

TO: BOARD OF DIRECTORS

FROM: RAY DIENZO, P.E. R.D.
GENERAL MANAGER

DATE: FEBRUARY 21, 2024

AGENDA ITEM

E-1

FEBRUARY 28, 2024

**APPROVE RESOLUTION ADOPTING THE 2023 COUNTY OF SAN LUIS
OBISPO JOINDER AMENDMENT TO SECOND AMENDED AND
RESTATED JOINT POWERS AGREEMENT OF THE INTEGRATED
WASTE MANAGEMENT AUTHORITY**

ITEM

Approve a Resolution adopting the 2023 County Joinder Amendment to the Second Amended and Restated Joint Powers Agreement for the San Luis Obispo County Integrated Waste Management Authority ("IWMA") and authorize the President to Execute on Behalf of the District [RECOMMEND APPROVE RESOLUTION AND AUTHORIZE BOARD PRESIDENT TO EXECUTE]

BACKGROUND

The IWMA is a Joint Powers Authority ("JPA") between the seven cities in the County and authorized Special Districts that provide solid waste services. The IWMA manages State mandated services on behalf of these agencies, including hazardous waste, universal waste, solid waste, recycling, and food/green waste. The County withdrew from the IWMA effective November 15, 2021. This necessitated the JPA being approved in 2022 by all members.

On October 31, 2023, the County Board of Supervisors voted to rejoin the IWMA. The attached Joinder Agreement reflects the appropriate changes to the JPA to allow for the County to rejoin the IWMA with one seat and one vote. It also moves the election of IWMA officers to the beginning of the year. Although the District is adopting the agreement in 2024, the attached agreement will remain the "2023 County Joinder Agreement" because the County adopted it in 2023.

FISCAL IMPACT

None.

STRATEGIC PLAN

Goal 5. OPERATIONS. Maintain a proactive program to ensure readiness of systems and cost-effectiveness of operations.

5.B. ONGOING ACTIVITIES

B.2 Meet all regulations.

Goal 8. ADDITIONAL COMMUNITY SERVICES. Staff should focus on meeting the goals and objectives of existing services. Adding new services will be considered on a case-by-case basis and entered into only if funding can be found and existing services are not harmed.

8.A. ACTIVITIES FOR COMPLETION

A.1 SOLID WASTE. Seek to maximize solid waste services for community and build understanding of services like hazardous waste, recycling, etc. and District's role.

RECOMMENDATION

It is recommended your Board approve the Resolution adopting the 2023 County Joinder Amendment to the Second Amended and Restated Joint Powers Agreement for the San Luis Obispo County IWMA and authorize the President to Execute on Behalf of the District

ATTACHMENTS

- A. Resolution 2024-XXXX - DISTRICT ADOPTING 2023 COUNTY JOINDER AMENDMENT TO THE SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT OF THE INTEGRATED WASTE MANAGEMENT AUTHORITY

Exhibit A - 2023 COUNTY JOINDER AMENDMENT TO SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT OF THE INTEGRATED WASTE MANAGEMENT AUTHORITY

FEBRUARY 28, 2024

ITEM E-1

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2024-XXXX**

**A RESOLUTION OF THE
BOARD OF DIRECTOR OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING 2023 COUNTY JOINDER AMENDMENT TO
THE SECOND AMENDED AND RESTATED JOINT POWERS
AGREEMENT OF THE INTEGRATED WASTE MANAGEMENT AUTHORITY**

WHEREAS, on May 10, 1994, an agreement was executed by and between the incorporated cities of San Luis Obispo County ("Cities") and the County of San Luis Obispo, forming a joint powers authority pursuant to the provisions of the Joint Exercise of Powers Act (Government Code sections 6500 et seq.), for the purpose of facilitating the development of waste diversion programs and projects that provide economies of scale without interfering with individual agencies' exercise of power within their own jurisdiction (hereinafter referred to as the "JPA Agreement"); and

WHEREAS, pursuant to the JPA Agreement, the power to perform the responsibilities of the joint powers authority was vested in the San Luis Obispo County Integrated Waste Management Authority Board of Directors ("IWMA Board"); and

WHEREAS, in or around 2001, a Memorandum of Agreement ("MOA") was executed by and between the Cities, the County of San Luis Obispo, and certain special districts within San Luis Obispo County that possessed solid waste authority ("Authorized Districts"), amending the JPA Agreement to include the Authorized Districts for representation on the IWMA Board, which MOA was replaced on execution of the Second Amended and Restated JPA Agreement; and

WHEREAS, the Board of Directors of the IWMA directed IWMA staff that on the County of San Luis Obispo's approval to rejoin the IWMA, to circulate the 2023 County Joinder Amendment to the Second Amended and Restated JPA ("Joinder Amendment") to the Participating Agencies for approval (a true and correct copy of the 2023 County Joinder Amendment to JPA is attached hereto as Exhibit A), including among the Authorized Districts with representation on the Board through their designated representative; and

WHEREAS, the JPA Agreement, as last amended, authorized amendments to the JPA Agreement on vote of a majority of the Members, and this resolution is intended to express the approval of Members and acknowledged agreement of all other Participating Agencies.

