

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MINUTES

**MARCH 27, 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**  
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.

**A. CALL TO ORDER AND FLAG SALUTE**

*President Eby called the Regular Meeting of March 27, 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*

- March 19, 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 Hansen and seconded, the Board approved receiving and filing presentations and reports.*

*Vote 5-0.*

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

**D. CONSENT AGENDA**

**D-1) WARRANTS [RECOMMEND APPROVAL]**

Nipomo Community Services District  
DRAFT REGULAR MEETING  
MINUTES

- D-2) APPROVE MARCH 13, 2024 REGULAR BOARD MEETING MINUTES  
[RECOMMEND APPROVE MINUTES]

*There were no public comments.*

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

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

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER REFINANCING THE 2013A AND 2013 CERTIFICATES OF PARTICIPATION AND, IF APPROPRIATE, APPROVE FEE AGREEMENTS WITH FINANCIAL CONSULTANT AND BOND COUNSEL [RECOMMEND DIRECT STAFF TO ENTER INTO FEE AGREEMENTS WITH COLUMBIA CAPITAL AND BOND COUNSEL FOR THE PURPOSE OF REFUNDING AND REFINANCING 2013A AND 2013 CERTIFICATES OF PARTICIPATION]

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

*Maryann Goodkind, Bond Counsel with Norton Rose Fulbright US LLP, answered questions from the Board*

*James Prichard, Managing Director for Columbia Capital Management LLC, answered questions from the Board.*

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

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

*Elizabeth Villanueva, Assistant Engineer, answered questions from the Board.*

*There were no public comments.*

*Upon the motion of Director Malvarose, and seconded, the Board approved pursuing the refunding and issuance of new debt and authorized Staff enter into fee agreements with Norton Rose Fullbright US LLP and Columbia Capital Management LLC.  
Vote 5-0.*

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

- E-2) REVIEW AND CONSIDER THE FINANCE DIRECTOR TITLE AND ADD ASSISTANT GENERAL MANAGER BACK INTO THE TITLE AND JOB DESCRIPTION [RECOMMEND APPROVE MODIFICATION TO FINANCE DIRECTOR/ASSISTANT GENERAL MANAGER JOB DESCRIPTION]

Nipomo Community Services District  
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Ray Dienzo, General Manager, presented the item and answered questions from the Board.

There were no public comments.

Upon the motion of Director Malvarose and seconded, the Board unanimously approved merging the Finance Director and Assistant General Manager job titles.  
Vote 5-0.

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

F. GENERAL MANAGER'S REPORT

Ray Dienzo, 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

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

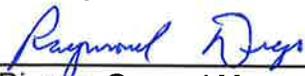
- a. SMVWCD V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750, AND ALL CONSOLIDATED CASES)

ADJOURN MEETING

President Eby adjourned the meeting at 9:41 a.m.

MEETING SUMMARY	HOURS & MINUTES		
Regular Meeting	0	hours	41 minutes
Closed Session	0	hours	0 minutes
TOTAL HOURS	0	hours	41 minutes

Respectfully submitted,



4/10/2024

Ray Dienzo, General Manager and Secretary to the Board

Date