Water Co. Sewer connection could be made from the southeast corner of the property down Tejas Place approx. 400 feet to an existing manhole at Ida Place and Tejas Place.

Since this property lies outside the District boundary and the present District policy is that sewer service cannot be provided without water service, the Board will have to review its policy with respect to providing service to CHC. Also, before the District can provide service to the site, LAFCO approval would be needed for either annexation or an Outside User Agreement,.

**RECOMMENDATION**

Staff is requesting direction from your Honorable Board on how you wish to proceed in this matter of possibly providing sewer service to the CHC site.

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December 3, 1999

Attention: Doug Jones  
Nipomo Community Services District  
P.O. Box 326  
Nipomo, CA 93444-0326

**RE: Connection with public sewer system**

Dear Mr. Jones:

This letter is a follow up to your telephone conversation with my assistant, Charlotte Simmons.

Community Health Centers of the Central Coast, Inc., which owns and operates Nipomo Community Medical Center, is a private, nonprofit corporation. Our community health centers provide much need health care services primarily to low-income and uninsured residents of San Luis Obispo County. As such, we operate on a limited budget.

As you know, our Nipomo location was recently visited by Mr. Jeff McNiece, who is with the County's Environment Health Division. According to Mr. McNiece's letter of December 2, 1999, we have been directed to "hook-up to Nipomo Community Services District Sanitary Sewer within ten days."

According to my assistant, you informed her that our Nipomo Community Medical Center is not located within your district. Therefore, we have to submit a written request to be "annexed" into your district. Also, my assistant was informed of a small hurdle with this process, being that we would have to retain water service with our current vendor, California Cities Water.

I am sure the costs for becoming annexed into your district, including all that this may entail, is expensive. CHCCC, being a nonprofit organization

operating on a limited budget, may not be financially prepared to incur these costs. Therefore, I am requesting consideration to have any fees related to annexation be waived or reduced.

Thank you for taking the time to read this letter and considering our organization's request to hook up the Nipomo Community Services District sewer system, and for considering a waiver or reduction of the fees.

Please call me at the Nipomo office, if you have any questions regarding this matter. Any application forms for the hook up or annexation should be sent to the Nipomo address as well.

Sincerely,

Ronald E. Castle  
Chief Executive Officer

REC/es

Cc: Jeff McNiece

**NIPOMO COMMUNITY  
MEDICAL CENTER**  
Corporate Headquarters  
PO Box 430 • 150 Tejas Place  
Nipomo, CA 93444-0430  
(805) 929-3211  
FAX (805) 929-6440

**SAN LUIS COMMUNITY  
HEALTH CENTER**  
1428 Phillips Lane, #300  
San Luis Obispo, CA 93401  
(805) 546-0847  
FAX (805) 546-0285

**CLINICA PLAZA**  
1414 S. Miller St., #A  
Santa Maria, CA 93454  
(805) 928-7757  
FAX (805) 925-9314

**COASTAL MEDICAL  
CENTER**  
PO Box 1228 • 354 S. Halcyon, #C  
Arroyo Grande, CA 93421-1228  
(805) 481-3652  
FAX (805) 481-1017

**THE DOCTORS' OFFICE  
OAKS COMMUNITY  
HEALTH CENTER**  
1057 Grand Avenue  
Arroyo Grande, CA 93420  
(805) 481-7220  
FAX (805) 481-7097

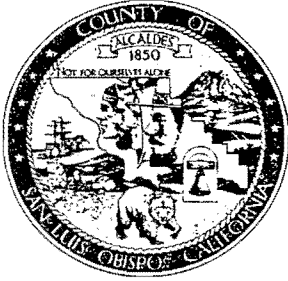
**HEALTH CARE FOR THE  
HOMELESS**  
3240 S. Higuera St., #B  
San Luis Obispo, CA 93401  
(805) 784-0134  
FAX (805) 784-9001

**LOS ROBLES COMMUNITY  
MEDICAL CENTER (PR)**  
1004 Vine Street  
Paso Robles, CA 93446  
(805) 238-7250  
FAX (805) 238-0165

**LOS ROBLES COMMUNITY  
MEDICAL CENTER (T)**  
959 Las Tablas Rd., Suite B-2  
Templeton, CA 93465  
(805) 434-1038  
FAX (805) 434-1659

**MORRO BAY COMMUNITY  
HEALTH CENTER**  
660 Harbor Street  
Morro Bay, CA 93442  
(805) 771-8629  
FAX (805) 771-9759

**NIPOMO DENTAL PRACTICE**  
PO Box 430 • 150 Tejas Place  
Nipomo, CA 93444-0430  
(805) 929-3254  
FAX (805) 929-6440



COUNTY OF SAN LUIS OBISPO  
**HEALTH AGENCY**  
PUBLIC HEALTH DEPARTMENT  
Environmental Health Division  
2156 Sierra Way • P.O. Box 1489  
San Luis Obispo, California 93406-1489  
Phone: (805) 781-5544 FAX: (805) 781-4211

Gregory Thomas, M.D., M.P.H.  
Health Agency Director  
Health Officer

Curtis A. Batson, R.E.H.S.  
Director

December 2, 1999

Community Health Center of Central Coast  
Ronald Castle, CEO  
150 Tejas Place  
PO Box 430  
Nipomo CA 93444

On November 30, 1999, this department conducted an inspection of property located at 150 Tejas Place, Nipomo, California in response to a complaint. Our inspection revealed that the leach field had failed and liquids were surfacing via a clean out pipe. Upon conversation with maintenance employees, we have learned this problem has been ongoing for some time.

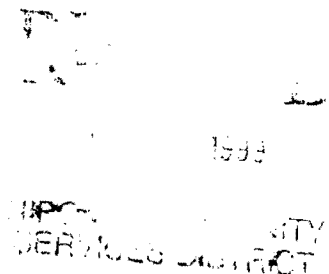
Uniform Plumbing Code, Section 713.5 states that no permit shall be issued for the installation, alteration or repair of any private sewage disposal system, or part thereof, on any lot for which a connection with public sewer is available.

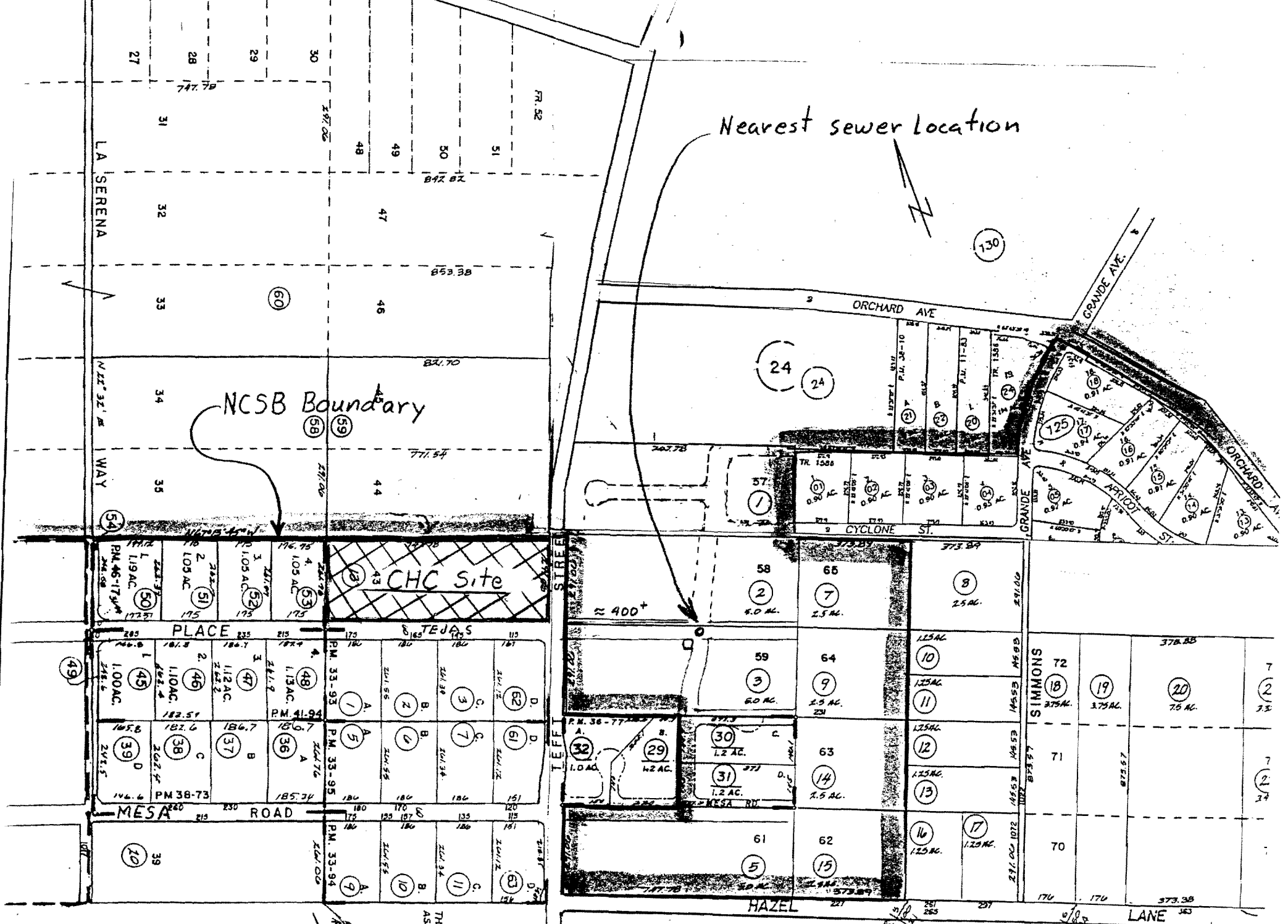
You are hereby directed to hook-up to Nipomo Community Services District Sanitary Sewer within ten days. Once hook-up is complete the old septic system will need to be destructed in an approved manner. Before work begins, please contact Nipomo Community Services District and County Planning for proper permits and fees.