WHEREAS, the County wishes to join the Cities and the Authorized Districts (together "Participating Agencies") in confirming and conferring upon the IWMA as separate legal entity the powers necessary to enable them to achieve their waste diversion goals and to comply with the Integrated Waste Management Act, Assembly Bill 341, Assembly Bill 1826, Senate Bill 1383, and all current and future state-mandated laws, rules and regulations to the extent allowed by law and as provided in the JPA Agreement.

WHEREAS, Board of Directors of the Nipomo Community Services District desires to acknowledge, accept, and agree to be bound by the terms and conditions of the Joinder Amendment to the Second Amended and Restated JPA.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the Nipomo Community Services District, that the Nipomo Community Services District acknowledges, accepts, and agrees to be bound by the terms and conditions of the Joinder Amendment to the Second Amended and Restated JPA.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services District this 28th of February, 2024 on the following roll call vote:

AYES:
NOES:
ABSENT:
CONFLICTS:

ED EBY, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

RAY DIENZO
Secretary to the Board

CRAIG A. STEELE
District Legal Counsel

**2023 COUNTY JOINDER AMENDMENT
TO SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT
OF THE INTEGRATED WASTE MANAGEMENT AUTHORITY**

This County Joinder Amendment (“County Joinder”), dated _____, 2023, to the SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT (“2022 JPA Agreement”) is by and between the incorporated cities of Arroyo Grande, Atascadero, El Paso de Robles, Grover Beach, Morro Bay, Pismo Beach, and San Luis Obispo, all being municipal corporations of the State of California and located within the boundaries of the County of San Luis Obispo, California (collectively, the “Cities”), and the County of San Luis Obispo, by its joinder herein.

A. On or about May 10, 1994, an agreement was executed by and between the Cities and the County of San Luis Obispo forming a joint powers authority pursuant to the provisions of the Joint Exercise of Powers Act (the “Original JPA Agreement”), through which such member agencies created and established a public entity identified as the San Luis Obispo County Integrated Waste Management Authority (“IWMA”).

B. On or around 2001, the Cities, County, and certain special districts within the County (“Authorized Districts”) executed a Memorandum of Agreement (“MOA”) amending the Original JPA Agreement to include the Authorized Districts for representation on the IWMA Board.

C. On or about November 15, 2021, the County withdrew from the IWMA, after which the remaining Cities and Authorized Districts elected to reestablish and continue the IWMA, on the terms set forth in the Second Amended and Restated Joint Powers Agreement of the Integrated Waste Management Authority, which was adopted by the participating agencies in 2022 (“2022 JPA Agreement”).

D. On or about October 31, 2023, the County officially elected to rejoin the IWMA, including on the terms set forth the 2022 JPA Agreement, as amended hereby.

Based on the foregoing, the Cities, Authorized Districts, including the County through its joinder, hereby agree to the following amendments to the 2022 JPA Agreement reflecting the County’s joinder.

1. Title Amendment and List of Participating Agencies Attachment. The Title of the 2022 JPA shall be amended to read “Second Amended and Restated Joint Powers Agreement to Establish an Integrated Waste Management Authority.” The List of Participating Agencies attached to the 2022 JPA Agreement is replaced with the list attached to this Joinder Amendment.

2. Definitions. Section 1, entitled, “Definitions” shall be amended to include the following new definitions or amended definitions.

A. County shall be added as a definition. “County” means any unincorporated areas of the County of San Luis Obispo.

B. The following referenced definitions replace those of the same number in the 2022 JPA Agreement in their entirety.

“1.17 “Members” means the Cities and the County who are members of this regional agency, formed pursuant to Public Resources Code section 40970 et seq, and the one (1) Authorized District

Representative pursuant to Public Resources Code section 40977.”

“1.18 “Participating Agency” or “Participating Agencies” means and shall include the Cities, the County and the Authorized Districts who are signatories to this Agreement, including by way of joinder, delegating powers to the Authority pursuant to this Agreement, and participating in the governance of the IWMA.”

C. Notwithstanding the foregoing, the definition of “MRF”, was inadvertently included within the definition of “Members”, in the 2022 JPA Agreement, and such definition shall remain the definition of “MRF” and is not deleted.

3. Section 8, entitled “Boundaries” is amended and restated in its entirety to read:

“Section 8. Boundaries. The boundaries of the Authority shall be the boundaries of the collective Participating Agencies. If a Participating Agency withdraws from the Authority, the boundaries shall be modified to exclude the area of the withdrawing agency. If a qualified agency joins the Authority, the boundaries shall be modified to include the area of the joining Participating Agency. Section 8 shall not prevent the Authority’s use and/or operation of facilities outside of its boundaries within the County of San Luis Obispo.”

4. Section 9, entitled “Organization” shall be amended as follows:

A. A new paragraph (g) is added to Section 9.2 Participating Agencies to read:

“(g) County. The County shall be entitled to appoint one representative to the Authority which representative shall consist of one (1) member from the Board of Supervisors. The County may elect to have an alternate member from the Board of Supervisors in addition to any official member but said appointed alternate shall be able to vote only in the absence of the official representative.”

B. Section 9.4(b) entitled “Officers” is replaced with the following:

“(b) Both the President and Vice President of the Board shall be elected each year at a meeting set for such purpose.”

