

# **NIPOMO COMMUNITY SERVICES DISTRICT**

*Serving the Community since 1965*

## **REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA**

**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.

**NOTE:**

- *All comments concerning any item are to be directed to the Board President.*
- *Consistent with the Americans with Disabilities Act and California Government Code §54954.2 requests for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires the modification or accommodation in order to participate at the below referenced public meeting by contacting the District General Manager at 805-929-1133.*
- *District-prepared staff reports and documents are generally posted on the District's website {[NCS.D.CA.GOV](http://NCS.D.CA.GOV)} on the same date the agenda is posted.*
- *Any writing or document pertaining to an open session item on this agenda which is distributed to the Board of Directors after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review on the District's web site at <http://www.ncsd.ca.gov>.*
- *Items may be taken out of order. If necessary, the Board typically breaks for lunch at approximately 12 noon and conducts Closed Session at that time, reconvening to public session at approximately 1:00 p.m.*
- *Please silence all cell phones during the meeting, as a courtesy to others.*

A. CALL TO ORDER AND FLAG SALUTE      NEXT RESOLUTION      2024-1691

   NEXT ORDINANCE      2024-137

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

B-1) ROLL CALL

B-2) PUBLIC COMMENT: Any member of the public may address the Board relating to any matter within the Board's jurisdiction but not on the Board's agenda. Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.

C. PRESENTATIONS AND REPORTS

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

- 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
- C-3) 2023 FALL GROUNDWATER INDEX REVIEW [RECOMMEND RECEIVE AND FILE REPORT]
- C-4) QUARTERLY DISTRICT ENGINEER'S REPORT TO THE BOARD [RECOMMEND RECEIVE AND FILE]
- C-5) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

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 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]

E. ADMINISTRATIVE ITEMS

- E-1) INVESTMENT POLICY - QUARTERLY REPORT [RECOMMEND ACCEPT AND FILE]
- E-2) ADOPT RESOLUTION REVISING DISTRICT INVESTMENT POLICY [RECOMMEND ADOPT RESOLUTION]
- E-3) ANNUAL REVIEW OF DEBT MANAGEMENT POLICY AND CONTINUING DISCLOSURE UNDERTAKING POLICY [RECOMMEND REVIEW AND REAFFIRM]

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

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORTS

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

I. CLOSED SESSION ANNOUNCEMENTS

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

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

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

K. ADJOURN TO CLOSED SESSION

L. OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN MEETING

NEXT REGULAR BOARD MEETING IS WEDNESDAY, FEBRUARY 14, 2024, 9 AM