

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

AUGUST 9, 2023 AT 9:00 A.M.

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

BOARD of DIRECTORS

RICHARD MALVAROSE, PRESIDENT
DAN ALLEN GADDIS, VICE PRESIDENT
ED EBY, DIRECTOR
DAN WOODSON, DIRECTOR
GARY HANSEN, DIRECTOR

PRINCIPAL STAFF

MARIO IGLESIAS, INTERIM GENERAL MANAGER
LISA BOGNUDA, ASST GENERAL MANAGER
JANA ETTEDDUE, 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 Malvarose called the Regular Meeting of August 9, 2023, 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.

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

- August 3, meeting with a Clever Ducks software technician. Cause of NCSD e-mail attachments unable to be opened by Director Gaddis was due to a Clever Ducks upgrade change to their Clever Ducks server in the beginning of 2023. They now intend to change to a Microsoft server in a few weeks.*

Director Malvarose

- August 1, attended Board Officers' Meeting*

- C-2) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

There were no public comments.

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

Vote 5-0.

YES VOTES	NO VOTES	ABSTAIN
<i>Directors Eby, Woodson, Hansen, Gaddis, and Malvarose</i>	<i>None</i>	<i>None</i>

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D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE JULY 26, 2023, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) DECLARE 2013 AND 2010 FORD PICKUP TRUCKS SURPLUS AND AUTHORIZE SALE [RECOMMEND DECLARE 2013 AND 2010 FORD PICKUP TRUCKS SURPLUS AND AUTHORIZE STAFF TO DISPOSE OF BY SALE]

Staff answered questions regarding items D-1.

There were no public comments.

Upon the motion of Director Eby and seconded, the Board approved the Consent Agenda. Vote 5-0.

YES VOTES	NO VOTES	ABSTAIN
Directors Eby, Hansen, Woodson, Gaddis, and Malvarose	None	None

E. ADMINISTRATIVE ITEMS

- E-1) CONTRACT APPOINTING RAYMOND DIENZO AS DISTRICT GENERAL MANAGER [RECOMMEND APPROVE EMPLOYMENT CONTRACT]

Mario Iglesias, 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 approved the employment contract with Raymond Dienzo as General Manager, starting September 22, 2023. Vote 5-0.

YES VOTES	NO VOTES	ABSTAIN
Directors Eby, Gaddis, Hansen, Woodson, and Malvarose	None	None

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- E-2) INTRODUCTION OF ORDINANCE RE-STATING AND UPDATING THE DISTRICT CODE [RECOMMEND INTRODUCE, WAIVE FURTHER READING, READ BY TITLE ONLY ORDINANCE NO. 2023-136, AN ORDINANCE OF THE BOARD OF THE DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT RE-STATING AND ADOPTING THE DISTRICT CODE, ADOPTING PENALTIES FOR THE VIOLATION OF SUCH CODE, AND FINDING THAT THE ADOPTION OF THIS ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")]

Mario Iglesias, 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 approved the introduction of Ordinance 2023-136 and read by title only – Ordinance 2023-136, An Ordinance of the Board of Directors of the Nipomo Community Services District re-stating and adopting the District Code, adopting penalties for the violation of such code, and finding that the adoption of this ordinance is exempt from review under the California Environmental Quality ACT (CEQA).

Vote 5-0.

YES VOTES	NO VOTES	ABSTAIN
<i>Directors Eby, Hansen, Woodson, Gaddis, and Malvarose</i>	<i>None</i>	<i>None</i>

ORDINANCE NO. 2023-136
AN ORDINANCE OF BOARD OF THE DIRECTORS
OF THE NIPOMO COMMUNITY
SERVICES DISTRICT RE-STATING AND
ADOPTING THE DISTRICT CODE,
ADOPTING PENALTIES FOR THE VIOLATION
OF SUCH CODE, AND FINDING THAT THE ADOPTION OF THIS
ORDINANCE IS EXEMPT FROM REVIEW UNDER THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")

F. GENERAL MANAGER'S REPORT

Mario Iglesias, 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

None.

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I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal 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

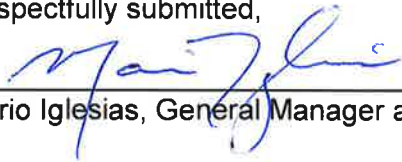
There were no public comments.

ADJOURN MEETING

President Malvarose adjourned the meeting at 9:46 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 46 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	0 hour 46 minutes

Respectfully submitted,



Mario Iglesias, General Manager and Secretary to the Board

8/23/2023
Date