5. County Joinder. The County hereby joins the IWMA pursuant to the terms and conditions in the 2022 JPA Agreement as amended hereby, and the undersigned hereby consent.

6. Omnibus Change. Wherever references to “Cities” is used or “Cities and Authorized Districts”, are used in the 2022 JPA Agreement, including in its recitals, such references shall expressly be read to include the County unless context expressly dictates otherwise.

7. Ratification. The 2022 JPA Agreement is hereby ratified and confirmed and shall continue in full force and effect in accordance with its terms and provisions, as amended hereby.

8. Effective Date. This Joinder Amendment shall take effect when adopted by each of the Cities, the County, with the Authorized Districts consenting to the joinder of the County, as evidenced by their execution pursuant to resolutions of such governing bodies authorizing such execution and shall remain in full force and effect until dissolved pursuant to the provisions herein. This Joinder Amendment may be executed in counterparts which together shall constitute a single agreement. Electronically executed signatures may be accepted in lieu of originals if a Member agency has authorized electronic signatures through policy or otherwise.

Exhibit A

LIST OF PARTICIPATING AGENCIES

CITIES Arroyo Grande Atascadero El Paso de Robles Grover Beach Morro Bay Pismo Beach San Luis Obispo	AUTHORIZED DISTRICTS Avila Beach CSD California Valley CSD Cambria CSD Cayucos Sanitary District Ground Squirrel Hollow CSD Heritage Ranch CSD Los Osos CSD Nipomo CSD Oceano CSD San Miguel CSD San Simeon CSD Templeton CSD
COUNTY The County of San Luis Obispo	

[Participating Agency Signature Pages Follow]

NIPOMO COMMUNITY SERVICES DISTRICT

By: _____
Chairperson

Date _____

By: _____
Clerk

Resolution No. _____

APPROVED AS TO FORM AND LEGAL EFFECT:

By: _____
Attorney

TO: BOARD OF DIRECTORS
 FROM: RAY DIENZO, P.E. *R.D.*
 GENERAL MANAGER
 DATE: FEBRUARY 21, 2024

**AGENDA ITEM
 F
 FEBRUARY 28, 2024**

GENERAL MANAGER'S REPORT

ITEM

Standing report to your Honorable Board -- *Period covered by this report is 2/11/2024 to 2/24/2024.*

DISTRICT BUSINESS

Administrative

The District encourages residents to provide reports of any observed water waste. The District also keeps an accounting of leak adjustments as a measure of non-revenue water lost to leaks, as well as tracking late fee waivers. The table below provides January 2024 data which is the most recent monthly data available (no changes since the 2/14/2024 report).

OFFICE ACTIVITIES			
		Jan 24	Jan 24- Jan 25
Reports of Water Waste		0	0
Leak Adjustments		3	3
Leak Adjustment Amount		\$865.65	\$865.65
Late Fee Waivers		3	3
Late Fee Waiver Adjustment Amount		\$54.14	\$54.14

Water Resources

For the seven months of the 2023-24 Fiscal Year, the District's total combined production, including groundwater production wells and supplemental water imported through the Joshua Road Pump Station, registered 106.7 AF; the previous month registered 131.7 AF (no changes since the 2/14/2024 report).

The District imported more water through the Joshua Road Pump Station than it produced from groundwater sources. This trend will continue through the year as the District strives to maintain the 50% groundwater reduction goal while also reaching the District's contract import water take amount of 1,000 AFY minimum.

Table 1. Total Production Acre Feet (AF)		
	Jan 24	Jul 23 - Jun 24
Groundwater Production	24.4	439
Supplemental Water Imported	<u>82.3</u>	<u>696</u>
Total Production	106.7	1135

NCSD GW Reduction

The District's purveyor customers, Golden State Water Company and Woodlands Mutual Water Company, each are responsible for 16.66% (cumulatively 33.33%) of the imported water NCSD

brings onto the basin through the NSWP. Of the 1,000 AF minimum imported water from the City of Santa Maria, 333 AF or 33.33% of the total imported water – whichever is greater – will be credited to these two purveyor customers. The credited amount must be added to the District’s groundwater pumping total every month to reflect the groundwater pumped by these customers in-lieu of taking imported water from the District. Table 2, below, captures this data.

	Jan-24	Jul 23 - June 24
NCSD GW Well Production	24.4	439.4
Purveyor Customer Credit (33.3% of Import Water)	28.0	232.4
NCSD Total Calculated GW Production	52.4	671.8
Average GW Production for 2009-2013	142.1	1526.7
NCSD Percentage of GW Reduction	63%	56.0%

2023-24 Fiscal Year Groundwater Pumping Forecast

Below, Table 3 projects the District’s groundwater pumping reduction for the 2023-24 Fiscal Year. Under the current Stage 4 NMMA Water Shortage Response Stages, the District’s targeted groundwater pumping reduction goal is to pump no more than 1,266 AFY (50% of 2009-2013 average District GW Pumping). The first seven months of fiscal year 2023-24 actual – July through January – shows a groundwater pumping reduction of 63% while projected year end groundwater reduction estimates a 56% level of reduction (no changes since the 2/14/2024 report).

