

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

JANUARY 24, 2024 AT 9:00 A.M.

JON S. SEITZ BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

ED EBY, **PRESIDENT**
DAN ALLEN GADDIS, **VICE PRESIDENT**
RICHARD MALVAROSE, **DIRECTOR**
GARY HANSEN, **DIRECTOR**
PHIL HENRY, **DIRECTOR**

PRINCIPAL STAFF

RAY DIENZO, **GENERAL MANAGER**
JANA ETTEDDGUE, **FINANCE DIRECTOR**
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**
CRAIG STEELE, **GENERAL COUNSEL**

Mission Statement:

Provide our customers with reliable, quality, and cost-effective services now and in the future.

A. CALL TO ORDER AND FLAG SALUTE

President Eby called the Regular Meeting of January 24, 2024, to order at 9:00 a.m. and led the flag salute.

B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

At Roll Call, Directors Henry, Hansen, Gaddis, and Eby were present. Director Malvarose was absent.

There were no public comments.

C. PRESENTATIONS AND REPORTS

C-1) PRESENTATION OF RESOLUTION OF APPRECIATION FOR LISA S. BOGNUDA

Director Eby presented a resolution to Lisa S Bognuda, former Assistant General Manager and Finance Director for the District.

Director Gaddis presented a plaque to Lisa S. Bognuda for her years of service to the District.

Mario Iglesias, former NCSD General Manager, extended his appreciation and commended Lisa S. Bognuda for her years of service and guidance.

Lisa S. Bognuda presented the following:

“Well, I wanted to say that I’ve been dreading this day for a long time, because it’s my official goodbye. When I started with the District 31 years ago, my son was 3, and my daughter was nine months old. I raised my family, but I also helped raise the District, I feel. When I got here, the District was experiencing growing pains of its own. The IRS had garnished the District bank account, we were in rented space across the street, and the District staff was pretty much in disarray. I can’t take credit for all the successes the District has experienced over the years. I do take pride in knowing I played an important part. The District has always been my second family, and I’m proud that I’ve been able to guide my second family to success. It’s been an honor and a privilege to work with outstanding Board members, General Managers, staff, consultants, and

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

members of the public. I just want to say, I appreciate the kind words memorialized in the resolution. I did read it and I know Mario and Michael helped write it and I'd like to thank them for those kind words. I will be forever grateful and proud to say that I worked for and ended my career at NCSD. Thank you."

- C-2) DIRECTORS' ANNOUNCEMENTS OF DISTRICT AND COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES AND SEMINARS. Receive Announcements and Reports from Directors

Director Gaddis

- *January 16, attended Board Officers' meeting*

Director Eby

- *January 11, attended NMMA Technical Group meeting*
- *January 16, attended Board Officers' meeting*
- *January 18, attended LAFCO Commission meeting*

- C-3) 2023 FALL GROUNDWATER INDEX REVIEW [RECOMMEND RECEIVE AND FILE REPORT]

Dr. Brad Newton, Newton Geo-Hydrology Consulting Services, presented the item and answered questions from the Board.

- C-4) QUARTERLY DISTRICT ENGINEER'S REPORT TO THE BOARD [RECOMMEND RECEIVE AND FILE]

Peter Sevcik, Director of Engineering and Operations, presented the item and answered questions from the Board.

- C-5) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

Mario Iglesias, NCSD resident, praised the Board and staff for a job well done.

*Upon the motion of Director Hansen and seconded, the Board unanimously approved receiving and filing presentations and reports.
Vote 4-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Hansen, Henry, Gaddis, and Eby</i>	<i>None</i>	<i>Director Malvarose</i>

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]

Nipomo Community Services District
REGULAR MEETING
MINUTES

- D-2) APPROVE JANUARY 10, 2024 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) CONSIDER ADOPTING A RESOLUTION TO ESTABLISH PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR FRONTAGE ROAD TRUNK SEWER PROJECT [RECOMMEND ADOPT RESOLUTION]
- D-4) AUTHORIZE CONTRACT AMENDMENT FOR CONSTRUCTION MANAGEMENT SERVICES FOR SOUTHLAND WASTEWATER TREATMENT FACILITY INFLUENT LIFT STATION REHABILITATION PROJECT [RECOMMEND AUTHORIZE CONTRACT AMENDMENT]

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board approved the Consent Agenda. Director Hansen abstained due to his absence at the last Regular Board meeting of January 10, 2024.

