

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING MINUTES

AUGUST 14, 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 August 14, 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.

Gerald Stover, Nipomo resident, commented on the Dana Reserve development.

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

Carmen Morales-Board, Nipomo resident, commented on the Dana Reserve development.

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

Niko Hadden, Nipomo resident, commented on the Dana Reserve development.

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

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

Pat McQuillen, Nipomo resident, commented on the Dana Reserve development.

Tom Geaslen, Nipomo resident, commented on the Dana Reserve development.

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 Gaddis

- *August 6, attended Board Officers' meeting*

Director Eby

- *July 31, attended NMMA Technical Group meeting*
- *August 7, WRAC meeting was cancelled*
- *August 8, attended meeting with City of Pismo Beach*
- *August 15, there will be a LAFCO meeting*

Director Iglesias

- *August 8, attended meeting with City of Pismo Beach*

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

John Joyce, Nipomo resident, commented on Directors' announcements.

Pat McQuillen, Nipomo resident, commented on Directors' announcements.

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

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

Vote 5-0

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

- D-1) WARRANTS [RECOMMEND APPROVAL]

- D-2) APPROVE JULY 24, 2024 BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

- D-3) AWARD CONSTRUCTION CONTRACT FOR SUPPLEMENTAL WATER PROJECT INTERCONNECTION IMPROVEMENTS TO W.M. LYLES CO. IMPROVEMENTS [RECOMMEND ADOPT RESOLUTION AWARDDING CONTRACT TO W.M. LYLES CO. IN THE AMOUNT OF \$1,195,200, AUTHORIZING STAFF TO EXECUTE CONTRACT, AUTHORIZING CHANGE ORDER CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$120,000, AND APPROVING FY 24-25 BUDGET AMENDMENT IN THE AMOUNT OF \$448,696]
- D-4) APPROVE TASK ORDER WITH JEGO SYSTEMS FOR SCADA INTEGRATION SERVICES FOR SUPPLEMENTAL WATER PROJECT INTERCONNECTION IMPROVEMENTS [RECOMMEND BY MOTION AND ROLL CALL APPROVE TASK ORDER WITH JEGO SYSTEMS IN THE AMOUNT OF \$31,200 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER]
- D-5) APPROVE TASK ORDER WITH MKN FOR CONSTRUCTION MANAGEMENT SERVICES FOR SUPPLEMENTAL WATER PROJECT INTERCONNECTION IMPROVEMENTS [RECOMMEND BY MOTION AND ROLL CALL APPROVE TASK ORDER WITH MKN IN THE AMOUNT OF \$102,296 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER]
- D-6) AUTHORIZE PURCHASE OF REPLACEMENT UTILITY VEHICLE IN ACCORDANCE WITH APPROVED FY 24-25 BUDGET [RECOMMEND AUTHORIZE STAFF TO PURCHASE UTILITY VEHICLE FROM CAL-COAST MACHINERY AT A COST OF \$29,788]

There were no public comments.

Upon the motion of Director Hansen, and seconded, the Board approved the Consent Agenda 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 NO. 2024-1718
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AWARDDING THE CONSTRUCTION CONTRACT FOR SUPPLEMENTAL WATER PROJECT INTERCONNECTION IMPROVEMENTS TO W.M. LYLES CO. IN THE AMOUNT OF \$1,195,200, AUTHORIZING CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$120,000 AND APPROVING FY 2024-2025 BUDGET AMENDMENT IN THE AMOUNT OF \$448,696

E. ADMINISTRATIVE ITEMS

ADJOURN TO NCSD PUBLIC FACILITIES CORPORATION

President Eby adjourned to the NCSD Public Facilities Corporation Annual Meeting.
ROLL CALL

At roll call all directors were present

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There were no public comments.

A. APPROVE JULY 12, 2023 PUBLIC FACILITIES CORPORATION MEETING MINUTES

There were no public comments

Upon the motion of Director Gaddis and seconded, the Board approved the minutes of July 12, 2023. Directors Henry and Iglesias abstained from voting due to not being Board members at the previous annual meeting.

Vote 3-2-0.

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

President Eby adjourned to the NCSD Regular Board Meeting.

F. GENERAL MANAGER'S REPORT

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

Gerald Stover, Nipomo resident, commented on the item.

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.

Director Henry asked if the angle stop issue would be included in future rate studies.

G. COMMITTEE REPORTS

There were no committee reports.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, General Counsel, announced that there would be closed session on items 1 and 2.

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)

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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

There were no public comments on closed session.

President Eby called for a 10-minute recess before adjourning to closed session.

K. ADJOURN TO CLOSED SESSION

Craig Steele, District Legal Counsel, announced there were no reportable actions taken in closed session.

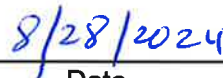
President Eby adjourned the meeting at 10:52 a.m.

MEETING SUMMARY	HOURS & MINUTES	
Regular Meeting	1 hours	1 minutes
Closed Session	0 hours	42 minutes
TOTAL HOURS	1 hours	52 minutes

Respectfully submitted,



Ray Dienzo, General Manager and Secretary to the Board



Date