

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING MINUTES

JUNE 12, 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**
GARY HANSEN, **DIRECTOR**
PHIL HENRY, **DIRECTOR**
MARIO IGLESIAS, **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 June 12, 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.

Carmen Morales, Nipomo resident, commented on the Dana Reserve development

Sue Shaleen, Nipomo resident, commented on the Dana Reserve development

Dennis Shaleen, Nipomo resident, commented on the Dana Reserve development

Joe Martinez, Nipomo resident, commented on the Dana Reserve development.

Carla Haynie, Nipomo resident, commented on the Dana Reserve development.

Barbara Knobloch, Nipomo resident, commented on her water bill.

Phil Goldman, Nipomo resident, commented on the Dana Reserve development.

Sam Williams, Nipomo resident, commented on the Dana Reserve development.

Lynn Grijalva, Nipomo resident, commented on the Dana Reserve development.

Cynthia Valencia, Nipomo resident, commented on the Dana Reserve development

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

C. PRESENTATIONS AND REPORTS

C-1) SPRING 2024 GROUND WATER INDEX (GWI) REVIEW, NEWTON GEO-HYDROLOGY CONSULTING SERVICES [RECOMMEND RECEIVE AND FILE REPORT]

Ray Dienzo, General Manager, introduced the item.

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

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

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

Nipomo Community Services District
REGULAR MEETING
MINUTES

Director Gaddis

- June 4, attended Board Officers' meeting

Director Iglesias

- June 7, attended tax-sharing meeting with SLO County

Director Eby

- June 5, attended WRAC meeting
- June 7, attended tax-sharing meeting with SLO County
- June 20, LAFCO meeting cancelled

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

Joe Martinez, Nipomo resident, commented on Dr. Newton's presentation.

Lyn Grijalva, Nipomo resident, commented on Dr. Newton's presentation.

Dennis Shaleen, Nipomo resident, commented on Dr. Newton's presentation.

John Joyce, Nipomo resident, commented on Dr. Newton's presentation.

Mike Sullivan, Nipomo resident, commented on Dr. Newton's presentation.

Carla Haynie, Nipomo resident, commented on Dr. Newton's presentation.

Director Eby answered questions from the public.

Director Henry answered questions from the public.

Dr. Newton answered questions from the Board and public.

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

Cynthia Valencia, Nipomo resident, commented on Dr. Newton's presentation.

Upon the motion of Director Gaddis, and seconded, the Board approved receiving and filing presentations.

Vote 5-0

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

Director Eby called for a 10-minute recess.

Director Eby reconvened the meeting at 10:56 am.

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.*

Nipomo Community Services District
REGULAR MEETING
MINUTES

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE MAY 22, 2024 BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) AUTHORIZE STAFF TO BID NIPOMO SUPPLEMENTAL WATER PROJECT INTERCONNECTS [RECOMMEND AUTHORIZE TO BID]
- D-4) AUTHORIZE CONTRACT AMENDMENT FOR ENGINEERING SERVICES FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT WITH CANNON CORPORATION [RECOMMEND AUTHORIZE CONTRACT AMENDMENT].
- D-5) AUTHORIZE CONTRACT AMENDMENT FOR ENGINEERING SERVICES FOR NIPOMO SUPPLEMENTAL WATER PROJECT INTERCONNECTS WITH MKN & ASSOCIATES [RECOMMEND AUTHORIZE CONTRACT AMENDMENT]

Staff answered questions on D-3.

Upon the motion of Director Henry, and seconded, the Board approved the Consent Agenda.

Vote 5-0

YES VOTES	ABSTAIN	ABSENT
<i>Directors Henry, Gaddis, Iglesias, Hansen, and Eby</i>	<i>None</i>	<i>None</i>

E. ADMINISTRATIVE ITEMS

- E-1) PUBLIC HEARING TO APPROVE GENERAL MANAGER’S REPORT AND AUTHORIZE RECORDATION OF TAX LIENS FOR PROPERTIES IN ARREARS IN PAYMENT OF SOLID WASTE FEES [RECOMMEND CONDUCT HEARING, AMEND GENERAL MANAGER’S REPORT IF NECESSARY, AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING GENERAL MANAGER’S REPORT AND AUTHORIZING RECORDATION OF LIENS].

Jana Ettedgue, Finance Director, introduced and presented the item.

President Eby opened the Public Hearing.

There were no public comments and no written protests received.

President Eby closed the Public Hearing.

Upon the motion of Director Hansen, and seconded, the Board unanimously adopted the resolution.

Vote 5-0

YES VOTES	ABSTAIN	ABSENT
<i>Directors Hansen, Iglesias Henry, Gaddis, and Eby</i>	<i>None</i>	<i>None</i>

RESOLUTION NO. 2024-1706
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT CONFIRMING REPORT OF DISTRICT GENERAL MANAGER AND ORDERING THE COLLECTION OF UNPAID SOLID WASTE COLLECTION CHARGES ON THE TAX ROLL

Nipomo Community Services District
REGULAR MEETING
MINUTES

- E-2) PUBLIC HEARING TO APPROVE ENGINEER’S REPORT AND AUTHORIZE COLLECTION OF FY 2024-2025 STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 ASSESSMENTS [RECOMMEND CONDUCT HEARING, AMEND ENGINEER’S REPORT IF NECESSARY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING ENGINEER’S REPORT AND AUTHORIZING COLLECTION OF ASSESSMENTS]

Jana Ettedgue, Finance Director, introduced and presented the item.

