

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MEETING MINUTES

**JUNE 26, 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 26, 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, Directors Iglesias, Henry, Gaddis and Eby were present. Director Hansen was absent.*

*Pam Wilson, Nipomo resident, commented on the Dana Reserve development.*

*Mary Van Ryn, Nipomo resident, commented on monitoring of domestic wells.*

*Carmen Morales-Board, Nipomo resident, commented on the minutes for the Board Meetings.*

*Pat McQuillen, Nipomo resident, provided written comment via email regarding the Dana Reserve development. Email was read by Ray Dienzo, General Manager.*

*Director Eby answered questions from the public.*

*Director Iglesias answered questions from the public.*

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

#### 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. [RECOMMEND RECEIVE AND FILE REPORTS FROM DIRECTORS].

*Director Iglesias*

- *June 18, attended the Dana Reserve Ad Hoc committee meeting*

*Director Eby*

- *June 18, attended the Dana Reserve Ad Hoc committee meeting*
- *June 18, Pismo Beach City Council gave a report on the Northern Cities Management Area*

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- June 20, LAFCO meeting cancelled
- June 25, attended a special WRAC meeting

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

Mary Van Ryn, Nipomo resident, commented on the special WRAC meeting.

John Joyce, Nipomo resident, commented on the availability of the WRAC meeting minutes.

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

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 JUNE 12, 2024 BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES].
- D-3) ACCEPT SOUTHLAND WASTEWATER TREATMENT FACILITY INFLUENT LIFT STATION REHABILITATION PROJECT [RECOMMEND, BY MOTION AND ROLL CALL VOTE, ACCEPT PROJECT AND DIRECT STAFF TO FILE NOTICE OF COMPLETION]
- D-4) REQUEST CONSOLIDATION OF DISTRICT BOARD ELECTION WITH STATEWIDE GENERAL ELECTION AND ADOPTING REGULATIONS FOR CANDIDATES AND COSTS OF CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS [RECOMMEND ADOPT RESOLUTIONS]
- D-5) ACCEPT DEED RESTRICTION FOR APN 090-092-023, 328 NORTH MALLAGH STREET, NIPOMO [RECOMMEND ADOPT RESOLUTION ACCEPTING OFFER OF DEED RESTRICTION]

Director Henry requested Item D-5 be pulled for discussion.

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*There were no public comments.*

*Upon the motion of Director Iglesias, and seconded, the Board approved Consent Agenda Items D-1 through D-4, with minor corrections to D-4, and adopted the resolutions.*

*Vote 4-0-1*

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

RESOLUTION NO. 2024-1712  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, REQUESTING THE CONSOLIDATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT GOVERNING BOARD ELECTION WITH THE NOVEMBER 5, 2024 STATEWIDE GENERAL ELECTION

RESOLUTION NO. 2024-1713  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO, AND COSTS OF, CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT THE NOVEMBER 5, 2024, STATEWIDE GENERAL ELECTION

*Director Henry asked questions about D-5.*

*Staff answered questions from the Board.*

*There were no public comments.*

*Upon the motion of Director Henry, and seconded, the Board adopted the resolution, with minor corrections if needed.*

*Vote 4-0-1*

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

RESOLUTION NO. 2024-1714  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING 328 NORTH MALLAGH STREET DEED RESTRICTION APN 090-092-023

E. ADMINISTRATIVE ITEMS

- E-1) ADOPT A RESOLUTION REPEALING STAGE IV WATER SHORTAGE CONDITION AND DECLARING STAGE II OF DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN PURSUANT TO NIPOMO MESA MANAGEMENT AREA TECHNICAL GROUP'S `MAY 2024 DECLARATION [RECOMMEND ADOPT RESOLUTION DECLARING STAGE II CONDITIONS]

*Ray Dienzo, General Manager, introduced the item.*

*Peter Sevcik, District Engineer, presented the item.*

*Steven Bynes, Nipomo resident, commented on the item.*

*John Joyce, NCSD resident, commented on the item.*

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Pat McQuillen, NCS D resident, commented on the item.

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

Director Eby answered questions from the public.

Director Iglesias answered questions from the public.

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

Vote 4-0-1

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

RESOLUTION NO. 2024-1715  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT REPEALING STAGE IV  
WATER SHORTAGE CONDITIONS AND DECLARING  
STAGE II WATER SHORTAGE CONDITIONS

F. GENERAL MANAGER'S REPORT

Ray Dienzo, General Manager, introduced and presented the item.

Steven Bynes, Nipomo resident, commented on the item.

Pat McQuillen, NCS D resident, commented on the item.

Karen King, NCS D resident, commented on the item.

Director Eby answered questions from the public.

Director Iglesias answered questions from the public.

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

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

G. COMMITTEE REPORTS

There were no committee reports.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby requested staff prepare and present a contingency plan for using an additional 1,500 ac-ft. of water to be received by the District on 7/1/2025.

Director Henry requested staff present information on the potential impact on ratepayers with the purchase of an additional 1,500 ac-ft. of water.

I. CLOSED SESSION ANNOUNCEMENTS

Ray Dienzo, General Manager, announced that there would be no closed session.

There were no public comments on closed session.

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

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- a. SMVWCD V. NCSD (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)

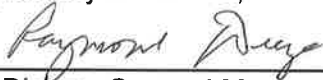
- a. NIPOMO ACTION COMMITTEE, ET AL. V. COUNTY OF SAN LUIS OBISPO, ET. AL. (SAN LUIS OBISPO COUNTY SUPERIOR COURT CASE NO. 24CV-0351)

ADJOURN MEETING

*President Eby adjourned the meeting at 10:01 a.m.*

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

Respectfully submitted,



Ray Dienzo, General Manager and Secretary to the Board

*7/10/2024*  
Date