If you have any questions feel free to contact this department at 473-7056.

JEFF MC NIECE, R.E.H.S.  
Environmental Health Specialist II

c: Nipomo Community Services District  
Lloyd Clark, County Planning





Nearest sewer location

NCSB Boundary

CHC site

562

THIS MAP IS FOR ASSESSMENT

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: DECEMBER 15, 1999

## RECORDS MANAGEMENT AND RECORDS RETENTION SCHEDULE

### ITEM

Review and adopt a Records Management and Records Retention Schedule for NCSD

### BACKGROUND

The District does not have a document retention policy. As a result, the District has been in the mode of retaining everything. Many of the items retained are not significant to the operation of the District and should be destroyed. The file cabinets and storage containers are reaching capacity. There are approximately 200 banker boxes in storage at the shop and 15 filing cabinets at the office.

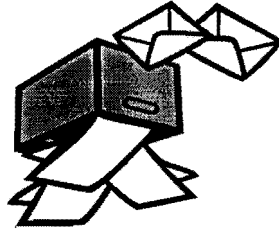
The purpose of this proposed policy is to facilitate reference to and preservation of District records. The proposed policy consists of record organization, indexing, selection, retention, destruction and permanent storage of records.

If adopted, it is estimated that it will take about a six months to a year for staff to fully implement this policy.

### RECOMMENDATION

It is staff's recommendation that your Honorable Board adopt the Records Management and Records Retention Schedule.

B699/doc retention.doc



RECORDS RETENTION SCHEDULE  
AND  
RECORDS MANAGEMENT

NIPOMO  
COMMUNITY  
SERVICES  
DISTRICT



# Nipomo Community Services District's Record Management System

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***Nipomo Community Services District's Record Management System***

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## ***Nipomo Community Services District's Record Management System***

### **INTRODUCTION**

The purpose of the Nipomo Community Services District's Record Management System is to facilitate reference to and preservation of District records. The program consists of record organization, indexing, selection, retention, destruction, and permanent storage.

The objective of the Records Management System is to minimize the cost and effort of record keeping.

To achieve these objectives, the following procedures and standards are established in accordance with Government Code § 60200 et seq. and other statutory requirements and sound records management practices.

In the event these regulations conflict with State and/or Federal law, then said State and Federal laws shall control.

If any provisions of these regulations or the application of any such provision shall be held invalid by a Court of competent jurisdiction, the remainder of the regulations, or the application of said provisions, other than those which have been held invalid, shall not be affected thereby.

# *Nipomo Community Services District's Record Management System*

## CHAPTER I

### **RECORDS MANAGEMENT**

1. Applicability:

The following procedures are to be used in establishing, maintaining and ordering all records and files for the Nipomo Community Services District.

2. Purpose:

The purpose of the following procedure is to facilitate reference to and preservation of District Records.

3. Definitions:

- a. "Archives" are those files of the District that must be preserved permanently; a.k.a. "Permanent File".
- b. "File" is defined as a device (as a folder, case, or cabinet) by means of which records are arranged in an order; e.g., alpha/subject or numerical.
- c. "File Plan" is a minimum category description to assist the District Manager in the storage and retrieval of files located in the RRC. Departments are encouraged to use the File Plan to index their department records.
- d. "Minutes" are the official records of the District regarding legislative action and are prepared in accordance with District adopted Board Bylaws.
- e. "General category" shall refer to the broad classification of a subject; e.g., water.
- f. "Record" is defined as a body of recorded information relating to the conduct of the District's business. A "record" must be distinguished from "non-records", which include reference papers, notes, working papers, publications, catalogs, out-dated forms, and other similar material.

"Active records" shall refer to records which are used in the day to day operation of the department and normally retained with the department.

"Inactive records" shall refer to records which are not used in the day to day operation of the department.

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- g. "Record Retention Center (RRC)" may be a location or a medium (e.g., digitized information) where inactive records are stored (a.k.a. "records"). The RRC is the responsibility of the District Manager's office. The RRC may be off premises. All documents sent to the RRC shall be labeled/coded per the File Plan.
- h. "Tapes" of the proceedings of any Board meeting will be used for the sole purpose of making sure the action of the Board of Directors was recorded properly. Tape recordings are maintained in accordance with District adopted Board Bylaws.
- i. "Storage Records" are inactive records which are forwarded to the Record Retention Center (RRC).
- j. "Working files" are the sole responsibility of the affected department.

### 4. Files Plan:

This is the official files plan for the Nipomo Community Services District. The files plan assigns departments the responsibility for accumulating and maintaining active records by subject or by numerical code if approved by the District Manager.

Inactive records are to be prepared for transmittal to the Record Retention Center (RRC) by the responsible department. Preparation shall be in accordance with the procedure entitled Maintenance Procedure.

*Note: Prior to assignment, Inactive Records shall be indexed and placed in boxes. Indexing shall be placed on the outside of the box and a copy placed on file with the District Manager. The index will follow the File Plan.*

### 5. File Index:

The indexing of records and files shall include the following indexing method:

- a. Files created prior to January 2000 may be indexed alphabetically – numerically, as assigned by the department. Files created after December 31, 1999 should be coded/labeled per the file plan (see retention schedule).
- b. One copy of the file plan index shall be kept in the department maintaining such files or records and one in the District's RRC.
- c. It shall be the responsibility of the departments to update the indexes and to provide such information to the RRC.

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### 6. Ordering Within Files:

- a. Proper name arrangement: Files maintained by proper names will be arranged alphabetically by Surname, first name, and middle initial (in that order).
- b. Geographical location arrangement: When papers are referred to by name of geographical location, one of the following arrangements will be used:
  1. By specific name or location and thereunder alphabetically by general name or location.
  2. By specific street and/or block number.
- c. Chronological order: Is defined as current date, backwards; e.g., July 1, June 30, June 29, June 28, etc.

## ***MAINTENANCE PROCEDURE***

### 7. General:

The procedures in this section are designed to provide maximum efficiency in processing papers for filing, using file guides and folders and labeling guides, folders, and file containers. It is the responsibility of each department to maintain its files per this manual.

### 8. Inspection of Papers:

Papers received for filing or storage will be inspected to insure completeness and to eliminate unnecessary material (e.g., duplicate copies).

- a. Completeness: Papers received for filing will be checked to insure that all papers which should be included to complete the record are attached. An attempt will be made to obtain missing papers or copies of those papers.
- b. Unnecessary material: Unnecessary documents such as used envelopes, routing slips and extra copies may be discarded. When the original of a paper is available, all copies may be discarded unless an extra copy contains additional information needed for record purposes.

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### 9. Assembly of Papers:

- a. Separate correspondence: A separate "chain" of correspondence, in chronological order, consists of the basic paper (the paper starting the action), any replies continuing the action, enclosures, and supporting papers forming a part of the whole correspondence action. If the file history is lengthy, the method of assembling papers, in bottom to top order, is:
  1. The basic paper (letter, memorandum, staff reports, etc.).
  2. Letter endorsements, disposition, comments, in date order.
  3. Replies (letter, memorandum, etc.).
  4. Enclosures in numerical sequence.
  5. Internal actions which support the actions (studies coordinating actions, etc.).
- b. Related papers: Papers which are directly related or contain definite reference to earlier papers on the same subject will be combined with these papers only if reference requirements require such action. They will be assembled as described in "a" above. Combined papers will be filed behind the earlier papers or placed in file where earlier papers are filed.

### 10. RRC Code:

- a. At a minimum, an RRC Code will appear on files containing all papers to be filed as to that subject matter as to assist in their storage and retrieval. The RRC Code should be located on the right corner of the file indicating date, subject file, plan code (see retention schedule), other information.

### 11. Indexing:

- a. Indexing is determining the specific file into which material is to be placed. Indexing is done after each person concerned has seen the material before it is filed. It consists of marking the material by underlining, circling, or writing in the subject under which it is to be filed in accordance with the file index. If a cross-reference is needed, it should be filled out at this time as discussed below.
- b. The File Index is the key to good filing. For this reason, it should be kept current at all times. Identify the exact topic as precisely and concisely as possible. Avoid headings which are meaningless as to what is covered, for example:

Instructions	Miscellaneous
Date	Correspondence
Office Memos	

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- c. File Drawer: The front of each file drawer will have the alphabetical/code notation, function, and/or an index listing the files in the drawer.