Vote 4-0. D-1, D-3,D-4

Vote 3-1-0. D-2

	YES VOTES	ABSTAIN	ABSENT
D-1, D-3, D-4	Directors Gaddis, Henry, Hansen, and Eby	None	Director Malvarose
D-2	Directors Gaddis, Henry, and Eby	Hansen	Director Malvarose

RESOLUTION 2024-1691
A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING A PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE
FOR THE FRONTAGE ROAD TRUNK SEWER PROJECT

E. ADMINISTRATIVE ITEMS

- E-1) INVESTMENT POLICY - QUARTERLY REPORT [RECOMMEND ACCEPT AND FILE]

Jana Ettedgue, Finance Director, introduced the item and answered questions from the Board of Directors.

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board approved accepting and filing the report.

Vote 4-0.

YES VOTES	NO VOTES	ABSENT
Directors Gaddis, Henry, Hansen, and Eby	None	Director Malvarose

- E-2) ADOPT RESOLUTION REVISING DISTRICT INVESTMENT POLICY [RECOMMEND ADOPT RESOLUTION]

Ray Dienzo, General Manager, introduced the item and answered questions from the Board of Directors.

Craig Steele, Legal Counsel, answered questions from the Board.

Nipomo Community Services District
REGULAR MEETING
MINUTES

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board adopted the resolution, with minor modifications.

Vote 4-0.

YES VOTES	ABSTAIN	ABSENT
Directors Gaddis, Henry, Hansen, and Eby	None	Director Malvarose

RESOLUTION 2024-1692
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT AMENDING
THE DISTRICT'S INVESTMENT POLICY

E-3) ANNUAL REVIEW OF DEBT MANAGEMENT POLICY AND CONTINUING DISCLOSURE UNDERTAKING POLICY [RECOMMEND REVIEW AND REAFFIRM]

Ray Dienzo, General Manager, presented the item and answered questions from the Board.

There were no public comments.

The Board unanimously reviewed and reaffirmed the District's Debt Management Policy with no modifications.

E-4) ADOPT RESOLUTION APPROVING UPDATED NIPOMO COMMUNITY SERVICES DISTRICT PURCHASE POLICY AND PROCEDURES [RECOMMEND ADOPT RESOLUTION APPROVING UPDATED PURCHASE POLICY AND PROCEDURES]

Ray Dienzo, General Manager, presented the item and answered questions from the Board.

Craig Steele, Legal Counsel, answered questions from the Board.

There were no public comments.

*Upon the motion of Director Hansen, and seconded, the Board unanimously adopted the resolution
Vote 4-0.*

YES VOTES	ABSTAIN	ABSENT
Directors Henry, Hansen, Gaddis, and Eby	None	Director Malvarose

RESOLUTION 2024-1693
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES ADOPTING AN
UPDATED PURCHASE POLICY AND PROCEDURES

F. GENERAL MANAGER'S REPORT

Ray Dienzo, General Manager, presented the item and answered questions from the Board.

There were no public comments.

G. COMMITTEE REPORTS

None

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Gaddis requested an updated contact list for the District.

Nipomo Community Services District
REGULAR MEETING
MINUTES

Director Eby would like the current Board by-laws included as an attachment to Board Packet Item Annual Review of Board By-laws and Policies scheduled for the February 14, 2024 Board meeting. Director Eby requested all Board members review by-laws and suggest amendments.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced there would be closed session regarding item 2.

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9

- a. SMVWCD V. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750, AND ALL CONSOLIDATED CASES

2. ANNUAL PERFORMANCE REVIEW PROCESS OF DISTRICT LEGAL COUNSEL UNDER GOVERNMENT CODE SECTION §54957

There were no public comments.

There were no reportable actions.

ADJOURN MEETING

President Eby adjourned the meeting at 10:51 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 39 minutes
Closed Session	0 hour 12 minutes
TOTAL HOURS	1 hour 51 minutes

Respectfully submitted,



Ray Duenzo, General Manager and Secretary to the Board

2/14/2024

Date