

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING MINUTES

SEPTEMBER 25, 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 ETTEDDUE, **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 September 25, 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.

There were no public comments.

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 Henry

- *September 19, attended LAFCO meeting*

Director Gaddis

- *September 17, attended Board Officers' meeting*

Director Eby

- *September 19, attended LAFCO meeting*

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

There were no public comments.

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, Henry, Hansen, Gaddis, and Eby</i>	<i>None</i>	<i>None</i>

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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 SEPTEMBER 11, 2024 BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) AUTHORIZE PURCHASE OF FORKLIFT IN ACCORDANCE WITH APPROVED FY 2024-2025 BUDGET [RECOMMEND AUTHORIZE STAFF TO PURCHASE MANITOU FORKLIFT FROM QUINN LIFT AT A COST OF \$91,109]

Director Iglesias requested item D-4 be pulled for discussion.

Jana Etteddgue, Finance Director, answered questions from the Board

There were no public comments.

Upon the motion of Director Gaddis, and seconded, the Board approved Consent Agenda Items D-1, D-2, and D-3.

Director Hansen abstained from item D-2 due to his absence at the last Board meeting.

Vote 4-1-0

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

- D-4) AUTHORIZE STAFF TO BID 2024 WATER DISTRIBUTION SYSTEM IMPROVEMENT PROJECT [BY MOTION AND ROLL CALL VOTE, AUTHORIZE STAFF TO BID PROJECT]

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

There were no public comments

Upon the motion of Director Henry, and seconded, the Board approved Consent Agenda item D-4.

Vote 5-0

ITEMS	YES VOTES	ABSTAIN	ABSENT
D-4	Directors Henry, Iglesias, Hansen, Gaddis, and Eby	None	None

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER CHANGES TO THE AGENDA AND MINUTES [BY MOTION AND ROLL CALL VOTE, AUTHORIZE STAFF TO MAKE SUGGESTED CHANGES]

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

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

There were no public comments.

Upon the motion of Director Iglesias, and seconded, the Board authorized staff to make suggested changes.

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, presented the item and answered questions from the Board.

There were no public comments.

G. COMMITTEE REPORTS

There were no committee reports.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby requested staff place on a future agenda a District letter directed to the NSWP water purveyors outlining issues the District had with transitioning to chloramine-treated water.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, General Counsel, announced that there would be closed session on items 2, and 3.

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)

3) ANNUAL PERFORMANCE REVIEW PROCESS OF DISTRICT GENERAL MANAGER
PURSUANT TO GOVERNMENT CODE SECTION §54957 (Step 1 of 2)

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J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments on closed session.

Director 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 10:45 a.m.

MEETING SUMMARY	HOURS & MINUTES		
Regular Meeting	0 hours	55	minutes
Closed Session	0 hours	40	minutes
TOTAL HOURS	1 hours	45	minutes

Respectfully submitted,



Ray Dienzo, General Manager and Secretary to the Board

10/9/2024
Date