### NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

### **AUGUST 28, 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.

#### 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 {NCSD.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. To ensure proper posting, please
  reference the Board item in the subject line of the comment letter. The writing or document will
  be available for public review on the District's web site at <a href="http://www.ncsd.ca.gov">http://www.ncsd.ca.gov</a>.
- 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 2024-1719

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.

# Nipomo Community Services District REGULAR MEETING 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. [RECOMMEND RECEIVE AND FILE REPORTS FROM DIRECTORS].
- C-2) 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 AUGUST 14, 2024 BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
  - D-3) BIENNIAL REVIEW AND UPDATE OF LOCAL CONFLICT OF INTEREST CODE [RECOMMEND CONDUCT REVIEW AND ADOPT RESOLUTION]
  - D-4) AUTHORIZE PURCHASE OF REPLACEMENT HACH CHLORINE ANALYZERS IN THE AMOUNT OF \$98,100 [RECOMMEND AUTHORIZE STAFF TO ISSUE PURCHASE ORDER IN THE AMOUNT OF \$98,100 TO HACH COMPANY FOR PURCHASE OF 10 REPLACEMENT CHLORINE ANALYZERS]
  - D-5) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR A 47-UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 549 HILL STREET, APN 092-579-004 [RECOMMEND ISSUE INTENT-TO-SERVE LETTER WITH CONDITIONS]
  - D-6) DECLARE 2009 INTERNATIONAL VACON SURPLUS AND AUTHORIZE SALE [RECOMMEND DECLARE 2009 INTERNATIONAL VACON SURPLUS AND AUTHORIZE STAFF TO DISPOSE OF BY SALE]
  - D-7) CONSIDER ADOPTING A RESOLUTION TO ESTABLISH REVISED PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR FRONTAGE ROAD TRUNK SEWER PROJECT [RECOMMEND ADOPT RESOLUTION ESTABLISHING REVISED PRE-QUALIFICATION AND APPEALS POLICY FOR FRONTAGE ROAD TRUNK SEWER PROJECT]

# Nipomo Community Services District REGULAR MEETING AGENDA

- E. ADMINISTRATIVE ITEMS
  - E-1) CONSIDER APPROVING NEGOTIATED PROPERTY TAX EXCHANGE WITH THE COUNTY OF SAN LUIS OBISPO, ANNEXATION AGREEMENT, AND THE LOCAL AGENCY FORMATION COMMISSION (LAFCO) PLAN FOR SERVICES, AND MAKING REQUIRED FINDINGS UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), RELATING TO THE DANA RESERVE PROJECT [RECOMMEND: 1. ADOPT RESOLUTION ACCEPTING THE NEGOTIATED PROPERTY TAX EXCHANGE; 2. ADOPT RESOLUTION APPROVING THE ANNEXATION AGREEMENT, LAFCO PLAN FOR SERVICES, AND MAKING CERTAIN FINDINGS UNDER CEQA]
- 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) 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)
- 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, SEPTEMBER 11, 2024, 9 AM