	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Year-to-Date Jul-Jun 2024	Target	Over/(Under)	
NCSD GW Well Production	82.6	90.3	72.4	71.8	52.3	45.7	24.4	648.9			
Purveyor Customer Credit (33.3% of Import Water)	36.7	34.2	35.4	36.6	32.9	28.7	28.0	376.7			
NCSD Total Calculated GW Production	119.2	124.5	107.8	108.4	85.2	74.3	52.3	1,025.7	1,266.7	241	AcFt
Average GW Production for 2009-2013	291.2	284.7	264.7	223.6	179.1	141.4	142.1	2,533.4	2,533.4		
NCSD Percentage of GW Reduction	59%	56%	59%	51.5%	52%	47%	63%	59.5%	50.0%		

As demonstrated in Table 3, the District anticipates it will achieve its 50% groundwater pumping reduction target by 241 AcFt under the conditions stated in the previous paragraph.

On the following page, the Table 4 data provides operations personnel with insight into year-end water production values and assists in their efforts to balance import and groundwater production with the purpose of reducing groundwater pumping to meet the self-imposed 50% pumping groundwater reduction – the current stage IV objective.

Table 4 compares groundwater pumping for the same periods in 2023 and 2022.

Table 4. FY 2023 vs. FY 2022 Groundwater Pumping

	Jan-24	Jul 23 - Jun 24	Jan-23	Jul 22 - Jun 23
NCS D GW Well Production	24.4	439.4	10.2	600.7
Purveyor Customer Credit (33.3% of Import Water)	27.4	232.4	28.0	104.2
NCS D Total Calculated GW Production	51.8	671.8	38.1	704.9
Average GW Production for 2009-2013	142.1	1,526.7	142.1	1,526.7
NCS D Percentage of GW Reduction	63.6%	56.0%	73.2%	53.8%

Rainfall Gauge

Below is the most recent available rain data¹ for the Fiscal Year 2023-24.

(Reported in inches)	Nipomo East (Dana Hills Reservoirs)	Nipomo South (Southland Plant)
Jan 2024 Total	2.48	1.88
July-2023 through June-2024 (Season Total)	9.60	7.55
County Reported Avg. Ann. Year Rainfall ¹	18.00	14.00
2006 - 2020 Avg. Ann. Year Rainfall ¹	15.39	13.30
2006 - 2020 Median Ann. Rainfall ¹	12.64	11.30

Note:

1. Data from County website

Connection Report

Nipomo Community Services District
Water and Sewer Connections

END OF MONTH REPORT

	1/31/24	2/29/24	3/30/24	4/30/24	5/31/24	6/30/24	7/31/24	8/31/24	9/30/24	10/31/24	11/30/24	12/31/24
Water Connections (Total)	4513											
Sewer Town connections	2738											
Sewer Blacklake connections	559											
Subtotal	3297	0	0	0	0	0	0	0	0	0	0	0
Galaxy and PSSH at Orchard and Division Sewer connections billed to the County	484											
Sewer Connections (Total)	3781	0	0	0	0	0	0	0	0	0	0	0
New Water Connections	0	0	0	0	0	0	0	0	0	0	0	0
New Sewer Connection	0	0	0	0	0	0	0	0	0	0	0	0
New Sewer Connection-Galaxy and PSH	0	0	0	0	0	0	0	0	0	0	0	0

The Connection Report as of February 8, 2024

Other Items

Meter Reading - Although our meter reader contractor has caught up on their readings, staff will not issue late fees until we establish a consistent cycle of timely readings.

Blacklake Lighting District - Staff is continuing to schedule the work to replace bulbs and numbers as needed. There are also a few lights that need to be converted to LED's. Staff will look into

maintaining consistency with color temperature. Conversion priority will be given to the old high-pressure sodium (HPS) lighting ballasts that are failing.

California Special District Association (CSDA) Board Vacancy– the CSDA has a Board Vacancy for our Coastal Network. The call for nominations deadline has been extended to April 20, 2024.

“CSDA provides education and training, insurance programs, legal advice, industry-wide litigation and public relations support, legislative advocacy, capital improvement and equipment funding, collateral design services, and, most importantly, current information that is crucial to a special district’s management and operational effectiveness.”

See Attachment C of this report for the description of commitments and expectations for this role.

Special District Risk Management Authority (SDRMA) Board Vacancy

A vacancy has occurred on the SDRMA Board of Directors. The current term of the vacancy will expire on December 31, 2025 and will be filled by appointment of the Board of Directors based on an application and interview process. The NCSD is an active member agency of their Property/Liability and Worker’s Compensation Programs. Board members would give our District an important role in participating in our Risk Management program.

See Attachment D for more information.

