

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MEETING MINUTES

**MAY 14, 2025 AT 9:00 A.M.**

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

### BOARD of DIRECTORS

ED EBY, PRESIDENT  
PHIL HENRY, VICE PRESIDENT  
GARY HANSEN, DIRECTOR  
JOHN JOYCE, DIRECTOR  
TOM GLOVER, DIRECTOR

### PRINCIPAL STAFF

RAY DIENZO, GENERAL MANAGER  
JANA ETTEDDGUE, FINANCE DIR/ASST GM  
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 May 14, 2025, 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, all Directors were in attendance.*

*There were no public comments for items not on the Agenda.*

#### C. PRESENTATIONS AND REPORTS

##### C-1 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 Glover*

- *May 3, attended Nipomo Community Plan Update conducted by SLO County*

##### *Director Henry*

- *May 1, attended Finance and Audit Committee meeting*
- *May 6, attended Board Officer's meeting*

##### *Director Joyce*

- *April 28, attended SCAC meeting*
- *May 3, attended Nipomo Community Plan Update conducted by SLO County*

##### *Director Eby*

- *April 24, attended NMMA-TG meeting*

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

- May 1, attended Finance and Audit Committee meeting
- May 6, attended Board Officer's meeting
- May 7 attended WRAC meeting
- May 15, will attend, LAFCO meeting

*There were no public comments.*

D. 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 removed. If discussion is desired, the item may be removed from the Consent Agenda by a Board member and will be considered separately at the conclusion of the Consent Items. Questions or clarification may be made by the Board members without removal from the Consent Agenda. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda, unless an item is pulled for separate consideration. The recommendations for each item are noted in bracket. Members of the public may comment on the Consent Agenda items.*

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE APRIL 23, 2025 REGULAR BOARD MEETING MINUTES  
[RECOMMEND APPROVE MINUTES]

D-3) INVESTMENT POLICY- QUARTERLY REPORT [RECOMMEND ACCEPT AND FILE REPORT]

D-4) AUTHORIZE CHANGE ORDER FOR 2024 WATER DISTRIBUTION SYSTEM IMPROVEMENT PROJECT TO R. BAKER, INC. [RECOMMEND ADOPT RESOLUTION AUTHORIZING STAFF TO ISSUE CHANGE ORDER TO R. BAKER, INC. IN THE AMOUNT OF \$156,762 FOR THE CONSTRUCTION OF THE MALLAGH STREET REPLACEMENT WATERLINE].

*Jana Etteddgue, Finance Director, answered questions from the Board.*

*There were no public comments.*

*Upon the motion of Director Glover, and seconded, the Board approved the Consent Agenda and adopted the resolution.*

*Vote 5-0*

YES VOTES	ABSTAIN	ABSENT
<i>Directors Glover, Hansen, Joyce, Henry, and Eby</i>	<i>None</i>	<i>None</i>

**RESOLUTION 2025-1733  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AUTHORIZING CHANGE ORDER FOR 2024 WATER  
DISTRIBUTION SYSTEM IMPROVEMENT PROJECT  
TO R. BAKER INC. IN THE AMOUNT OF \$156,762**

E. ADMINISTRATIVE ITEMS

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

- E-1) CONDUCT PROTEST HEARING, DETERMINE PROTEST STATUS, AND IF THERE IS NOT A MAJORITY PROTEST, CONSIDER ADOPTION OF RESOLUTION INCREASING DISTRICT SEWER RATES AND CHARGES [RECOMMEND CONDUCT PUBLIC HEARING AND IF THERE IS NO MAJORITY PROTEST, ADOPT RESOLUTION INCREASING SEWER RATES AND CHARGES].

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

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

*There were no public comments.*

*Upon the motion of Director Henry, and seconded, the Board adopted the resolution increasing sewer rates and charges.*

Vote 5-0

YES VOTES	ABSTAIN	ABSENT
Directors Henry, Joyce, Glover, Hansen, and Eby	None	None

**RESOLUTION 2025-1734**  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT SETTING MONTHLY TOWN SEWER RATES AND CHARGES

- E-2) APPROVAL OF THE ENGINEER’S ANNUAL LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2025-2026 [RECOMMEND ADOPT RESOLUTION]

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

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

*There were no public comments.*

*Upon the motion of Director Glover, and seconded, the Board adopted the resolution and set the Public Hearing to approve the Engineer’s Annual Levy report on June 11, 2025 at 9:00 a.m.*

Vote 5-0

YES VOTES	NO	ABSENT
Directors Glover, Hansen, Joyce, Henry, and Eby	None	None

**RESOLUTION 2025-1735**  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT APPROVING THE ANNUAL ENGINEER’S LEVY REPORT, DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2025-2026, AND SETTING A PUBLIC HEARING THEREON

- E-3) APPROVAL OF THE ENGINEER’S ANNUAL LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR BLACKLAKE STREET

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 2022-1 FOR FISCAL YEAR 2025-2026 [RECOMMEND ADOPT RESOLUTION]

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

*There were no public comments.*

*Upon the motion of Director Joyce, and seconded, the Board adopted the resolution and set the Public Hearing to approve the Engineer's Annual Levy report on June 11, 2025 at 9:00 a.m.*

Vote 5-0.

