

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING MINUTES

MAY 8, 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 May 8, 2024, to order at 9:02 a.m. and led the flag salute.

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

At Roll Call, Directors Iglesias, Henry, Gaddis, and Eby were present. Director Hansen was absent.

There were no public comments for items not on the Agenda.

C. PRESENTATIONS AND REPORTS

C-1) ADOPT AND PRESENT RESOLUTION OF APPRECIATION FOR COMMENDING FORMER DIRECTOR RICHARD MALVAROSE [RECOMMEND ADOPT AND PRESENT RESOLUTION]

Director Eby presented the Resolution of Appreciation to Richard Malvarose.

Director Gaddis presented a plaque in recognition of his service to the District and community.

Richard Malvarose expressed his thanks and well-wishes to the Board.

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

Vote 4-0-1

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

RESOLUTION 2024-1699

A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT COMMENDING RICHARD MALVAROSE FOR HIS DEDICATED SERVICE TO THE NIPOMO COMMUNITY SERVICES DISTRICT

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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

Director Gaddis

- *April 29, attended Special Board Meeting*
- *May 1, attended Finance and Audit Committee meeting.*
- *May 1, attended Board Officers' meeting*

Director Eby

- *April 29, attended Special Board Meeting*
- *May 1, attended Finance and Audit Committee meeting.*

Director Henry

- *May 1, attended WRAC meeting.*

C-3) ANNUAL REVIEW OF NIPOMO COMMUNITY SERVICES DISTRICT'S STRATEGIC PLAN

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

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

Jana Ettedgue, Finance Director, answered questions from the Board.

C-4) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

Pam Wilson, NCS D resident, asked about implementation of new disinfectant referenced in the Strategic Plan.

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

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

Vote 4-0-1

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

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.*

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- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE APRIL 29, 2024 SPECIAL BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) AUTHORIZE CONTRACT WITH SWCA ENVIRONMENTAL CONSULTANTS FOR ENVIRONMENTAL COMPLIANCE SERVICES FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT [RECOMMEND AUTHORIZE STAFF TO EXECUTE A CONTRACT IN THE AMOUNT OF \$184,908 WITH SWCA ENVIRONMENTAL CONSULTANTS FOR ENVIRONMENTAL COMPLIANCE SERVICES FOR THE BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT]
- D-4) AUTHORIZE PURCHASE OF CONTROLS PANELS FOR SUPPLEMENTAL WATER PROJECT INTERCONNECTS [RECOMMEND ADOPT RESOLUTION APPROVING PURCHASE]
- D-5) INVESTMENT POLICY- QUARTERLY REPORT [RECOMMEND ACCEPT AND FILE REPORT]
- D-6) ADOPT RESOLUTION ENDING THE APPOINTMENT OF MARIO E. IGLESIAS TO AN INTERIM ROLE, EFFECTIVE APRIL 29, 2024 [RECOMMEND APPROVE RESOLUTION]

Staff answered questions regarding Item D-1

There were no public comments.

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

Vote 4-0-1.

<i>D-1 to</i>	YES VOTES	NO VOTES	ABSENT
<i>D-5</i>	<i>Directors Henry, Gaddis, Iglesias, Eby</i>	<i>None</i>	<i>Director Hansen</i>

**RESOLUTION 2024-1700
A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING PURCHASE OF CONTROL PANELS FOR THE SUPPLEMENTAL WATER PROJECT INTERCONNECTS**

Vote 3-1-1.

<i>D-6</i>	YES VOTES	ABSTAIN	ABSENT
	<i>Directors Henry, Gaddis, Eby</i>	<i>Director Iglesias</i>	<i>Director Hansen</i>

**RESOLUTION 2024-1701
A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT ENDING THE APPOINTMENT OF MARIO E. IGLESIAS TO AN INTERIM ROLE, EFFECTIVE APRIL 29, 2024.**

E. ADMINISTRATIVE ITEMS

- E-1) APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2024-2025 [RECOMMEND ADOPT RESOLUTION]

Ray Dienzo, General Manager, introduced the item.

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

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

There were no public comments.

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

Vote 3-1-1.

YES VOTES	ABSTAIN	ABSENT
Directors Henry, Gaddis, Eby	Director Iglesias	Director Hansen

RESOLUTION NO. 2024-1702
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT APPROVING THE ANNUAL ENGINEER'S LEVY REPORT, DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2024-2025, AND SETTING A PUBLIC HEARING THEREON

- E-2) APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR BLACKLAKE STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 2022-1 FOR FISCAL YEAR 2024-2025 [RECOMMEND ADOPT RESOLUTION]

Ray Dienzo, General Manager, introduced the item.

Peter Sevcik, District Engineer, 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 adopted the resolution.

Vote 3-1-1.

YES VOTES	ABSTAIN	ABSENT
Directors Gaddis, Iglesias, Eby	Director Henry	Director Hansen

RESOLUTION NO. 2024-1703
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT APPROVING THE ANNUAL ENGINEER'S LEVY REPORT, DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR BLACKLAKE STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 2022-1 FOR FISCAL YEAR 2024-2025, AND SETTING A PUBLIC HEARING THEREON

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

Director Eby announced the Finance and Audit Committee met on May 1. Staff presented items to be included in the draft Budget for FY 24-25. The Committee directed staff to prepare the draft budget and present to the Board at the next Regular Board Meeting on May 22, 2024.

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H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby requested staff research the state edict in forcing the conversion of the District's fleet to electric vehicles.

Ray Dienzo, General Manager, answered questions from the Board regarding the electric vehicle fleet.

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

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)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments on closed session.

Director Eby re-opened public comment for Consent Agenda Item D-3 due to public request.

James Wejdrowski, NCSD resident, asked about costs in the contract with SWCA.

Peter Sevcik, District Engineer, answered questions from the public regarding item D-3.

ADJOURN MEETING

President Eby adjourned the meeting at 10:17 a.m.

MEETING SUMMARY	HOURS & MINUTES		
Regular Meeting	1	hours	17 minutes
Closed Session	0	hours	0 minutes
TOTAL HOURS	1	hours	17 minutes

Respectfully submitted,



6/11/2024

Ray Dienzo, General Manager and Secretary to the Board

Date