Safety Program

No Safety Issues

Supplemental Water Capacity Accounting

	Number of Equivalent Meters	AFY
Supplemental Water Available for Allocation	947	500.0
Supplemental Water Reserved (Will Serve Letter Issued)	149	-78.1
Subtotal Net Supplemental Water Available for Allocation	798	421.9
Supplemental Water Assigned (Intent-to-Serve Issued)	175.8	-91.2
Total Remaining Supplemental Water Available for Allocation	625	330.6

Updated: no changes since November 2, 2023

Meetings Attended (remote or in person) Feb 11-24

- 2/13/2024 - NMMA - TG Meeting
- 2/14/2024 - NCSD Board Meeting
- 2/15/2024 - ASCE Meeting - Updates to PE Licensure in CA
- 2/16/2024 - Weekly Customer Service Specialist Update
- 2/16/2024 - Management Team Meeting
- 2/20/2024 - NCSD Board Officers
- 2/23/2024 - Weekly Customer Service Specialist Update
- 2/23/2024 - Admin Team Meeting

2/23/2024 - Board Packet Deliveries

Upcoming Water Resource and Other Meetings

2/26/2024	- NMMA Manager's Meeting	10:00 AM	Teams remote
2/26/2024	- SCAC Meeting	6:30 PM	at District Board Room
2/27/2024	- Columbia Capital - Discuss Updated Refunding Analysis	1:00 PM	Zoom remote
3/1/2024	- State Water Subcontractors Advisory Committee and Water Management Subcommittee	10:00 AM	SLO County Govt Center
3/6/2024	- Water Resources Advisory Meeting	1:30 PM	at SLO Library Comm Room
3/9/2024	- Blacklake Management Association Annual Meeting	9:00 AM	Black Lake Resort Clubhouse
3/12/2024	- Finance and Audit Committee	2:00 PM	at District Board Room
3/13/2024	- Board Meeting	9:00 AM	at District Board Room

RECOMMENDATION

Staff seeks direction and input from your Board.

ATTACHMENTS

- A. Dana Reserve Schedule – no changes
- B. Desal Meeting Schedule – no changes
- C. CSDA Board Vacancy
- D. SDRMA Board Vacancy

FEBRUARY 28, 2024

ITEM F

ATTACHMENT A

DANA RESERVE REVIEW SCHEDULE (no changes since 12/7/2023)

Status Update: This schedule will be updated in January 2024 when staff anticipates more definitive project information

Date	Description	Comment
April 24, 2022	NCSD Review "Utility" Section of EIR	
June 16, 2022	Release of EIR	Extended from May 16, 2022
July 14, 2022	SLO County Planning Comm. Study Session	Zoom Meeting
July 21, 2022	LAFCO Study Session	County Lead Agency (9:00 am)
Aug. 1, 2022 ¹	Close Public Comment - DEIR	Was June 20, 2022 (Mario on Vaca)
Sept. 2022	Consider Ad-hoc Comm. (Annexation Agr.)	Establish January 2023
Nov. 17, 2022	NOTICE OF PETITION OF APPLICATION FOR ANNEXATION #30 DANA RESERVE ¹	60 Day Letter
Jan. 9, 2023	Ad-hoc Com. – Response to Notice of Petition	Prepare for Jan. 11 th Board Mtg.
July 24, 2023	SCAC – Town Hall Meeting, Nipomo H.S.	Community Meeting
August 30, 2023	County Planning Commission ² (Postponed)	Two days (8/30 & 8/31)
September 28	Planning Commission Study Session ³	
October 2023 ⁵	Tax Sharing Agreement (NCSD/SLO County)	Start Negotiations with the County
October 23 & 24	Planning Commission Hearing ⁴	Two days of testimony
November 2023	Review of revised EIR impact	
April 23, 2024	1 st Meeting: County Board of Supervisors	Consider recommendation of PC to Certify EIR, General Plan Amendment, Approve Subdivision Map, Issue Conditional Use Permits
April 24, 2024	2 nd Meeting: County Board of Supervisors	
May 2024	NCSD Board Negotiations with Developer [Infrastructure Improvements/Costs]	Adopt Annexation Agreement Between Developer and NCSD
June/July 2024	LAFCO Review & Approval	

The above schedule is suggested and drawn from conversations with staff from the County, LAFCO, and the Developer. This schedule is a rough outline and is subject to change over time.

Notes:

1. NCSD Staff will provide a staff report at the January 11th Board Meeting that provided the Board of Directors with more information and possible actions.
2. The Commission action was to continue the project hearing until the October 23 & 24 Special Planning Commission Meeting.
3. September 28th, Study Session with Planning Commission & Public – held at County Sups Chamber
4. Will consider a recommendation to provide the Board of Supervisors to: Certify the Final EIR, Adopt the CEQA findings, Approve the Specific Plan, Approve the Vesting Tentative Tract Map, Approve related General Plan and Ordinance amendments, Approve a related Conditional Use Permit.

5. Previously September 2023. This will take place after the Planning Commission meetings are concluded.
-
-

Developer shifted to an annexation process that focuses first on LAFCO application and second the District's application process. Under this format, LAFCO will be the agency that coordinates communication between the Developer and NCSD.

Developer mailed letter September 20, 2022 to residents in Nipomo directing their attention to District website and the three reports addressing utilities – focus on explaining water situation.

RWG submitted comments on the Dana Reserve Specific Plan DEIR, August 1, 2022, to the County of San Luis Obispo supervision planner, Jennifer Guetschow.

Phasing Plan Schedule – Defines the fee schedule for the development.