### 12. Labels:

- a. File drawers, guides, and folders will be labeled to facilitate filing, searching and disposition. Whenever possible, the material in a single file should reference the appropriate heading found in the "File Plan". Gummed labels will be used for labeling guides and folders. Drawer labels will be prepared on card stock.
- b. Captions:
  - 1. Labels will bear the file title, year of the file and disposition instructions in that sequence.
  - 2. Various colored labels may be used on files to indicate different years to be forwarded to the RRC. The District Manager's Office will establish the color code for a given year. Until the color code is established, all RRC records will have red labels.

### 13. Check-Out Record, Suspense, and Follow-up:

- a. A check-out record will be made and substituted for the file removed for reference purposes. The check-out form is placed in the filing location from which the file material is removed. When the file is re-filed, the entries on the form are lined out, and the form is then available for re-use.
- b. A suspense file may be established to provide control over records loaned outside the file area. The form will be filed by the suspense or tracing date established for the papers that are loaned. When the established suspense or tracing date is reached, the suspense copy will be withdrawn from the file, and the individual to whom the papers are charged will be notified.
- c. Procedure:
  - 1. The original folder will be filed in a suspense or tracing file, by date, established for the papers that are loaned from the folder.
  - 2. One copy will be provided to the person requesting the papers from the file.
  - 3. When the established suspense or tracing date is reached, the suspense copy will be withdrawn from the suspense file and the individual to whom the papers are charged will be notified.



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14. Policy and Precedent files:

- a. Consists of extra copies of documents containing a statement of policy or precedent for future or continuing action. These files are not ordinarily cut off at the end of each year; only one series of files needs to be maintained. Thus, each folder in the series might contain documents from several years (Administrative Policy Manual, etc.).
- b. Destruction should be made when superseded, obsolete, or when no longer needed for reference purposes.

15. Reference Papers:

Reference papers are transitory papers, non-action papers, convenience copies, and working papers. They may consist of the following:

- a. Papers which after receipt, preparation, or when action has been completed may be discarded after a relatively short retention period as being without value and not needed for the conduct of future operations. Examples of these papers should be transmittal letters which do not contain information supplementing the document it transmits, notices of meetings, visits, charity drives, interoffice memorandums, papers accumulated for background purposes used in the preparation of survey reports, and copies of letters and other documents addressed to or received by an office other than the addressee which required no action.
- b. Reference papers when needed for 60 days or less will not be inter-filed in other files.
- c. Disposition instructions – to be destroyed when they no longer serve a purpose.

16. Working Documents (i.e., Working Drafts) – Department Files:

Are files which need to be referenced on an ongoing basis, are related to a work in process (e.g., a study or construction project) or are to be destroyed in 60 days or less per adopted District policy. Generally, working papers/documents should not be forwarded to the RRC.

17. Modifications:

Except for the records retention schedule, this manual may be modified by the District Manager to further the purpose of the records management system as identified on pages one (1) through four (4) of this document.

## ***Nipomo Community Services District's Record Management System***

### **CHAPTER II**

#### ***FUNCTIONS AND DUTIES OF THE RECORD RETENTION CENTER (RRC)***

Under general direction of the District Manager, in addition to their other duties, the RRC personnel will:

1. Preserve records as determined by the responsible department (in the retention schedule) and systematically eliminate all other records; provide records reference service and be responsible for the Central Files for the Nipomo Community Services District.
2. Manage an RRC for the orderly storage, care, management, and safeguarding of "storage records" of the departments and offices of the Nipomo Community Services District.
3. Notify department heads when records in storage are available for destruction and process the proper documents through the department head, District legal counsel, and any other required approving authority.
4. Furnish any record or volume of records entrusted to the Records Retention Center (RRC) when called upon by the departments.
5. Provide intended customer service to departments in the preservation and management of their storage records.
6. Transfer and index records for proper placement in the Records.
7. Remove records from the RRC for destruction in accordance with the retention schedule.

## ***Nipomo Community Services District's Record Management System***

### **CHAPTER III**

#### ***FILES MAINTENANCE, RETENTION, STORAGE AND DESTRUCTION***

##### **1. PURPOSE**

The purpose of a files management program is to provide guidelines for District departments concerning files maintenance, retention, storage, and destruction. The main objectives of the program are to increase the usefulness of the record by preserving only the material that is truly essential or desirable, and to make that information quickly accessible by accurate classification of the file.

##### **2. PREPARATION OF TEMPORARY FILES FOR TRANSFER TO THE RECORD RETENTION CENTER (RRC)**

Section 60201 of the California Government Code requires special districts and their agents to retain records for a minimum of two years unless otherwise required by law. The total time of retention is determined by the file retention needs of the various departments.

- a. When transferring inactive temporary files to the RRC, the department must submit a Records Transmittal form. The nature of the file will dictate whether it falls within a general category (File Plan) which refers to the broad classification of a subject, or a specific subject which refers to a particular matter within a general category. This information must appear on the Records Transmittal form. Selection of a proper category description is very important for file retrieval purposes. Special care should be taken when filling out the retention and destruction date blanks on the form. The total number of years a record must be retained will be entered in the appropriate space. The number of years to retain the record is determined by the files retention list of the particular department found in the Records Management Manual and Records Retention Schedule ("Manual"). The total retention time is computed from the date of the last entry in the file.
- b. A review of the material in the file should be made to insure the record is complete. If the record is not complete, an effort must be made to obtain missing papers. In addition, all unnecessary materials should be eliminated at this time. These include "reference papers" as explained by the Manual.
- c. The logical assemblage of papers and order within the file is critical in order to enhance its value as an informational tool. A correspondence "chain" consists of the basic paper commencing an action, any replies continuing the action,

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enclosures, and any supporting paper functioning as a part of the whole correspondence action. The papers are assembled in chronological order. If the file history is lengthy, the department may wish to divide the file folder as described below:

1. The basic paper (letter, memorandum, District staff reports, etc.).
  2. Endorsement letter, disposition, comments, in date order.
  3. Replies (letter, memorandum, etc.).
  4. Enclosures in numerical sequence.
  5. Internal actions supporting the actions (studies coordinating actions, etc.).
- d. The files may now be sent to the RRC accompanied by two (2) typed copies of the Records Transmittal form. The third copy is retained by the department as a tracer. A location number is assigned to the file and applied to the first and second copies of the form by the Center. Upon receipt of the second copy, the department may then discard the tracer.

Note: A file which is designated a temporary file will be destroyed per the Retention Schedule. A "T" shall be placed onto both the file and the transmittal form.

### **3. PREPARATION OF PERMANENT FILES FOR TRANSFER TO THE RECORD RETENTION CENTER (RRC)**

Files to be retained permanently as required by law or by a District department may be scheduled for microfilming or imaging, or otherwise stored.

Except as noted below, permanent files will be transferred to the RRC using the same procedure as for temporary files. Failure to comply with these guidelines will mean the rejection of all permanent files sent to the RRC for microfilming/imaging/storage.

- a. When transferring inactive permanent files to the RRC, the department will type out the Transmittal form in the same manner as for temporary files. The destruction date blank of the Transmittal form, however, will not be applicable. The permanent status of the file will be entered in the total retention time space.

Note: A file designated as a Permanent File should have a "P" placed onto both the file and the transmittal form.

### **4. FILE RETRIEVAL**

The RRC will furnish any record to a department upon request. The requesting department will provide the RRC with the necessary file reference number. At the time

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the record is removed, RRC personnel will fill out a Central Files Check-out form in duplicate and attach the original copy of the form to the file. The check-out procedure applies to microfilmed files also.

Outside representatives not employed by the Nipomo Community Services District wishing to request a file of a particular department must be accompanied to the RRC by a member of that department's staff before the file can be released. This assures the department that no confidential material is released without the necessary approval. Requests for certain records normally accessible under the California Public Records Act may require the advance approval of the District's legal counsel.

### **5. DESTRUCTION OF FILES**

a. Temporary Files: At the beginning of each calendar year, the RRC personnel will review those records whose retention period has expired, and which are no longer needed for legal, administrative, fiscal, historical, or research purposes per the retention schedule. The RRC will submit a "Destruction of Temporary Records Notice" to the department concerned for department head approval. The departments are asked to approve the destruction notice as quickly as possible in order to avoid receiving subsequent notices on the same files. The RRC will request approval for the destruction of the expired files in accordance with the following procedure:

1. A "Destruction of Temporary Records Notice" form will be typed in triplicate by the RRC.
2. An original and one copy will be forwarded to the department or office concerned for department head signature. The destruction notice will then be sent to the District Manager and the District's legal counsel for co-signatures.
3. The RRC will retain the third copy of the destruction form as a tracer copy and attach it to the transmittal slip(s). This tracer copy will be discarded by the RRC only after it has received the first two copies of the notice with the required signatures.
4. Upon receipt of the approved "Notice", the file copy of the Records Transmittal will be attached to the destruction slip and placed in a pending file until the record is destroyed.
5. Upon destruction of the records, the duplicate copy of the form will be returned to the department or office involved.

Note: If the department does not respond in writing within thirty (30) days ("Notice to Destroy"), the document will be destroyed.

