

New water vote looms in Nipomo

State Water Project foes turn in petitions to put issue on the ballot

By Jerry Bunin
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Nipomo voters will probably get a second chance to decide if they want to join the State Water Project.

State water opponents turned in petitions Thursday demanding that the Nipomo Community Services District follow the voters' will expressed Nov. 5 or hold another election.

District directors said they'd rather have a new election than accept the 356-to-328 vote against state water.

Directors originally said the election would be binding, but changed their mind after only 29 percent of those eligible voted and because allegedly misleading information opposing state water was mailed out just before the election.

The petitioners claim democracy and voters' rights are the issue while the directors see state water being used by people opposed to growth.

Nipomo has until June 3 to decide if it wants to tap state water.

The district has 30 days to determine if enough signatures are valid. For the referendum petition to be legal, about 234 of the 472 signatures must be of legally registered voters.

If they are, County Clerk Francis "Mitch" Cooney said, Nipomo could either hold a special election or join the countywide election in June.

A special election could cost Nipomo up to \$12,000 while joining the county could cost \$2,300, Cooney said, but election material for June must be given to the county by Jan. 29.

David Manriquez, chairman of the

directors, said today the district may have until March 6 to submit election material.

The district staff doubted they could make the January deadline and were uncertain what procedures to follow since Nipomo had never previously received a referendum petition.

They referred all calls to Arthur Shaw, the district's counsel. Shaw does not return phone calls from the press.

He has told the directors that they could legally ignore the vote.

Most Nipomo residents, said Paul Luiz, one of the referendum leaders, "feel insulted that the board members consider themselves so enlightened that they alone must decide what's best for the community and they feel outraged that their right to a free election has been stripped from them."

Charles Gulyash, who mailed the campaign literature the district objects to, said the directors are making "an uncompromising attack on the First Amendment" right to free speech.

"If the board's contempt for the democratic process is allowed to go unchallenged," Gulyash said while turning in petitions, "it is a dark day in the history of this community."

Nipomo Director Katie Fairbanks said the community is in a pretty dark bind no matter what it does.

The district needs water, she said, and cannot count on using its wells. All of its major wells, she noted, are not within its borders, so the community's legal right to the water could be challenged by the property owners who lease land to Nipomo.

Manriquez agreed.

"I'm looking at what is going to benefit the district the most in the long run," he said.