Administrative Draft Final Report	Dec 2023
District Comments on Admin Draft Final Report	Jan 2024
Draft Final Report	Jan/Feb 2024 ¹
District Board Presentation	Feb 2023 ²
Final Report	Mar 2024 ³

¹ Previously July 2023 (Changed on the 7/26/2023 Report)

² Previously September 2023 (Changed on 10/25/2023 Report) – staff awaiting final Planning Commission recommendations which got pushed to Oct 23&24, 2023

³ Previously September 2023 (Changed on 10/25/2023 Report)

FEBRUARY 28, 2024

ITEM F

ATTACHMENT B

Update: No changes since January 4, 2024

Ray Dienzo

County Water Action Team (CWAT)

County DESAL Meetings

Date	Speaker	Item/Issue/discipline	Company
1/10/2023	Dmitry Semenov	Financing Projects	Ridgeline Municipal Strategies, LLC
1/12/2023	Eric Miller	Fisheries Biologist	Miller Marin Science Consultants
1/17/2023	Did Not Attend		
1/19/2023	Tim Hogan	Biologist	TWB Environmental Research Consulting
2/6/2023	Rob Morrow	Engineering/Planning Team	WSC Inc. (Local Group)
2/7/2023	Did Not Attend		
2/7/2023	Lydia	Planning and Feasibility	Carollo Engineering
2/9/2023	Larry Kraemer	Engineering Firm	Cannon Eng.
2/9/2023	Daniel Heimel	Program Management/Engineering Services	Confluence Engineering Solutions
4/4/2023	Floyd Wicks	Sea-Well Buoy – Another solution	Seawell LLC
4/5/2023	Michael Wasgatt	Wind powered DESAL – Ocean Mounted	Offshore Wind Power Systems of Texas, Inc.
4/6/2023	Mr. Yamada		
4/24/2023	Neal Aronson	Oceanus Power and Water	is an infrastructure development company
4/25/2023	Antoine Vuillermet	Waterise (subsea tech)	subsea tech combined w/ membrane desal
6/2/2023	County CWAT Committee	Next Steps	(Conflicting Meeting – Didn't attend)
6/14/2023	Jennifer Jacobus	Everything but physically building a Plant	RINCON

1. **DESAL Plan participation:** The following agencies have adopted resolutions or submitted letters agreeing to participate: the Cities of San Luis Obispo, Arroyo Grande, Morro Bay, Paso Robles, the Community Services Districts of Avila Beach, Cambria, Los Osos, Nipomo, San Miguel, Templeton, Oceano and other water purveyors, such as Atascadero Mutual, Golden State, San Miguelito and Santa Barbara County
 - a. Grover is targeting next week for consideration

2. **DESAL Plan scope / grant:** We submitted an application (attached) to USBR and anticipate hearing about awards no later than June. To fit the timing required for USBR's grant (project must be completed w/in 24 months), Phase 2 was broken into Phase 2a and Phase 2b (snippet of 5 phases below)
 - a. **Phase 2a (proposed grant scope)**
 - i. Will be completed within 24 months and, if awarded grant, will cost District \$550K and USBR \$550K for total \$1.2M project
 - ii. Will include public engagement, identifying/vetting/analyzing project concept alternatives
 - iii. Outcome will be "short-list" of potential projects to further pursue and scope/schedule/budget to do so in Phase 2b

Update: No changes since January 4, 2024
Ray Dienzo

b. Phase 2b (not proposed in grant scope)

- i. Will include more detailed analysis/studies of projects on “short-list”
- ii. Outcome will be selection of single preferred project to move forward to Phase 3

3. Desal planning meetings:

- a. CWAT meetings (TBD) – we’ll be reaching out for your availability soon to schedule the next CWAT meeting and round of working group / consultant meetings
 - the request for your availability may come from Jenny Williamson in our office – please respond at your earliest convenience so we can continue coordination with the consultants’ availabilities, etc.
- b. Board of Supervisors (April) – The grant application requires the District to adopt a resolution within 60 days of submitting the grant application. We plan to go to our Board on April 18 with the required resolution, along with an update on the scope and request for direction to return with a consultant contract
- c. CWAT meeting 12/19/2023 – Finalizing USBR grant agreement. Consultant RFPs to follow

4. Misc. desal info just fyi

- a. Glenn Farrel (CalDesal Executive Director) sent over the CalDesal Regulatory Committee Meeting Agenda Packet; it includes a brief write-up on Innovations in Desalination and newly-introduced legislation relevant to desal projects
- b. Paul Herman (GHD contact) sent over the International Weekly Desal Report; it includes a brief write-up on the CalDesal conference (key note: the SWRCB representative said the State’s desal siting guidelines anticipated this summer will be out for public comment in April!)

FEBRUARY 28, 2024

ITEM F

ATTACHMENT C

CSDA BOARD OF DIRECTORS VACANCY ANNOUNCEMENT

CALL FOR NOMINATIONS - SEAT A

Deadline: April 10, 2024

The CSDA Elections and Bylaws Committee is looking for independent special district board members or their general managers interested in leading the direction of the California Special Districts Association for the 2025 - 2027 term.

The leadership of CSDA is elected from its six geographical networks. The Nipomo CSD is in the Coastal Network. Each of the six networks has three seats on the board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA Regular Member in good standing and located within the geographic network they seek to represent (see the CSDA network map).

