

NIPOMO COMMUNITY SERVICES DISTRICT

REGULAR MEETING - DECEMBER 4, 1991

BOARD PRESENT

David Manriquez  
Steven Small  
Kathleen Fairbanks  
Alex Mendoza  
Gordon Gracia

STAFF PRESENT

Art Shaw, General Counsel  
Ryder Ray, General Manager

CALL TO ORDER AND FLAG SALUTE

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

APPROVAL OF MINUTES

1. REGULAR MEETING - NOVEMBER 20, 1991

On the motion of Director Gracia, seconded by Director Mendoza the Board unanimously approved the minutes.

ADJOURNED MEETING - NOVEMBER 26, 1991

On the motion of Director Gracia, seconded by Director Mendoza the Board unanimously approved the minutes.

BOARD ADMINISTRATION

2. SECOND READING OF ORDINANCE NO. 91-64, AN ORDINANCE OF THE NIPOMO COMMUNITY SERVICES DISTRICT REPEALING SECTION 2 (BINDING VOTE ON STATE WATER) OF ORDINANCE NO. 91-62

Legal Counsel Shaw explained the differences between an administrative and legislative act. He informed the Board that it was possible for them as a legislative body to amend or repeal a section of an ordinance.

Mr. Gulyash stated that the costs of state water varied according to the source, such as, the EIR, \$530 af, Van Lauren \$900.00 af, etc.

Director Small stated that there are 'huge ranges' in the amounts to be charged for state water, depending on the source of information.

It was mentioned that Van Lauren had stated that you would pay 100% for the water with only a chance of delivery. Several people asked if the County was trying to mislead people.

The question also came up regarding a change in the cost when different areas decided not to go with state water.

Manager Ray said that before he talked to Clint Milne he had the latest figures so that he could substantiate them with C. Milne.

The Telegram Tribune did not exactly give an accurate account of what had happened. (Someone also mentioned that Kathy James was at the meeting and she knew what was said).

Cecilia Fitzgerald asked those present to "work with the Board as you did in the past on the sewer project, and we can all be proud that".

The Board was asked "where is the moral justification in overturning the vote of the people"?

Director Gracia stated, "the Board doesn't have to overturn the vote, however, we are trying to be prudent for the future of your children and this community".

Cecelia Fitzgerald, "maybe some of you remember when we went through the voting down of the sewer project and how glad we were to finally get it, as it was surely needed. In many areas, Mr. Soares just pumped and pumped the failing sewers".

Several in attendance asked the audience to trust what Clint Milne has to say.

Director Manriquez asked, "we would like to know what the consensus is for state water. The only thing we are dealing with is overturning one section of an ordinance". "We are trying to do what we fell will be in the best interest, in the long run, for the community".

Mr. Guylash, "for the record you may not realize this but only 29% of the voters were sent flyers. How did this change the election"? (Scare tactic flyer?)

Director Mendoza stated that your important flyer helped - there is a critical shortage of water up ahead as well as a scarcity. Shortly we will have to advise the county.

Bill Mills - "this could go on all night - let's find out who is for state water".

As to alternatives, Manager Ray said that we would have to drill and try to develop other ways of obtaining water.

Ken Frich (?) I have lived here for 60 years and I need you to represent me.

Manager Ray reiterated most of our water comes from outside the district. People who own the overlying land have the right to their water and could stop water being used by the District.

One member of the audience stated that the Board is charged with the purpose of supplying my drinking water and allowing me to flush my toilet, if they don't act prudently down the road we will not be able to do anything.

Director Gracia said, "we are trying to keep our options open.

Director Small asked, "how many people here would be here if we hadn't put it to a vote"?

Director Mendoza stated, "if I were in your place I would feel like you do - however, up here you get a different view and it gives you the courage to rescind I made certain that it was not unlawful".

Asked of the Board -"do you guys have plans to serve outside the district"?

Director Manriquez said, that the Board is trying to help the Summit Station Area and the proposed middle school,we feel as a District it is our obligation".

D. Mullikin - it stinks.

General Counsel Shaw informed those present that there is a definite procedure to follow for an annexation to take place.

A discussion followed on de-sal and some of its' problems. However, the Directors will explore the possibilities.

On the motion of Director Gracia, seconded by Director Fairbanks to continue, 'SECOND READING OF ORDINANCE NO. 91-64, AN ORDINANCE OF THE NIPOMO COMMUNITY SERVICES DISTRICT REPEALING SECTION 2 (BINDING VOTE ON STATE WATER) OF ORDINANCE NO. 91-62' to the next meeting, December 18, 1991. Motion carried with Director Small voting no.

3. PROPOSED AGREEMENT WITH COUNTY SERVICE AREA NO. 1 FOR TREATMENT OF SEWAGE FROM PEOPLES' SELF-HELP HOUSING  
Legal Counsel Shaw stated that the sub-committee had the draft agreement and made a few changes. On the motion of Director Small, seconded by Director Mendoza to approve the agreement in concept and authorize staff to make corrections and forward it to the county. Unanimously approved by the Board.

4. CONSIDER REVISING THE DISTRICT ANNEXATION POLICY AND ORDINANCE  
The last annexation ordinance expired on July 1, 1991.

All of the Directors felt that they needed to continue searching for water. The District has been asked to annex the Summit Station area and also to supply water to the new middle school, which is needed.

Directors Fairbanks and Manriquez will serve on a sub-committee for this item.

#### FINANCIAL REPORT

6. STATUS OF LOCAL AGENCY INVESTMENT FUND ACCOUNT  
Manager Ray explained how the money in the LAIF account would be spent.

7. CLAIMS  
Director Mendoza moved, seconded by Director Small and unanimously approved by the Board to approve the claims.

#### LAND DEVELOPMENT

8. NOTICE OF PUBLIC HEARING ON THE UPDATE OF THE SOUTH COUNTY AREA PLAN  
There will be two meetings, one on December 16, 1991 at 10:30 A.M. and the other on January 16, 1992, at 8:45 A.M.

Director Small moved to have staff construct a letter to the County expressing the possibility of tentative annexations to the District, and have the Board President sign the letter. Director Gracia seconded the motion and unanimously approved by the Board.

9. DIRECTORS COMMENTS

Director Fairbanks felt that the District needed to get information out to the public.

10. PUBLIC COMMENTS

ADJOURN