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- b. Permanent Files: Permanent files are destroyed only if the files have been microfilmed/imaged (read only) and the film record edited, duplicated and permanently stored. When this is accomplished, the RRC will prepare a "Destruction of Microfilmed Records Notice" in triplicate, and follow the destruction procedure as outlined in the destruction of temporary files procedure.
- c. Destruction of Files Held by the Department: The destruction of temporary records (as opposed to the periodic weeding out of files) is the total elimination of a file or record. Temporary records held by the department and not in the RRC will require a "Destruction of Records Not Sent to RRC" notice typed in duplicate by the department. The original copy of the notice must be sent to the department head. The District Manager and the District's legal counsel for approval signatures. The second copy is held by the department as a tracer copy and may be discarded when the signed original is received from the District legal counsel's office.
- d. Destruction of Confidential Files: "Confidential" records or files are those which are exempt from disclosure under the California Public Records Act, (Government Code §6250 et seq.), under any other provision of law establishing a privilege or confidentiality as to such records, or those designated as confidential by the department from which such records originate.

All files of a confidential nature will be destroyed by shredding only. Retention requirements and the destruction procedure also apply to confidential files. All District departments will follow the destruction of confidential files procedure outlined below only after the proper destruction notices have been completed and approved. These guidelines apply to records stored in a department and not in the RRC.

- 1. If a department has a large volume of confidential records to destroy, arrangements for pick-up of the records by an outside agency must be made through the RRC. An individual from the department, designated by the department head, must accompany the records to the site of destruction to witness the total destruction of the files. Only after watching the destruction process of the records may the witness sign and date the destruction notice.
- 2. If a department has a small volume of files to destroy, the files may be destroyed by a designated individual from the department on the District's own shredder. After shredding the files, the individual may sign and date the destruction notice.

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### **CHAPTER IV**

#### **RECORDS RETENTION SCHEDULE & FILE PLAN**

##### **1. PURPOSE**

The purpose of the schedule is to provide a guide for the periodic destruction of records that have outlived their usefulness to the District from a legal, operational, and administrative standpoint.

##### **2. BOARD OF DIRECTORS' APPROVAL**

Board of Directors' approval of this Records Management Manual by Resolution constitutes authority to dispose of records listed herein without further reference to the Board of Directors.

##### **3. SCHEDULE**

The schedule is arranged in alphabetical order (File Plan) by responsible department according to record title. The schedule only covers records and does not provide a retention for non-records. All records need approval for destruction (see Chapter III). Non-records on the other hand do not need formal approval for destruction and may be destroyed when they are no longer of value and have served their purpose. Non-records are reference papers (see Chapter I, #15), notes, working papers, publications, catalogs, outdated forms, and other similar materials, which are of no use to the department in relation to the duties which it performs and is not required to support or substantiate any District transactions. Duplicate copies of records may be destroyed without formal approval provided the information is contained on original copies which are retained, the only exceptions to this are noted on the schedule. All other documents are records. Any doubt as to whether a document is a record or not should be resolved by describing the document as a record or, if many similar documents are in question, the District legal counsel's office should be asked for advice.

##### **4. RETENTION:**

The retention represents that amount of time the record is required to be kept after it has become inactive. For example, if a record of a project begun in 1995 and completed in 1999 was required to be kept for two (2) years, it could be destroyed after 2001. All numbers refer to years unless otherwise indicated. The retention periods are as follows:

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- a. Legal Minimum: Number of years the record is required to be retained under state law and for legal purposes. Generally, the minimum is as follows:

	<u>Type of Record</u>	<u>Legal Minimum</u>
1.	The originals of ordinances, resolutions and minutes of the Board of Directors, boards, and commissions:	Permanent
2.	Records affecting the title to real property, easements or liens thereon:	Permanent
3.	Court records:	Permanent
4.	Bonds and coupons that have been previously paid or cancelled:	5 Years
5.	Other original records:	2 Years
6.	Federal and state financed projects:	5 Years

The above guidelines establish the minimum legal retention time as required by state law, however, departments may have additional requirements for inactive records imposed by state law. Retention beyond the legal limitation is a matter of District policy to be based on the continuing need for the document.

- b. Department Minimum: Number of years or other time as stated that the records must be retained before it can be destroyed as determined by the department in consultation with the District Manager.

5. **RETENTION CODES:**

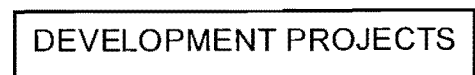
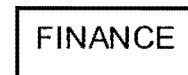
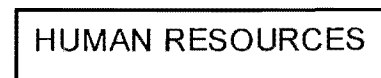
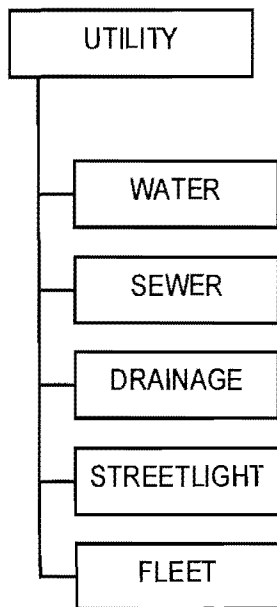
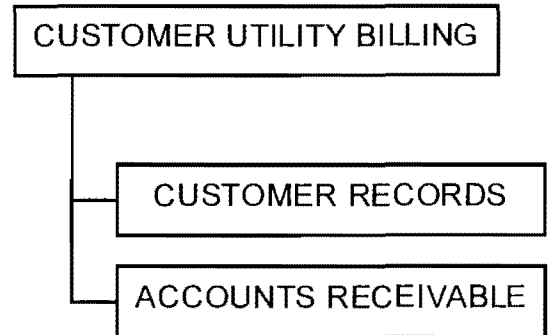
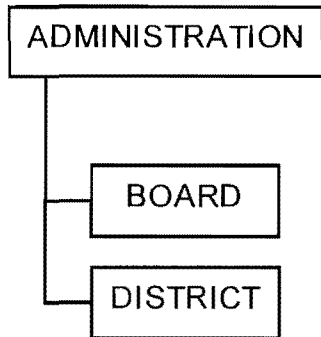
The codes used in the "Retention" columns are explained below:

- a. P – Permanent
- b. T – Temporary; the record is kept until it serves its purpose as determined by the department.
- c. I – are documents that will be imaged when funding is available to undertake the work.



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**FILE PLAN OVERVIEW**



***Nipomo Community Services District's Record Management System***

**ADMINISTRATION - BOARD FILE PLAN**

Permanent Records

1. Ordinances
2. Resolutions
3. Agendas
4. Board Minutes
5. District Code
6. Conflict of Interest Code
7. Board By Laws
8. Election results
9. Board of Directors-Oaths of Office and Statements of Economic Interests
10. Claims against the District-releases and settlements
11. Lawsuits-releases and settlements
12. Statement of facts - Roster of Public Agency Filing
13. Recorded documents
14. Deeds/leases (all finalized property acquisition/disposition records)
15. Annexations/De-Annexations
16. Policies and Procedures
17. Confidential and attorney-client privileged documents

Records to be retained for specific period (years)

	Legal	NCSD
1. Administration	2	2
2. Staff Reports and agenda packets	2	5
3. Audio/video tape recording of meetings	90 days	90 days

**FILE PLAN**

***Nipomo Community Services District's Record Management System***

**ADMINISTRATION - DISTRICT FILE PLAN**

Permanent Records

1. Policy and Procedures
2. Confidential and attorney-client privilege documents
3. Record Retention and Destruction Notices

Records to be retained for specific period (years)

	Legal	NCSD
1. Administration	2	2
2. Telephone call logs	2	2
3. Public Document Requests	2	2

**FILE PLAN**

***Nipomo Community Services District's Record Management System***

**UTILITY-WATER FILE PLAN**

Permanent Records

1. DHS Permits
2. Production and Consumption Reports
3. Well Depths
4. Well Development
5. Cathodic Protection
6. District installed improvements
7. Reimbursement Agreements
8. Operation and Maintenance Manuals
9. Distribution system-as built, topography and aerial maps
10. Policies and Procedures
11. Agreements
12. Retrofit Program
13. Fire hydrant and valve Inventory
14. Confidential and attorney - client privileged documents

Records to be retained for specific period (years)

	Legal	NCSD
1. Administration	2	2
2. Maintenance Records	2	5
3. Water Sampling Results and Reports	2	5
4. Backflow test results	2	5
5. Annual Reports:	2	5
a. Office of Drinking Water		
b. State Water Quality Control Board Reports		
c. Water Quality Reports		
d. Enforcement Letters		
e. SLO County		
6. Rate Surveys	2	5
7. SCADA Records	2	5

Note: When documents relate to both water and sewer (i.e. water and sewer master plan, rate study) the documents will be filed in the Water Department with a cross reference in the Sewer Department.

**FILE PLAN**

***Nipomo Community Services District's Record Management System***

**UTILITY-SEWER FILE PLAN**

Permanent Records

1. Discharge Orders
2. District installed improvements
3. Monitoring Well Development
4. Lift Station Development
5. Operation & Maintenance Manuals
6. Collection system-as built, topography and aerial maps
7. Agreements
8. Reimbursement Agreements
9. Policies and Procedures
10. Original sewer system-listing of volunteers and non-volunteers
11. Confidential and attorney - client privileged documents

Records to be retained for specific period (years)

	Legal	NCSD
1. Administration	2	2
2. Maintenance Records	2	5
3. Sewer Sampling Results and Reports	2	5
4. Annual Discharge Reports	2	5
5. Rate Surveys	2	5
6. SCADA Reports	2	5

Note: When documents relate to both water and sewer (i.e. water and sewer master plan, rate study) the documents will be filed in the Water Department with a cross reference in the Water Department.