YES VOTES	NO	ABSENT
Directors Joyce, Glover, Hansen, Henry, and Eby	None	None

**RESOLUTION 2025-1736  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT APPROVING THE ANNUAL ENGINEER'S LEVY REPORT, DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR BLACKLAKE STREET LIGHTING MAINTENANCE ASSESSMENT NO. 2022-1 FOR FISCAL YEAR 2025-2026, AND SETTING A PUBLIC HEARING THEREON**

- E-4) (A) REVIEW DRAFT BUDGET FOR FISCAL YEAR 2025-2026 [RECOMMEND CONSIDER DRAFT BUDGET AND SCHEDULE FOR ADOPTION ON JUNE 11, 2025]

*Jana Etteddgue, Finance Director, presented the item and answered questions from the Board.*

*There were no public comments.*

*Upon the motion of Director Glover, and seconded, the Board voted to set the Public Hearing to consider adoption of the Fiscal Year 2025-2026 Budget on June 11, 2025 at 9:00 a.m.*

Vote 5-0

YES VOTES	NO	ABSENT
Directors Glover, Hansen, Joyce, Henry, and Eby	None	None

- E-4) (B) REVIEW DRAFT BUDGET FOR FISCAL YEAR 2025-2026 FOR THE NIPOMO SUPPLEMENTAL WATER PROJECT (NSWP) [RECOMMEND CONSIDER DRAFT BUDGET AND SCHEDULE FOR ADOPTION ON JUNE 11, 2025]

*Jana Etteddgue, Finance Director, presented the item and answered questions from the Board*

*There were no public comments.*

**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

*Upon the motion of Director Henry, and seconded, the Board voted to set the Public Hearing to consider adoption of the Fiscal Year 2025-2026 NSWP Budget on June 11, 2025 at 9:00 a.m.*

Vote 5-0

YES VOTES	NO	ABSENT
<i>Directors Henry, Glover, Joyce, Hansen, and Eby</i>		

- E-5) INTRODUCTION OF AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING CHAPTER 3.06 OF THE DISTRICT CODE RELATING TO WATER SYSTEM BACKFLOW PREVENTION AND FINDING THAT THE ADOPTION OF THIS ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) [RECOMMEND INTRODUCE, WAIVE FURTHER READING, READ BY TITLE ONLY ORDINANCE NO. 2025-XXXX AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING CHAPTER 3.06 OF THE DISTRICT CODE RELATING TO WATER SYSTEM BACKFLOW PREVENTION AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)]

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

*There were no public comments.*

*Upon the motion of Director Joyce, and seconded, the approved the introduction of Ordinance 2025-137 and read by title only – Ordinance 2025-137, An Ordinance of the Board of Directors of the Nipomo Community Services District Amending Chapter 3.06 of the Nipomo Community Services District Code.*

Vote 5-0

YES VOTES	NO	ABSENT
<i>Directors Joyce, Glover, Hansen, Henry, and Eby</i>	<i>None</i>	<i>None</i>

**ORDINANCE 2025-137  
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT AMENDING  
CHAPTER 3.06 OF THE DISTRICT CODE RELATING TO WATER  
SYSTEM BACKFLOW PREVENTION AND FINDING THAT THE  
ADOPTION OF THIS ORDINANCE IS EXEMPT FROM REVIEW  
UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**F. GENERAL MANAGER'S REPORT**

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

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

*There were no public comments*

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

G. COMMITTEE REPORTS

*Director Eby stated that the Finance and Audit Committee met on May 1, 2025 and reviewed the items to be included in the FY2025-2026 budget. The item was referred for presentation at the next Regular Board meeting.*

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

*None.*

I. CLOSED SESSION ANNOUNCEMENTS

*Craig Steele, General Counsel, announced that there would be no closed session.*

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

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

b. NIPOMO ACTION COMMITTEE, ET AL. V. SAN LUIS OBISPO LOCAL AGENCY FORMATION COMMISSION, ET. AL. (SAN LUIS OBISPO COUNTY SUPERIOR COURT CASE NO. 24CV-0768)

ADJOURN MEETING

*President Eby adjourned the meeting at 10:22a.m.*

MEETING SUMMARY	HOURS & MINUTES	
Regular Meeting	1 hours	22 minutes
Closed Session	0 hours	0 minutes
TOTAL HOURS	1 hours	22 minutes

Respectfully submitted,

*Raymond Dienzo*

*5/29/2025*

Ray Dienzo, General Manager and Secretary to the Board

Date