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, professional development, and other resources for members. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration. Serving on the Board requires one's interest in the issues confronting special districts statewide.

Commitment and Expectations:

- Attend all board meetings, usually 4-5 meetings annually, at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento. (CSDA reimburses directors for their related expenses for board and committee meetings as outlined in board policy).
- Attend, at minimum, the following CSDA annual events: Special Districts Legislative Days - held in the spring, and the CSDA Annual Conference - held in the fall. (CSDA does not reimburse expenses for the two conferences even if a board or committee meeting is held in conjunction with the event).
- Complete all four modules of CSDA's Special District Leadership Academy within 2 years of being elected. (CSDA does not reimburse expenses for the academy classes even if a board or committee meeting is held in conjunction with the event).
- Complete Annual Chief Executive Officer Evaluation.

Please review the CSDA Board Policy 2.16 Board Commitments & Responsibilities.

Nomination Procedures:

Any Regular Member in good standing is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors) for election to the CSDA Board of Directors.

A copy of the member district's resolution or minute action along with the Candidate Information Sheet must accompany the Nomination Form. The deadline for receiving nominations is April 10, 2024, for all networks except for the Coastal Network.

In the *Coastal Network*, there is also a vacant position for Seat B, therefore, the call for nominations deadline has been extended to *April 20, 2024*.

Nominations and supporting documentation may be mailed or emailed.

Mail: 1112 I Street, Suite 200, Sacramento, CA 95814

Fax: 916.442.7889

Email: amberp@csda.net

Once received, nominees will receive a candidate's letter. The letter will serve as confirmation that CSDA has received the nomination and will also include campaign guidelines.

CSDA will begin electronic voting on June 10, 2024. All votes must be received through the system no later than 5:00 p.m. July 26, 2024. The successful candidates will be notified no later than July 30, 2024. All selected CSDA Board Members will be introduced at the Annual Conference in Indian Wells, CA in September 2024.

Expiring Terms - All Seat A

(See geographic network map for network breakdown; NCSD is in the Coastal Network)

Northern Network – Greg Orsini, Director, McKinleyville Community Services District*

Sierra Network – Noelle Mattock, El Dorado Hills Community Services District*

Bay Area Network – Chad Davisson, CSDM, General Manager, Ironhouse Sanitary District*

Central Network – Patrick Ostly, General Manager, North of River Sanitary District*

Coastal Network – Elaine Magner, Director, Pleasant Valley Recreation & Park District*

Southern Network – Jo MacKenzie, Director, Vista Irrigation District*

(* = Incumbent is running for re-election)

CSDA will be using a web-based online voting system, allowing your district to cast your vote easily and securely. Electronic Ballots will be emailed to the main contact in your district on June 10, 2024. All votes must be received through the system no later than 5:00 p.m. July 26, 2024.

Districts can opt to cast a paper ballot instead; but you must contact Amber Phelen by e-mail at amberp@csda.net by April 10, 2024 in order to ensure that you will receive a paper ballot on time.

CSDA will mail paper ballots on June 10, 2024 per district request only.

If you have any questions, please contact Amber Phelen at amberp@csda.net.

CSDA District Network Map





**California Special
Districts Association**

Districts Stronger Together

Policy 2.16: Board Commitments & Responsibilities

Overview:

The Board of Directors is responsible for ensuring the Association's long-term financial stability and integrity. Directors ensure the Association fulfills its mission to promote good governance and improved core local services through professional development, advocacy and other services for all types of independent special districts. In order to foster the Association's continued viability and growth, effective member engagement and sufficient revenue are essential. Accordingly, Directors pledge to be active participants and promote the Association and its services.

Core Commitments:

1. Support the approved CSDA mission statement, vision statement, and Board beliefs.
2. Advocate for the Association and its members.
3. Serve as a part of a unified governing body.
4. Govern within Board policies, standards and ethics.
5. Dedicate the time and energy necessary to be effective.
6. Represent and make policy decisions based on the impact to the entire special districts community.
7. Respect the individual views of Directors, then collectively support Board decisions.
8. Communicate as a cohesive Board of Directors with a common vision and voice.
9. Operate with the highest standards of integrity and trust.

Date Approved: 11/8/2013

Date Amended: 03/13/2015, 11/13/15, 09/02/16, 01/20/17, 01/19/18, 1/17/2020



**California Special
Districts Association**

Districts Stronger Together

Duties & Responsibilities:

General Participation

1. Regularly attend Board meetings – a Board member may be dismissed after three unexcused absences.
2. Actively participate in decision-making by being familiar with issues and prepared to address all agenda items.
3. Participate in setting CSDA policy, budget approval and establishing the direction for the Association through the Strategic Plan.
4. Actively participate as a member of at least one and no more than two CSDA committees – Board Officers may participate in more than two committees as required in the CSDA Bylaws and Board Policy Manual.
5. Attend the Association's annual conference and legislative days and participate in other meetings/events.