**FILE PLAN**

***Nipomo Community Services District's Record Management System***

**UTILITY-DRAINAGE FILE PLAN**

Permanent Records

1. Resolutions
2. Maps
3. Policies and Procedures
4. Confidential and attorney - client privileged documents

Records to be retained for specific period (years)

	Legal	NCSD
1. Administration	2	2
2. Maintenance Records	2	5

**FILE PLAN**

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**UTILITY-STREETLIGHT FILE PLAN**

Permanent Records

1. Resolutions
2. Streetlight Maps
3. Policies and Procedures
4. Confidential and attorney - client privileged documents

Records to be retained for specific period (years)

	Legal	NCSD
1. Administration	2	2
2. Public Notices of Hearings and Staff Reports	2	5
3. County Tax Roll	2	5

**FILE PLAN**

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**UTILITY-FLEET FILE PLAN**

Permanent Records

1. Policies and Procedures
2. Confidential and attorney - client privileged documents

Records to be retained for specific period (years)

	Legal	NCS D
1. Administration	2	2
2. Safety Checks	2	Life of ownership of vehicle
3. Maintenance Logs	2	Life of ownership of vehicle
4. Smog Checks	2	Life of ownership of vehicle

**FILE PLAN**



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**CUSTOMER UTILITY BILLING FILE PLAN**

**CUSTOMER RECORDS**

Permanent Records

1. Application Cards
2. Work Orders
3. Cash Receipts other than utility billing (i.e. capacity fees)
4. Policies and Procedures
5. Confidential and attorney-client privileged documents

Records to be retained for specific period (years)

	Legal	NCSD
1. Administration	2	2
2. Water/Sewer Utility Billing Stubs	2	2
3. Payment Arrangements	2	2
4. Liens & Releases	2	2
5. Work Order Log Books	2	2
6. Customer Complaints/Resolutions	2	2

**ACCOUNTS RECEIVABLE**

Permanent Records

1. Policies and Procedures
2. Confidential and attorney-client privileged documents

Records to be retained for specific period (years)

	Legal	NCSD
1. Administration	2	2
2. Accounts Receivable-computer generated ledgers and reports	5	5

**FILE PLAN**

**Nipomo Community Services District's Record Management System**

**FINANCE FILE PLAN**

Permanent Records

1. Audits-Annual Audit of District Records
2. Annual Report of Financial Transactions of Special Districts
3. Appropriation Limitations
4. Insurance Policies
5. Investment Policies
6. Bank Contracts
7. Deferred Compensation-457 Plan
8. Inventory of Fixed Assets (current)
9. Policies and Procedures
10. Confidential and attorney - client privileged documents

Records to be retained for specific period (years)

	Legal	NCSD
1. Administration	2	2
2. Accounting Records including Financial Statements, General Ledger, Adjusting Journal Entries and all other working papers used in preparation of the Financial Statements	2	5
3. Accounts Payable Invoices	2	5
4. Annual Budgets and working papers	2	5
5. Payroll including timesheets, reports, deductions and registers	5	5
6. Forms W-2, 1099, 941, DE3	5	5
7. Bank Statements and canceled checks	5	5
8. Assessment Districts		Duration of the Assessment
9. State Revolving Fund Loans		Duration of the Loan
10. Rate Studies, Replacement Studies and Capital Improvement Plans	2	5
11. Bids and agreements for purchase/surplus of equipment or services	5	5

**FILE PLAN**

**Nipomo Community Services District's Record Management System**

**HUMAN RESOURCES FILE PLAN**

Permanent Records

1. Employee Personnel Records (Active) (See listing below)
2. Personnel Rules and Regulations
3. Salary Step Plan
4. Contracts for PERS and 457 Deferred Compensation Plan
5. Policies and Procedures
6. Confidential and attorney - client privileged documents

Records to be retained for specific period (years)

	Legal	NCSD
1. Administration	2	2
2. Employee Personnel Records (Inactive) (See listing below)	5	5
3. Recruitment	2	2
4. Safety including Accident Reports Safety Committee Meetings and Minutes	5	5

ITEMS TO BE INCLUDED IN THE EMPLOYEE PERSONNEL RECORDS

- Application Form
- W-4
- Form I-9
- Employee Acknowledgements
- PERS Enrollment Form (if applicable)
- Medical/Dental Enrollment Forms (if applicable)
- Employment Contract (if applicable)
- Copy of Drivers License
- DMV Pull Program
- Copies of Certifications (if required for employment)
- Salary History
- Safety Awards
- Injury and Illness (Workman's Compensation)
- Letters of commendation
- Vacation and Sick Accruals
- Employee Evaluations and responses
- Employee Grievances and/or appeals
- Verifications of Employment
- Exit Interview

**FILE PLAN**

***Nipomo Community Services District's Record Management System***

**DEVELOPMENT PROJECTS FILE PLAN**

Permanent Records

1. Tract Books-Completed Projects (See list below)
2. Tract Maps-As Builts, topography and aerial photos/maps
3. Policies and Procedures
4. Confidential and attorney - client privileged documents

Records to be retained for specific period (years)

	Legal	NCSD
1. Administration	2	2
2. Projects denied service or expired at SLO County	2	5

ITEMS TO BE INCLUDED IN TRACT BOOKS

- Tract Book Checklist
- District correspondence
- Engineer correspondence
- Board Actions (i.e. Intent-to-Serve and Will-Serve Letters, Resolutions of Acceptance, Board Minutes)
- Fees (computation of fees and payment of fees)
- Agreements (i.e. Plan Check & Inspection, Easements, Offers of Dedication)
- Inspections
- Plans and maps

**FILE PLAN**

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: DECEMBER 15, 1999

AGENDA ITEM

DEC 15 1999

6

CANCEL JANUARY 5, 2000 MEETING

**ITEM**

Cancel January 5, 2000 Board meeting.

**BACKGROUND**

Following the Regular Board Meeting to be held on December 15, 1999 begins the holiday season. Historically, business slows considerably. Because of this and a number of staff being on vacation, it is recommended that the Board meeting of January 5, 2000 be cancelled. If any activities develop within the next two weeks that require appropriate Board action, the President of the Board will be contacted and a meeting can be called for January 5<sup>th</sup>.

**RECOMMENDATION**

Staff recommends that the Regular Board Meeting of January 5, 2000 be cancelled.

C:\W:\Bd99\Cancel Jan 5, 2000.DOC



TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: DECEMBER 15, 1999

ELECTION OF BOARD OFFICERS

**ITEM**

Annual election of the President and Vice President of the Board of Directors

**BACKGROUND**

Adopted By-Laws of the Board of Directors Paragraph 1.4 require that at the last meeting of the calendar year, the Board shall elect a President and a Vice President for the upcoming year.

**RECOMMENDATION**

Recommended Procedure:

- a. Nominations taken for President.
- b. Vote for President.
- c. President is selected.
- d. Nominations taken for Vice-President.
- e. Vote for Vice President.
- f. Vice President is selected.
- g. The President and Vice President's term of office will begin January 1, 2000.

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: DECEMBER 15, 1999

#### CONSENT AGENDA

A Consent Agenda is established as a time-saving mechanism to approve a number of administrative items the Board may consider in a group. These items are non-controversial and administrative in that aspect. Any one of the Board members may pull any one of the items in the Consent Agenda to be discussed individually.

- a) WARRANTS (APPROVE)
- b) BOARD MEETING MINUTES (APPROVE)  
Approval of minutes of the December 1, 1999 Regular Board meeting.
- c) NOTICE OF COMPLETION (APPROVE)  
File Notice of Completion for the Thompson/Tefft water line and storage facility

