

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING MINUTES

JULY 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**
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 July 24, 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.

Katherine Annabella, Nipomo resident, commented on the District's franchise agreement with Waste Connections.

Joe Martinez, Nipomo resident, commented on the Dana Reserve development.

Gerald Stover, Nipomo resident, commented on a Board member conflict of interest code.

Carmen Morales-Board, Nipomo resident, commented on the Board by-laws.

Kathryn Voice, Nipomo resident, commented on the Dana Reserve development.

John Joyce, Nipomo resident, commented on the Dana Reserve development.

Stan Williams, Nipomo resident, commented on the Dana Reserve development.

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

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

C. PRESENTATIONS AND REPORTS

- C-1) QUARTERLY DISTRICT ENGINEER'S REPORT TO THE BOARD [RECOMMEND RECEIVE AND FILE]

Peter Sevcik, Director of Engineering and Operations, presented the item and answered questions from the Board and public.

- C-2) 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-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS.

Joe Martinez, Nipomo resident, commented on Item C-1.

Gerald Stover, Nipomo resident, commented on Item C-1.

John Joyce, Nipomo resident, commented on Item C-1.

Peter Sevcik, Director of Engineering and Operations, answered questions from the Board and public.

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

Jana Etteddgue, Finance Director, answered questions from the Board and public.

- 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 JULY 10, 2024 BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]

- D-3) APPROVE 2024 SANITARY SEWER SYSTEM MANAGEMENT PLAN UPDATE
[RECOMMEND APPROVAL]

- D-4) INVESTMENT POLICY – QUARTERLY REPORT [RECOMMEND ACCEPT AND FILE REPORT]

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- D-5) AUTHORIZE GENERAL MANAGER TO ENTER INTO A 3-YEAR AGREEMENT WITH ESRI FOR GIS SOFTWARE IN THE TOTAL AMOUNT OF \$34,800 [RECOMMEND AUTHORIZE GENERAL MANAGER TO ENTER INTO AN AGREEMENT WITH ESRI FOR GIS SOFTWARE IN THE TOTAL AMOUNT OF \$34,800]

Peter Sevcik, Director of Engineering and Operations, answered questions from the Board regarding Item D-5.

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

Vote 5-0

| YES VOTES | ABSTAIN | ABSENT |
|---|-------------|-------------|
| <i>Directors Henry, Iglesias, Hansen, Gaddis, and Eby</i> | <i>None</i> | <i>None</i> |

Director Eby called for a recess at 10:05am.

Director Eby called the meeting back to order at 10:16am.

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDERATION OF REIMBURSEMENT RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES FROM TAX-EXEMPT BONDS RELATING TO THE FOOTHILL WATER STORAGE TANK PROJECT [RECOMMEND APPROVE RESOLUTION]

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

Peter Sevcik, Director of Engineering and Operations, answered questions from the Board and public.

Upon the motion of Director Hansen, and seconded, the Board unanimously approved and adopted the resolution

Vote 5-0

| YES VOTES | ABSTAIN | ABSENT |
|---|-------------|-------------|
| <i>Directors Hansen, Iglesias, Henry, Gaddis, and Eby</i> | <i>None</i> | <i>None</i> |

**RESOLUTION 2024-1717
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DECLARING ITS INTENT TO ISSUE TAX-EXEMPT OBLIGATIONS FOR CERTAIN PUBLIC IMPROVEMENTS AND TO ALLOW FOR THE REIMBURSEMENT OF EXPENDITURES MADE PRIOR TO THE ISSUANCE OF SUCH OBLIGATIONS**

F. GENERAL MANAGER'S REPORT

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

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

Peter Sevcik, Director of Engineering and Operations, answered questions from the Board.

Joe Martinez, Nipomo resident, commented on the item.

John Joyce, Nipomo resident, commented on the item.

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

G. COMMITTEE REPORTS

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There were no committee reports.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby asked staff to follow up with Waste Connections on the concern raised in the public comment period.

Director Iglesias requested staff present a list of non-functional angle stops, a schedule of the Meter Aging program, and a monthly reporting of the finances for the Water budget through July 1, 2025.

Ray Dienzo, General Manager, advised Director Eby and Director Henry their request for staff to 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 will be presented at a future Board meeting.

Director Gaddis commended the District for receiving the Certificate of Excellence for Financial Reporting for the 10th year in a row.

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

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, General 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)

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)

There were no public comments on closed session.

ADJOURN MEETING

President Eby adjourned the meeting at 10:39 a.m.

| MEETING SUMMARY | HOURS & MINUTES | | |
|-----------------|-----------------|-------|------------|
| Regular Meeting | 1 | hours | 39 minutes |
| Closed Session | 0 | hours | 0 minutes |
| TOTAL HOURS | 1 | hours | 39 minutes |

Respectfully submitted,



Ray Dienzo, General Manager and Secretary to the Board

8/14/2024

Date