

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MINUTES

**APRIL 10, 2024 AT 9:00 A.M.**

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

**BOARD of DIRECTOR PH, FH, RM, DAGS**

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

**PRINCIPAL STAFF**

RAY DIENZO, **GENERAL MANAGER**  
JANA ETTEDDGUE, **FINANCE DIR/ASSIST 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 April 10, 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, all Directors were present.*

*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 Gaddis*

- *April 2, attended Board Officers' meeting*

*Director Eby*

- *March 28, attended NMMA TG meeting*
- *April 3, WRAC meeting was cancelled*
- *Announced April 13, Greenhouse Grower's open house*
- *Announced April 18, LAFCO meeting*

- C-2) ENGINEER'S QUARTERLY REPORT

*Ray Dienzo, General Manager introduced the item.*

*Peter Sevcik, District Engineer, presented the item and answered questions from the Board and public.*

*James Wejrowski, NCSD resident, asked whether pumps had been pre-purchased for the Blacklake Project. Peter Sevcik responded that they had not but pre-purchases of some parts are under review to account for long lead times.*

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- C-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

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

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE MARCH 27, 2024 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) INITIATE PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 [RECOMMEND ADOPT RESOLUTION]
- D-4) INITIATE PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR BLACKLAKE STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT 2022-1 [RECOMMEND ADOPT RESOLUTION]
- D-5) AUTHORIZE TASK ORDER WITH MKN & ASSOCIATES INC. FOR UPDATE OF THE DISTRICT STANDARD SPECIFICATIONS FOR WATER AND SEWER SYSTEM IMPROVEMENTS [RECOMMEND BY MOTION AND ROLL CALL VOTE AUTHORIZE STAFF TO EXECUTE TASK ORDER IN THE AMOUNT OF \$49,680 WITH MKN & ASSOCIATES, INC.]

*Jana Ettedgue, Finance Director, answered questions from the Board regarding Item D-1.*

*Pam Wilson, NCSD resident, asked about the streetlights in Blacklake.*

*Ray Dienzo, General Manager, answered questions from the public.*

*Upon the motion of Director Hansen and seconded, the Board approved the Consent Agenda.  
Vote 4-0.*

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

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER SECOND AMENDMENT TO GRANT AGREEMENT WITH ACHIEVEMENT HOUSE INC. FOR SOLID WASTE REMOVAL IN NIPOMO COMMUNITY SERVICES DISTRICT COMMON AREAS [RECOMMEND APPROVE SECOND AMENDMENT TO AGREEMENT WITH ACHIEVEMENT HOUSE FOR SOLID WASTE REMOVAL]

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

*There were no public comments.*

*Upon the motion of Director Henry, and seconded, the Board approved the Second Amendment to Agreement with Achievement House.  
Vote 4-0.*

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

- E-2) REVIEW AND FILE NOTICE OF VACANCY ON THE NIPOMO COMMUNITY SERVICES DISTRICT'S GOVERNING BOARD OF DIRECTORS [RECOMMEND RECEIVE, DISCUSS, AND PROVIDE DIRECTION TO STAFF REGARDING FILLING THE VACANCY]

*Ray Dienzo, General Manager, introduced the item.*

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

*There were no public comments.*

*Upon the motion of Director Eby and seconded, the Board unanimously acknowledged the resignation of Richard Malvarose on April 5, 2024; directed staff to notify the County Elections Official of the vacancy; declared the Board's intent to fill the vacancy by appointment; and directed staff to post public notice and intent of Board to fill vacancy at a Special Meeting to be held on April 29, 2024.  
Vote 4-0.*

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

F. GENERAL MANAGER'S REPORT

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

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

*There were no public comments.*

G. COMMITTEE REPORTS

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None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby requested a special meeting be set for April 29, 2024 at 10:00am to fill the vacancy on the Board.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced that there would be closed session to discuss Item 1.

There were no public comments on Closed Session items.

Director Eby called for a 5-minute recess before adjourning to 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


Craig Steele, District Legal Counsel, announced there were no reportable actions taken in closed session.

ADJOURN MEETING

President Eby adjourned the meeting at 11:05 a.m.

MEETING SUMMARY	HOURS & MINUTES		
Regular Meeting	0	hours	50 minutes
Closed Session	1	hours	10 minutes
TOTAL HOURS	2	hours	0 minutes

Respectfully submitted,



Ray Dienzo, General Manager and Secretary to the Board

4/29/2024  
Date