WARRANTS DECEMBER 15, 1999

HAND WRITTEN CHECKS

18227	DANA PROPERTIES	205.90
18228	DOUG JONES	300.00
18229	P E R S RETIREMENT	1,809.23

COMPUTER GENERATED CHECKS

11325	12/01/99	ADVANTAGE ANSWERING PLUS	\$103.95
11326	12/01/99	BERCHTOLD EQUIPMENT CO.	\$197.36
11327	12/01/99	BLUEPRINT EXPRESS	\$48.50
11328	12/01/99	COMMUNICATIONS SOLUTIONS	\$407.43
11329	12/01/99	GTE CALIFORNIA	\$26.76
11330	12/01/99	MID STATE BANK-MASTERCARD	\$983.95
11331	12/01/99	NIPOMO SHELL	\$1,067.23
11332	12/01/99	P G & E	\$21,947.81
11333	12/01/99	CALPERS HEALTH BENEFIT DIVISION	\$2,896.46
11334	12/01/99	PIONEER EQUIPMENT CO.	\$147.52
11335	12/01/99	SOUTHERN CALIF GAS COMPANY	\$50.64
11336	12/01/99	UNION ASPHALT, INC.	\$376.05
11337	12/15/99	ALL PURE CHEMICAL CO	\$713.55
11338	12/15/99	ROBERT BLAIR	\$100.00
11339	12/15/99	CALIFORNIA APPLIED TECHNOLOGIES	\$889.67
11340	12/15/99	CHEVRON	\$66.55
11341	12/15/99	COAST ROCK PRODUCTS, INC.	\$111.10
11342	12/15/99	COMMUNICATIONS SOLUTIONS	\$270.00
11343	12/15/99	FGL ENVIRONMENTAL ANALYTICAL CHEMIST	\$179.20
11344	12/15/99	GARING, TAYLOR & ASSOCIATES, INC.	\$8,866.85
11345	12/15/99	GEO SOLUTIONS, INC.	\$1,400.90
11346	12/15/99	GILLESPIE LANDSCAPE	\$217.00
11347	12/15/99	GMAC COMMERCIAL MORTGAGE	\$4,725.00
11348	12/15/99	GTE CALIFORNIA	\$26.69
11349	12/15/99	GROENIGER & COMPANY	\$77.93
11350	12/15/99	GENE KAYE	\$100.00
11351	12/15/99	ALEX MENDOZA	\$100.00
11352	12/15/99	MISSION UNIFORM SERVICE	\$194.27
11353	12/15/99	MOBRAATEN, RICHARD	\$100.00
11354	12/15/99	NIPOMO ACE HARDWARE, INC.	\$26.00
11355	12/15/99	NIPOMO GARBAGE COMPANY	\$54.75
11356	12/15/99	POSTMASTER	\$500.00
11357	12/15/99	POSTALIA, INC.	\$8.31
11358	12/15/99	PRECISION JANITORIAL SERVICE	\$135.00
11359	12/15/99	RENCO GENERAL ENGINEERING	\$250.00
11360	12/15/99	SANSONE, INC.	\$375,665.49
11361	12/15/99	ALBERT SIMON	\$100.00
11362	12/15/99	SOUTHERN CALIF GAS COMPANY	\$1,758.41
11363	12/15/99	STATEWIDE SAFETY & SIGNS, INC.	\$14.91
11364	12/15/99	TERMINIX INTERNATIONAL	\$42.00
11365	12/15/99	WILSON, LEE ELECTRIC COMPANY	\$608.23

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## NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

DECEMBER 1, 1999 7:00 P.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

DRAFT

**BOARD MEMBERS**

ROBERT BLAIR, **PRESIDENT**  
 GENE KAYE, **VICE PRESIDENT**  
 AL SIMON, **DIRECTOR**  
 RICHARD MOBRAATEN, **DIRECTOR**  
 ALEX MENDOZA, **DIRECTOR**

**STAFF**

DOUGLAS JONES, **GENERAL MANAGER**  
 DONNA JOHNSON, **SECRETARY TO THE BOARD**  
 JON SEITZ, **GENERAL COUNSEL**

**NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.**

**CALL TO ORDER AND FLAG SALUTE**

## 1. ROLL CALL

President Blair called the meeting to order at 7:00 p.m. and led the flag salute.  
 At Roll Call, all Board members were present.

**PUBLIC COMMENTS PERIOD**

## 2. PUBLIC COMMENTS

President Blair opened the meeting to Public Comment. No one responded. After Item 3 began, Mr. Gillespie arrived and asked to speak.

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

## 3. WATER SUPPLY FOR NEW HIGH SCHOOL

Lucia Mar School District requests to discuss potential options for providing the required water supply to the new high school.

The District received a request for Nancy DePue, Superintendent of the Lucia Mar School District to be placed on the agenda to discuss potential options for providing the required water supply to the new high school.

Staff reviewed the new high school EIR with respect to a water supply. Staff reviewed why NCSD adopted its annexation policy, the June '99 DWR report indicating a negative water balance and why the ground water flow to the Santa Maria Valley has been reversed. Continuing mining of the water basin may reverse the flow now going to the ocean.

During this agenda item, the following members of the public spoke:

Bill Senna, Lucia Mar Unified School District - spoke in favor of using the Dana School Well as a source of water rather than the retrofitting program

Dean Derlith, from Best, Best and Krieger Legal Counsel for Lucia Mar Unified School District - Spoke on behalf of the school and answered questions.

Perry Judd, Maintenance Supervisor of Lucia Mar School District - Spoke about the time table requirements for the Dana Well.

Donna Melschau - spoke in favor of using the Dana Well and stated the school signed up for the retrofit program because the remaining retrofits were on a first come-first serve basis.

John Snyder, 662 Eucalyptus, Nipomo - handed the Board a two-page letter regarding the Board letter for Item 3 of the Dec. 1, 1999 meeting. He spoke against the retrofit program.

Director Mobraaten made a motion (based on Outside User Agreement 3.16.10 the District Board of Directors authorized water service to parcels outside the District boundaries) to authorize water service to the high school outside our District boundaries based on our finding that it is a benefit to the District and the community, such as the applicant providing the District with a water source, probably the Dana School Well, and if necessary, borrow

**MINUTES SUBJECT TO BOARD APPROVAL**

**DRAFT**

ITEM 3 CONTINUED

the water required from some future development and this total is based on the two staff attorneys coming to an agreement. Director Kaye seconded the motion. District Counsel, Jon Seitz asked questions to clarify the motion. (Mr. Seitz restated motion to be - to refer to our water law attorney for an opinion on various options of developing the Dana Well Site as a primary source for the {School} District supplying its water supply.) Roll Call vote 5-0.

**PUBLIC COMMENTS PERIOD**

2. PUBLIC COMMENTS

After Item 3 was completed, Public Comment period was opened again.

Scott Gillespie - 259 Summit Station Rd, Nipomo - Said his house was built in 1996 and pressure was normal. Pressure has been getting worse. He requested his complaint be put on the record. He requested a copy of pressure reports from the chart recorder placed at his home and he requested the minutes of this meeting.

Mary Holder - 234 Summit Station Rd., Nipomo - gave definition of a water meter as measuring water and air.

Director Kaye asked that the comments of Ms. Holder and Mr. Gillespie be entered into the minutes.

4. PRIMARY ELECTIONS

Request from County Elections Office to use District facilities as a polling place for the March 7, 2000 Primary Election

The District received a request from the County Elections Office to use District facilities as a polling place for the March 7, 2000 Primary Election. There were no public comments.

Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approved the request and specified to charge the fee of \$20.00. Roll Call Vote 5-0.

5. REPLACEMENT OF PB WATER SERVICES

Request to go to bid to replace existing PB water services

Staff requested to go out to bid to replace polybutylene water services. The funding of the project will be discussed prior to the award of the contract if the settlement monies have not been received. There were no public comments.

Upon motion of Director Mobraaten and seconded by Director Simon, the Board unanimously approved the request to go to bid to replace approx. 325 existing PB services. Roll Call Vote 5-0.

**MINUTES SUBJECT TO BOARD APPROVAL**

**DRAFT**

6. **CONSENT AGENDA** *The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the consent agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.*
- a) WARRANTS (APPROVE)
  - b) BOARD MEETING MINUTES (APPROVE)  
Approval of minutes of the November 17, 1999 Regular Board meeting
  - c) OFFER OF WATER AND SEWER EASEMENT (TRACT 1712) (APPROVE)  
Acceptance of water & sewer line easement/Tract 1712 (Hazel Lane & Tefft St.)

**RESOLUTION 99-714  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ACCEPTING WATER AND SEWER EASEMENTS (TRACT 1712)  
AND APPROVING DOCUMENT FOR RECORDING**

There were no public comments.

Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously approved all items on the Consent Agenda.

**OTHER BUSINESS**

7. **MANAGER'S REPORT**

General Manager, Doug Jones, presented information on the following items:

- 1. STATUS CSA-1F SEWERS CONNECTING TO DISTRICT
- 2. STATUS OF MONTECITO VERDE II CONNECTING TO DISTRICT
- 3. LETTER FROM TEMPLETON CSD RE: PLANNING & ZONING AD HOC COMMITTEE  
Legal Counsel, Jon Seitz, explained some of what Templeton has planned. The Board directed staff to put this item on the next agenda.

4. **CSDA CALENDAR OF EVENTS**

8. **DIRECTORS COMMENTS**

Director Mobraaten asked about the project Boyle is working on concerning Summit Station. Mr. Jones stated Boyle is scheduling a meeting next week.

The Replacement Study Draft Report will be delivered next week.

Director Blair commented about a local winery expanding its operation.

Director Kaye announced the next Nipomo Advisory Counsel meeting would be Dec 9 at 6:00 p.m.

Legal Counsel stated that there was no need to go into Closed Session

**ADJOURN**

President Blair adjourned the meeting at 8:46 p.m.

**MINUTES SUBJECT TO BOARD APPROVAL**

AGENDA ITEM  
DEC 15 1999



TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: DECEMBER 15, 1999

NOTICE OF COMPLETION  
THOMPSON/TEFFT WATER LINES AND STORAGE FACILITY

**ITEM**

Approving Notice of Completion for the construction of new Thompson/Tefft water lines and storage facility.