President Eby opened the Public Hearing.

There were no public comments and no written protests received.

President Eby closed the Public Hearing.

Upon the motion of Director Gaddis, and seconded, the Board unanimously adopted the resolution.

Vote 4-1-0

YES VOTES	ABSTAIN	ABSENT
<i>Directors Gaddis, Hansen, Henry, and Eby</i>	<i>Iglesias</i>	<i>None</i>

RESOLUTION NO. 2024-1707
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2024-2025

- E-3) PUBLIC HEARING TO APPROVE ENGINEER’S REPORT AND AUTHORIZE COLLECTION OF BLACKLAKE STREET LIGHTING MAINTENANCE ASSESMENT DISTRICT NO. 2022-1 ASSESSMENTS [RECOMMEND CONDUCT HEARING, AMEND ENGINEER’S REPORT IF NECESSARY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING ENGINEER’S REPORT AND AUTHORIZING COLLECTION OF ASSESSMENTS].

Jana Ettedgue, Finance Director, presented the item.

President Eby opened the Public Hearing.

There were no written protests received.

John Joyce, Nipomo resident, commented on the item.

Barbara Knobloch, Nipomo resident, commented on the item.

Natasha Dolan, Nipomo resident, commented on the item.

Staff answered questions from the Board and public.

Director Eby answered questions from the public.

President Eby closed the Public Hearing.

Upon the motion of Director Gaddis and seconded, the Board unanimously adopted the resolution.

Vote 3-2-0

YES VOTES	ABSTAIN	ABSENT
<i>Directors Gaddis, Iglesias, and Eby</i>	<i>Henry, Hansen</i>	<i>None</i>

RESOLUTION NO. 2024-1708
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE BLACKLAKE STREET LIGHTING MAINTENANCE DISTRICT NO. 2022-1 FOR FISCAL YEAR 2024-2025

Nipomo Community Services District
REGULAR MEETING
MINUTES

- E-4) (A) PUBLIC HEARING TO ADOPT 2024-2025 FISCAL YEAR BUDGET AND APPROPRIATION LIMIT [RECOMMEND CONDUCT PUBLIC HEARING, CONSIDER TESTIMONY, ORDER EDITS IF ANY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING 2024-2025 FISCAL YEAR BUDGET AND APPROPRIATION LIMITATION].

Jana Etteddgue, Finance Director, presented the item.

President Eby opened the Public Hearing.

There were no public comments and no written protests received.

Staff answered questions from the Board.

President Eby closed the Public Hearing.

Upon the motion of Director Iglesias, and seconded, the Board unanimously adopted the Resolutions adopting the 2024-2025 Budget and Appropriations Limitation.

Vote 5-0

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

RESOLUTION NO. 2024-1709
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING THE 2024-2025 FISCAL YEAR BUDGET

RESOLUTION NO. 2024-1710
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DETERMINING THE APPROPRIATION LIMITATION FOR THE 2024-2025 FISCAL YEAR

- (B) PUBLIC HEARING TO ADOPT 2024-2025 FISCAL YEAR BUDGET FOR NIPOMO SUPPLEMENTAL WATER PROJECT (NSWP) [RECOMMEND CONDUCT PUBLIC HEARING, CONSIDER TESTIMONY, ORDER EDITS IF ANY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING NSWP 2024-2025 FISCAL YEAR BUDGET].

Jana Etteddgue, Finance Director, presented the item.

President Eby opened the Public Hearing.

There were no written protests received.

Joe Martinez, Nipomo resident, commented on the item.

Barbara Knobloch, Nipomo resident, commented on the item.

John Joyce, Nipomo resident, commented on the item.

Staff answered questions from the Board and public.

President Eby closed the Public Hearing

Upon the motion of Director Henry, and seconded, the Board unanimously adopted the resolution.

Vote 5-0

Nipomo Community Services District
REGULAR MEETING
MINUTES

F.

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

RESOLUTION NO. 2024-1711
 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
 NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING THE
 NSWP (NIPOMO SUPPLEMENTAL WATER PROJECT)2024-
 2025 FISCAL YEAR BUDGET

GENERAL MANAGER'S REPORT

No written report for this meeting. Next written report will be provided at the June 26th Board meeting.

There were no public comments.

G. COMMITTEE REPORTS

The Dana Reserve Ad Hoc committee met with SLO County on June 7, 2024. No action was taken.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced that there would be closed session to discuss Items 1 and 2.

There were no public comments on closed session.

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

- a. NIPOMO ACTION COMMITTEE, ET AL. V. COUNTY OF SAN LUIS OBISPO, ET. AL. (SAN LUIS OBISPO COUNTY SUPERIOR COURT CASE NO. 24CV-0351)

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

ADJOURN MEETING

President Eby adjourned the meeting at 12:23 p.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	2 hours 36 minutes
Closed Session	0 hours 47 minutes
TOTAL HOURS	3 hours 23 minutes

Respectfully submitted,

Raymond Dierzo

6/26/2024

Ray Dierzo, General Manager and Secretary to the Board

Date