Governance & Training

1. Complete all four modules of CSDA's Special District Leadership Academy (SDLA) within 2 years of being elected/appointed to the CSDA Board of Directors prior to the expiration of a CSDA Board Member's full-term of office. If not completed by the end of the full-term, the CSDA Board Member shall be ineligible to run for re-election on the CSDA Board of Directors unless they are registered to attend the next available SDLA event.
2. Attend Board member orientation training provided by CSDA.
3. Provide CSDA electronic certificates for posting on the CSDA website indicating current and successful completion of AB1234 (Ethics Training), AB1825 (Harassment Prevention Training), and graduation from the CSDA Special District Leadership Academy (SDLA).

Association Programs

1. Actively understand and encourage participation in CSDA partner programs (SDRMA, CSDA Finance Corporation, SDLF) as well as other CSDA endorsed services within your district, chapter, Network service area and statewide.

Date Approved: 11/8/2013

Date Amended: 03/13/2015, 11/13/15, 09/02/16, 01/20/17, 01/19/18, 1/17/2020



**California Special
Districts Association**

Districts Stronger Together

CEO Performance Evaluation

1. Complete and submit the annual Chief Executive Officer (CEO) performance evaluation form by the designated due date. A written request to be excused from submitting the CEO evaluation form may be submitted to the CSDA President for consideration. The CSDA President shall determine if the request is approved or denied using Board Policy: 2.17-Excused Absences as guidance. If the CEO evaluation is not completed by a CSDA Board Member that has not been excused, that individual shall be ineligible to run for re-election on the CSDA Board of Directors upon completion of their term.

Advocacy, Recruitment & Retention

1. Encourage timely responses from your district and service area to CSDA legislative calls to action and other grassroots efforts. Play an active grassroots role within your service area and participate in grassroots campaigns coordinated by CSDA.
2. Advocate for CSDA with an emphasis on building relationships and furthering the understanding/awareness of special districts and the Association within your service area, chapter and statewide.
3. Promote CSDA membership and engagement opportunities in ways appropriate within your service area (i.e. sponsorships, advertisers, exhibitors, speakers, professional development opportunities, services, programs, etc.).

Finance

1. Read and understand CSDA financial statements and otherwise assist the Board in fulfilling its fiduciary responsibility.

Date Approved: 11/8/2013

Date Amended: 03/13/2015, 11/13/15, 09/02/16, 01/20/17, 01/19/18, 1/17/2020

FEBRUARY 28, 2024

ITEM F

ATTACHMENT D



January 26, 2024

Mr. Raymond Dienzo
General Manager
Nipomo Community Services District
Post Office Box 326

Nipomo, California 93444-0326

NOTICE OF DIRECTOR VACANCY

Dear Mr. Dienzo:

On behalf of the SDRMA Board of Directors, I'm writing to notify members of a vacant Director's seat on SDRMA's Board of Directors effective December 23, 2023. The term of the current vacancy will expire on December 31, 2025 and will be filled by appointment of the Board of Directors based on an application and interview process.

The appointment will be based on the following procedures according to SDRMA Bylaws and Election/Appointment Policy No. 2023-05:

Candidate Qualifications

Interested candidates must be a Board member or a management employee (see Policy No. 2023-05, Section 4.1) and be an active member agency of both SDRMA's Property/Liability and Workers' Compensation Programs. Only one representative from any member agency may serve on the Board of Directors at one time. Member Districts/Agencies which already have representatives serving on the Board are:

Herlong Public Utility District
Groveland Community Services District
Honey Lake Valley Resource Conservation District
Costa Mesa Sanitary District
Kern Mosquito and Vector Control District
Clovis Veterans Memorial District

These districts/agencies are not eligible to nominate another representative for the vacancy.

Candidate Documents and Information – Enclosed are candidate documents and information including a Board of Director fact sheet, sample resolution, Election/Appointment Policy No. 2023-05 and the 2024 Board Meeting Calendar.



Maximizing Protection. Minimizing Risk.

Application Packet

Candidates shall submit the following;

- a) A letter of interest; and
- b) A resume, with particular emphasis on the candidate's knowledge of special districts and risk management; and
- c) A resolution from, or a letter approved by the candidate's Governing Body nominating the candidate.
- d) Completed application packets must be received in SDRMA's office no later than 5:00 P.M. **April 12, 2024.**

Interview Process

- a) Qualified candidates who have submitted an approved application packet will be advised via email acknowledging the receipt of their application packet and confirming the date, time and location of their interview.
- b) Interviews will be conducted by SDRMA's Board of Directors on Wednesday, May 1, 2024 in Sacramento at SDRMA's office.

Selection

The Board of Directors anticipates making the selection and notifying candidates of the final selection on May 2, 2024. Candidates will be advised via email of the Board's selection. The selected candidate will be seated at the June Board Meeting.

SPECIAL NOTE: As a part of our normal election process, four Board seats will be up for election during 2025. One of the four seats up for election in 2025 is being filled by this appointment for a 19 month term. Therefore, whichever candidate is appointed by the Board, that Board member must then stand for election during the regular election process in 2025 and be successful in order to remain in that seat beyond December 31, 2025.

SDRMA is governed by its members for the benefit of its members. This is an important opportunity for our members to participate in their Risk Management Program. Please contact Management Analyst, Candice Richardson, at 800-537-7790 if you have any questions regarding the Board vacancy or the appointment process.

Sincerely,



Sandy Seifert-Raffelson, President
Board of Directors

cc: SDRMA Board of Directors