**BACKGROUND**

Sansone Construction Company was awarded the contract to construct new waterlines in Sea, Thompson and Tefft Streets to the District water storage facilities at Dana-Foothill Road and construct a new water tank at this site. The work is now completed. Filing a Notice of Completion of the construction work is in order.

**RECOMMENDATION**

It is staff's recommendation that the Board approve the Notice of Completion and authorize the General Manager to file the Notice of Completion for the Thompson/Tefft water lines and storage improvements.

C:\W:Bd99\Waterline complete.DOC

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

NIPOMO COMMUNITY SERVICES DISTRICT  
P.O. Box 326  
Nipomo, CA 93444

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion.

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is **Nipomo Community Services District**
3. The full address of the owner is **Post Office Box 326  
Nipomo, CA 93444**
4. The nature of the interest or estate of the owner is: **In fee.**

(If other than fee, strike "In fee" and insert, for example, "purchaser under contract of purchase," or "lessee")

5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

NAMES

ADDRESSES

**Nipomo Community Services District**

**P O Box 326, Nipomo, CA 93444**

6. A work of improvement on the property hereinafter described was completed on **December 15, 1999** The work done was:  
**Construction of new water lines and storage facility.**

7. The name of the contractor, if any, for such work of improvement was **Sansone Construction Co..**

8. The property on which said work of improvement was completed is in the city of **Nipomo**

County of **San Luis Obispo** State of **California**, and is described as follows: **Construction of water lines and storage facility.**

9. The street address of said property is \_\_\_\_\_

Dated: \_\_\_\_\_  
Verification for Individual Owner

\_\_\_\_\_  
Signature of owner or corporate officer of owner  
named in paragraph 2 or his agent

### VERIFICATION

I, the undersigned, say: I am the \_\_\_\_\_ the declarant of the foregoing  
(“President of”, “Manager of”, “A partner of”, “Owner of”, etc.)

notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_, California.  
(Date of signature) (City where signed)

\_\_\_\_\_  
(Personal signature of the individual who is swearing that the contents of  
the notice of completion are true.)

TO: BOARD OF DIRECTORS  
FROM: DOUG JONES  
DATE: DECEMBER 15, 1999

MANAGER'S REPORT

1. US NEWS ARTICLE ON SUN SPOTS AND DROUGHTS

The attached article is from the U. S. Water News which discusses the drought situation presently underway in the west.

2. PUBLIC HEARING - WIDOW LANE REIMBURSEMENT

The District sent out the Public Hearing Notices for the Widow Lane Reimbursement. This is an information item only.

3. SDRMA VIDEO

The District would receive a 1% reduction in its insurance premium if the Board reviews their 20-minute video. If time restraints are such, this viewing can be extended to a future meeting where time will permit.

MGR 121599

## P O T P O U R R I

# The California Global Warming Catastrophe

If you plan to be in California in the year 2050, better watch out. A new report from a group of California scientists concludes that global warming will bring a host of catastrophes to the state in the coming century.

Among the possible scenarios for the late great state, the scientists warn, are more warm, wet winters that could bring both flooding and water shortages in the same year, more and bigger landslides, catastrophic wildfires, deforestation of the Sierras, outbreaks of exotic diseases, a decline in coastal marine life, and a population boom in rats.

"Many of the places we know and love in California are vulnerable to a changing climate," said the report's lead author, Chris Field, a plant biologist at the Carnegie Institution at Stanford University. "A variety of changes are coming, and many will have profound ecological and economic consequences."

Sponsored by the Union of Concerned Scientists and the Ecological Society of America, the two-year study is a collaborative effort by scientists from Stanford, Lawrence Livermore Laboratory, the University of California at Santa Barbara and the Carnegie Institution of Washington. It was based on new climate computer models.

But some climatologists have questioned the study, warning that even the best climate computer models are unreliable when it comes to predicting the regional impacts of global warming.

The report states that California winter temperatures are expected to rise 5 to

6 degrees and that summer temperatures will climb 1 to 2 degrees by 2030 to 2050. And the warmer temperatures bode ill for California, the scientists say.

Among the possibilities:

■ California could experience simultaneous floods and water shortages. There will be more wet El Nino years, but most of the precipitation will fall as rain, not snow. The heavy storms would require that floodgates remain open to prevent dam failures. But with scant snowpack, reservoirs would not be able to fill back up.

■ Urban water shortages could become commonplace due to reduced supplies from reservoirs. And water deliveries to agriculture could be severely curtailed because of short supplies, seriously affecting the Central Valley's economy.

■ Heavy El Nino rains could increase the frequency of rodent population booms, contributing to outbreaks of hantavirus, a microbe associated with mice that has been responsible for human fatalities in the Southwest.

■ Catastrophic wildfires are likely to increase, particularly in the southern part of the state.

■ The report predicts that California's natural heritage will suffer if temperatures rise significantly. Forests will tend to migrate northward, replaced in their southern ranges by brush or grass. This could result in the degradation of many of the state's remaining old-growth forests. Wildlife populations could experience increasing stress because of habitat

destruction.

■ Reduced summer runoff would harm coastal and Sacramento River salmon runs and increase salinity in San Francisco Bay, adversely affecting estuarine fish. Expected warming of offshore waters would reduce plankton, weakening the bottom rung of the marine food chain. This could devastate game fish, sea birds and marine mammals.

But while scientists are reasonably confident about sophisticated computer modeling projections at the hemispheric and continental scale, they are much less confident at the regional level.

Peter Stone, a professor of climate dynamics at the Massachusetts Institute of Technology, says while the report's temperature ranges are correct, the accuracy of the overall results is uncertain.

"I'm not saying their predictions won't happen, but they're speculative," said Stone. The best authority on global warming predictions, said Stone, is the Inter-governmental Panel on Climate Change, established in 1988 by the United Nations and the World Meteorological Organization.

They issue assessments every five years; the last one was in 1996. It concluded that there is greater confidence in climate projections on the hemispheric and continental scale than in regional projections, where the panel concluded "confidence is low." The panel also said it had more confidence in temperature projections than in projections of what the changes will bring about.

# Sunspot activity is producing the classic drought pattern in U.S.

In December of 1951, a meteorology professor from the Massachusetts Institute of Technology addressed the National Academy of Science in New York City. The subject of his speech was a recently published article entitled, "An Extrapolation of Sunspot-Climate Relationships." In the article, the author, Hurd Willett, suggested that patterns of weather and

what is known as the Hale cycle.

The Hale cycle is not difficult to understand. Sunspot cycles average close to 11 years. The Hale cycle includes two of these eleven year cycles. During the first half of the Hale cycle, the sun's northern hemisphere is positively charged; during the second cycle, it is negatively charged. Sometime early in the year 2000, the sun

in the coming months and years, upper wind flow becomes less stress, or "zonal" in the meteorological lexicon. What this means is generally more east to west flow, and fewer high and low pressure systems that cause unusual weather.

But here again, Willett defined differing conditions based on the general level of sunspot activity. During periods of relatively high sunspot activity, such as the one we are presently experiencing, the storm tracks stay at relatively northerly latitudes, even during zonal flow. Activity has been fairly high since 1986 or so, and as evidence of the northerly storm tracks, Devil's Lake in North Dakota is at the highest level ever recorded. Willett defined such periods as "high latitude zonal" (HLZ).

During periods of quieter sunspot activity, the storm tracks tend to slip

history repeats itself, the West will be dry and the East stormy. Already this year, Charley Perry tells me Kansas and Colorado have experienced one of the longest dry periods in history. The same is true of the Great Basin and Utah. A world cup ski race scheduled in Park City, Utah this year in late November may be canceled. Not only has the snowfall been scant, it has been too warm in the mountains to even allow the manufacture of adequate man-made snow.

During the coming months, after what may be a tempestuous spring, the jet stream may be expected to gradually flatten, and during the next 15 or so years, move south bringing the storm track with it.

A guess based on the ideas of Willett, Charles Perry, and a graph interpreter named Dale Hawkins in Utah,

flooding will be in store during the years 2004 and 2005. Frequently, the Mississippi floods five years after a sunspot peak. The Great Salt Lake floods in a somewhat similar manner, and Dale Hawkins expects it to reach its greatest recorded size sometime during the next decade.

Should you wish to track the present sunspot peak, see a graph of sunspot history, and even read something about possible weather connections, there is now a web site available. The address is [www.spacesciences.com/se/20feb98isksun/](http://www.spacesciences.com/se/20feb98isksun/). A word of warning, you'll want at least 16 Mb of RAM and preferably 32 Mb.

## Weather Observer by Clifford Nielsen

climate are predictable on the long-term based on the phase of the Hale 22-year sunspot cycle.

The idea was more than a little controversial, so controversial that Willett did not return to his hotel room until after his wife had retired to bed. The meeting had been scheduled to end at 6:00 P.M. But questions from the audience lasted until after nine.

The hypotheses presented in "An Extrapolation of Sunspot Climate Relationships" was one that Willett maintained until the end of his life in 1992, and essentially, it is again proving valid with the current seemingly unusual weather in North America.

One of the important weather patterns defined by Hurd Willett was what he described as "stressed" upper atmospheric wind flow. Stressed defines a condition in which the upper, and even lower, atmosphere is defined by strongly defined high and low pressure systems. Stressed atmospheric patterns are most common during the first sunspot peak in

will experience the first peak of a Hale cycle.

