

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MEETING MINUTES

**OCTOBER 23, 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 October 23, 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) QUARTERLY DISTRICT ENGINEER'S REPORT TO THE BOARD

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

*There were no public comments.*

#### C-2) DIRECTORS' ANNOUNCEMENTS OF DISTRICT AND COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES AND SEMINARS.

*Director Gaddis*

- *October 15, attended Board Officers' meeting*

*Director Eby*

- *October 10, attended NMMA-TG meeting*
- *October 17, attended LAFCO meeting*
- *October 21, attended signing session for bond refinancing*

- C-3) PRESENTATION OF RESOLUTION OF APPRECIATION TO DIRECTOR DAN ALLEN GADDIS [TO BE PRESENTED AFTER BOARD APPROVAL AND SIGNATURES]

*This item was deferred to the November 13, 2024 Regular Board Meeting.*

- 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 OCTOBER 9, 2024 BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) ADOPT RESOLUTION COMMENDING DIRECTOR DAN ALLEN GADDIS [RECOMMEND ADOPT RESOLUTION]
- D-4) INVESTMENT POLICY – QUARTERLY REPORT [RECOMMEND ACCEPT AND FILE REPORT]
- D-5) ACCEPT OFFER OF WATER AND SEWER IMPROVEMENTS AND DEED RESTRICTIONS FOR TRACT 3163 [RECOMMEND ADOPT RESOLUTION ACCEPTING OFFER OF IMPROVEMENTS AND DEED RESTRICTIONS]
- D-6) ANNUAL REVIEW OF CASH RESERVES IN ACCORDANCE WITH RESERVE POLICY [RECOMMEND RECEIVE REPORT AND DIRECT STAFF]

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

*Peter Sevcik, District Engineer, answered questions from the Board.*

*Jimmy Summer, Project Manager for People's Self-Help Housing, commented on item D-5.*

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*Upon the motion of Director Henry, and seconded, the Board approved the consent agenda Items and adopted the resolutions.*

*Director Gaddis 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, D-4, D-5	Directors Henry, Hansen, Iglesias, Gaddis, and Eby	None	None
D-2	Directors Henry, Hansen, Iglesias, and Eby	Gaddis	None

**RESOLUTION NO. 2024-1724  
A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
COMMENDING DAN ALLEN GADDIS FOR HIS  
DEDICATED SERVICE TO THE NIPOMO COMMUNITY  
SERVICES DISTRICT.**

**RESOLUTION NO. 2024-1725  
A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
ACCEPTING TRACT 3163 DEED RESTRICTIONS,  
WATER IMPROVEMENTS, AND SEWER  
IMPROVEMENTS**

**E. ADMINISTRATIVE ITEMS**

- E-1) **FIRST AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE DISTRICT AND THE GENERAL MANAGER [RECOMMEND APPROVAL OF THE FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE GENERAL MANAGER]**

*Craig Steele, District Legal Counsel, presented the item and answered questions from the Board.*

*Upon the motion of Director Henry, and seconded, the Board approved the first amendment to the employment agreement for the General Manager.*

*Vote 5-0.*

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

**F. GENERAL MANAGER'S REPORT**

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

**G. COMMITTEE REPORTS**

*None.*

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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 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(a)

J. ADJOURN TO CLOSED SESSION

*Director Eby adjourned to closed session at 10:15 a.m.*

K. OPEN SESSION

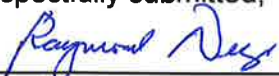
*Craig Steele, District Legal Counsel, announced there were no reportable actions in closed session.*

ADJOURN MEETING

*Director Eby adjourned the meeting at 10:58 a.m.*

MEETING SUMMARY	HOURS & MINUTES	
Regular Meeting	1 hours	15 minutes
Closed Session	0 hours	43 minutes
TOTAL HOURS	1 hours	58 minutes

Respectfully submitted,



Ray Dienzo, General Manager and Secretary to the Board

*11/13/2024*  
Date