

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MEETING MINUTES JULY 10, 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 10, 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.*

*Joe Martinez, Nipomo resident, commented on the tax rate that was approved by the San Luis County Board meeting regarding the Dana Reserve development.*

#### 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 27, attended tax-sharing meeting with SLO County*
- *July 8, attended a meeting with Supervisor Jimmy Paulding*
- *July 8, attended a meeting with Supervisor Debbie Arnold*
- *July 8, attended a meeting with Supervisor Bruce Gibson*

##### *Director Gaddis*

- *July 3, attended Board Officers' meeting*

##### *Director Eby*

- *June 27, attended tax-sharing meeting with SLO County*
- *July 8, attended a meeting with Supervisor Jimmy Paulding*
- *July 8, attended a meeting with Supervisor Debbie Arnold*
- *July 8, attended a meeting with Supervisor Bruce Gibson*
- *July 15, nominations for running for NCSD Directors is open*
- *July 18, LAFCO meeting cancelled*

Nipomo Community Services District  
REGULAR MEETING  
AGENDA

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

*Pam Wilson, Nipomo resident, commented on the item.*

*Joe Martinez, Nipomo resident, commented on the item.*

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

Vote 5-0

YES VOTES	ABSTAIN	ABSENT
Directors Hansen, Iglesias, Henry, Gaddis, 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 26, 2024 BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) AWARD CONSTRUCTION CONTRACT FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT LIFT STATIONS AND BLACKLAKE WASTEWATER RECLAMATION FACILITY DECOMMISSIONING TO SPIESS CONSTRUCTION, CO., INC. [RECOMMEND ADOPT RESOLUTION AWARDDING CONTRACT TO SPIESS CONSTRUCTION CO., INC. IN THE AMOUNT OF \$6,641,475, AUTHORIZING STAFF TO EXECUTE CONTRACT, AUTHORIZING CHANGE ORDER CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$330,000, AND APPROVING FY 2024-2025 BUDGET AMENDMENT IN THE AMOUNT OF \$2,444,917]
- D-4) APPROVE TASK ORDER WITH MKN FOR CONSTRUCTION MANAGEMENT SERVICES FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT LIFT STATIONS AND BLACKLAKE WASTEWATER RECLAMATION FACILITY DECOMMISSIONING [RECOMMEND BY MOTION AND ROLL CALL APPROVE TASK ORDER WITH MKN IN THE AMOUNT OF \$866,934 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER]
- D-5) APPROVE TASK ORDER WITH CANNON FOR ENGINEERING SERVICES DURING CONSTRUCTION FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT LIFT STATIONS AND BLACKLAKE WASTEWATER RECLAMATION FACILITY DECOMMISSIONING [RECOMMEND BY MOTION AND ROLL CALL APPROVE

Nipomo Community Services District  
REGULAR MEETING  
AGENDA

TASK ORDER WITH CANNON IN THE AMOUNT OF \$130,000 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER]

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

*Upon the motion of Director Gaddis and seconded, the Board approved the Consent Agenda and adopted the resolution. Director Hansen abstained from Item D-2 due to his absence at the June 26, 2024 meeting.*

*Vote 5-0 on D-1, D-3, D-4, D-5  
Vote 4-1-0 on D-2*

	YES VOTES	ABSTAIN	ABSENT
D-1, D-3, D-4, D-5	Directors Gaddis, Henry, Hansen, Iglesias, and Eby	None	None
D-2	Directors Gaddis, Henry, Iglesias, and Eby	Hansen	None

**RESOLUTION NO. 2024-1716**  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AWARDING THE CONSTRUCTION CONTRACT FOR BLACKLAKE SEWER CONSOLIDATION PROJECT LIFT STATIONS AND BLACKLAKE WASTEWATER RECLAMATION FACILITY DECOMMISSIONING TO SPIESS CONSTRUCTIONS CO., INC. IN THE AMOUNT OF \$6,641,475, AUTHORIZING CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$470,000 AND APPROVING FY 2024-2025 BUDGET AMENDMENT IN THE AMOUNT OF \$2,444,917

**E. ADMINISTRATIVE ITEMS**

E-1) APPROVE TASK ORDER WITH TUCKFIELD & ASSOCIATES FOR THE NIPOMO COMMUNITY SERVICES DISTRICT WASTEWATER RATE STUDY [RECOMMEND APPROVE TASK ORDER TO TUCKFIELD & ASSOCIATES]

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

*Upon the motion of Director Iglesias, and seconded, the Board unanimously approved the task order.*

*Vote 5-0*

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

**F. GENERAL MANAGER’S REPORT**

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

*Jana Eteddgue, 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**

Nipomo Community Services District  
REGULAR MEETING  
AGENDA

*The Dana Reserve Ad Hoc committee met with SLO County on June 27, 2024.*

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

*Director Eby asked staff for an update on his 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.*

*Director Henry asked staff for an update on his request for staff to present information on the potential impact on ratepayers with the purchase of an additional 1,500 ac-ft. of water.*

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

I. CLOSED SESSION ANNOUNCEMENTS

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

*There were no public comments on 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)

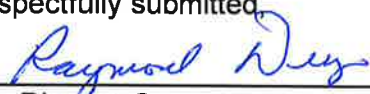
*No reportable actions from closed session.*

ADJOURN MEETING

*President Eby adjourned the meeting at 10:42 a.m.*

MEETING SUMMARY	HOURS & MINUTES		
Regular Meeting	0	hours	51 minutes
Closed Session	0	hours	51 minutes
TOTAL HOURS	1	hours	42 minutes

Respectfully submitted,



Ray Dienzo, General Manager and Secretary to the Board

*8/14/2024*

Date