Typically, during a stressed pattern, a ridge of high pressure sets up over the western U.S., and storms are shunted north into higher latitudes. The result is a general western drought as happened during the sunspot peaks of 1934, 1955, 1976, and this year. Many western states during 1999 have experienced some of the longest dry spells in history.

But the troughs and ridges also move. And as during this year, a moving ridge can bring record high temperatures to normally cold areas such as New England and the northern plains. Indian summer conditions are much more common when the atmosphere is stressed, as has been the case this year when record high temperatures were recorded in early November in Montana, the Dakotas, and Minnesota.

Willett also defined two other general weather patterns associated with sunspot cycles. Once sunspot activity begins to decline, as can be expected

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*The hypotheses presented in "An Extrapolation of Sunspot Climate Relationships" was one that Willett maintained until the end of his life in 1992, and essentially, it is again proving valid with the current seemingly unusual weather in North America.*

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recorded in 1816 when the corn crop froze twice, once in June, and after being replanted, froze again in September. Sunspot activity was as quiet during that decade as it had been for more than 200 years.

The question to be answered is how will the coming sunspot peak affect weather during the coming year? If



# WATER JOURNAL

THE NEWS OF CALIFORNIA WATER

## Monterey Peninsula Citizens Heartsick Over Water

**Monterey** - John Church told an interviewer from the Los Angeles Times that when he dreamed about the home he would someday build on his two acres high above Carmel Valley, his heart would soar. But now a visit to the hilltop just leaves his stomach tied in knots.

"When I come here I think about what could be, and I get so angry I can't stand it," says Church, 56. "Sometimes I think its best if I don't come at all."

Church's property overlooks chaparral, thick oaks, handsome vineyards, green golf courses and lots of hills. But like many other people, the long-time gas station owner is heartsick over water. He can't get any. And without it, he can't build the house where he hoped to care for his aging father and, someday, retire. He described the sunsets from the place as like neon. "Faulous," he says.

Along the stretch from Pebble Beach to Carmel, hundreds of people are facing similar predicaments. Some can't build retirement homes. Others are prevented from remodeling. The addition single toilet can take an act of two government agencies and the local water company — if it is approved at all.

The rest of the state has seen new housing starts jump sharply in each of the last four years. At the same time, people

see **Monterey Water** page 8

## Monterey Water from page 1

on the peninsula known for its legendary golf courses, a world-class aquarium and a land baron named Clint Eastwood, know that building permits are granted only to those rich enough, inventive enough or patient enough to find water.

The Monterey Peninsula is water-poor not because of Mother Nature, but as the result of a man-made drought. In 1995, following complaints from the Sierra Club, local environmental groups and no-growth advocates, the State Water Resources Control Board (SWRCB) ordered the California-American Water Company to cut back on the amount of water it draws from the Carmel River. Cal-Am, the peninsula's water retailer, was taking more from the river than it had a permit to do so in an effort to fulfill the needs of its customers.

The board's order included approval or Cal-Am to divert additional water only if a new dam is built to replace the older Los Padres Dam. The Monterey Peninsula Water Management District (MPWMD), which oversees the use of water on the peninsula, had proposed building the New Los Padres Dam, completed environmental studies, and received state and federal permits. However, led by no-growth and environmental advocates, voters, in a surprise 58% to 42% defeat for the district, turned down the dam in November, 1995.

Long-term environmentalists familiar with the history of the Carmel River favor the new dam because, for the first time, it would provide year-round flows on the river. This would provide high-quality habitat on the river and help restore a steelhead trout fishery. Others claim the dam would prevent restoration of the fishery.

Even after drastic reductions, Monterey County and the city of Pacific Grove have waiting lists for property owners who want new water hookups. Desperate residents are drilling their own wells or concocting elaborate deals to trade for water rights owned by farmers or developers.

Like New Yorkers watching the obituaries for apartment openings, Peninsulites scan the paper for building projects that have gone belly-up — hoping water will be freed up for their own construction.

### Paying Up To \$50,000 For Water

One local group is threatening to stop

paying taxes. The water company gets calls from "vigilantes" trying to report illegal water hookups. One property owner who refused to go on the waiting list in Pacific Grove paid more than \$50,000 for access to water that once served a now-closed laundry.

A businessman is reportedly asking at least that much for the rights to the water he used to get from Cal-Am before he drilled his own well.

It has even come to this: Well-meaning citizens are rooting against construction of a small senior citizen housing project, so they can have the water.

"Ugly things happen when people are competing for the same commodity," said Morgan Gilman, who has been waiting more than four years to build a home on beachfront property near Carmel.

While average annual precipitation on the peninsula is only 17 inches, El Nino storms have brought as much as 43 inches of rain. The problem is there is little storage — a problem the New Los Padres Dam with a capacity for 24,000 acre-feet of water would solve.

The water shortage problem could have been solved long ago if not for the fact that many locals already have their own water and don't particularly want more, because it fuels growth and could possibly lower their property values.

The water issue changed drastically when the SWRCB issued Order 95-10 that required Cal-Am to cut back its water production from the Carmel River by 20% in the near term and 75% in the long-term. Cal-Am produces 95% of the water used within the district — MPWMD — and prior to the SWRCB ruling, Cal-Am produced about 14,106 acre-feet of water a year from the Carmel River basin. The order allows Cal-Am to divert only 11,285 af now and 3,376 af per year in the future — a loss of 75% or 10,730 acre-feet of the water it now diverts.

Presently, no other source is available within the district. In 1995, the MPWMD filed suit against the SWRCB and was granted an extension on when the cutbacks were to begin. However, in 1998, a similar request sent to the Water Rights Division of the SWRCB requesting authorization to increase diversion from the Carmel River so that existing water commitments could be met was denied. In July 1998, the district again filed suit against the board. The lawsuit is still pending.

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At this time, the order remains in effect until the community can achieve a permanent 75% reduction in water use from the Carmel River, or new water supply projects are developed that will provide 10,730 acre-feet of additional water.

The action was issued in response to complaints from the Sierra Club and others that over two-thirds of the water drawn by Cal-Am is underflow of the Carmel River. Because Cal-Am has never obtained a permit from the SWRCB, the diversion is illegal.

Environmentalists claim current diversions from the river affect steelhead trout and the red-legged frog. However, the river is not much more than a meandering stream for much of the year.

#### **District Transfers Project to Cal-Am**

Working with Cal-Am, the district has transferred the plans and permits for the New Los Padres Dam to the water company. In order for Cal-Am to build the dam, state law requires the water company to obtain approval from MPWMD. Also, the California Public Utilities Commission, the agency that oversees private water companies, must approve Cal-Am's investments and any increases in water rates to fund construction and operation of the project.

If it moves ahead, MPWMD will act as lead state agency over the dam project and the PUC may function as co-lead agency.

The project is the same physical project as MPWMD's original plan, but the water would be used differently. Cal-Am proposes that 3,381 acre-feet per year of water that the MPWMD had intended to use for future growth in Cal-Am's service area would instead be dedicated to instream flows and to protect the water supply in case of drought. If everything goes perfect, the dam could be finished by 2006.

Cal-Am says they need the dam to supply residents on the peninsula and guarantee a year-round flow downstream. They pledge that a concrete dam 24 miles upstream from the ocean will only provide for current residents and properties that have been legally approved for construction, but no new subdivisions or commercial developments.

But some anti-growth forces say they are not convinced that the dam's water wouldn't be used to fuel more growth.

They complain that a dam might prevent the winter flushing needed to renew the steelhead's pebbly spawning grounds.

The Sierra Club is suggesting that the company build desalination plants and a mechanism to direct storm runoff into an aquifer for underground storage.

A Manhattan Beach entrepreneur is peddling his solution — dragging giant water-filled bags through the ocean from Eureka to Monterey. Each would carry about 4.5 million gallons. A local suggests that the city of Monterey should lay claim to historic water rights from the days of the Mexican land grants.

Officials at the PUC expect activists to force the issue onto the ballot. In the past, local voters have only expressed what they don't want. Both a desalination plant and dam project have been defeated in elections over the last six years.

The cynicism of those waiting for water has been heightened because of the success of a few business people in obtaining water rights and building large-scale developments.

The Pebble Beach Co. has a golf course and 315 homes on the drawing board. It freed up water rights by helping to build a treatment plant that irrigates three of the company's famed golf courses with reclaimed water.

Eastwood, the actor and one-time Carmel mayor, has won approval for 88 luxury homes and yet another golf course (the peninsula's 19th) on a mountain overlooking Carmel. Eastwood plans to use water credits obtained from agricultural land he purchased and removed from cultivation. Further irritating those without water is that some state water officials have been quoted as saying that Eastwood's project was fast-tracked.

Yet another entrepreneur is so desperate to build, in the words of one regulator, that he plans to erect an on-site desalination plant as part of a retail and condominium project on Monterey's Cannery Row.

Those who cannot afford such extreme measures sit and wait. Nearly 100 individuals and companies are queued on the waiting list for the county and Pacific Grove. There are more but no one knows how many because other municipalities don't keep track of how many people have applied.

"We have no water and we're not getting any, any time soon," said one Carmel city official.