

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING MINUTES

NOVEMBER 13, 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 November 13, 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 Directors Henry, Hansen, Gaddis, and Eby were present. Director Iglesias was absent.

Carmen Morales-Board, Nipomo resident commented on the Board Meeting minutes of October 23, 2024.

Director Eby answered questions from the public.

C. PRESENTATIONS AND REPORTS

C-1) PRESENTATION OF RESOLUTION OF APPRECIATION TO DIRECTOR DAN ALLEN GADDIS

Director Eby presented the Resolution of Appreciation to Director Dan Allen Gaddis.

Director Eby also presented a plaque in recognition of Director Gaddis' service to the District and community.

Director Gaddis reflected on his time on the Board.

Director Henry thanked Director Gaddis for his dedication and contributions to the Nipomo community.

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

Director Eby

- *November 11, attended WRAC 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 23, 2024 BOARD MEETING MINUTES
 [RECOMMEND APPROVE MINUTES]

Director Henry requested item D-3 be pulled for further discussion.

Upon the motion of Director Hansen, and seconded, the Board approved consent agenda items D-1 and D-2.

Vote 4-0-1

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

D-3) AUTHORIZE STAFF TO BID FRONTAGE ROAD TRUNK SEWER PROJECT
 [RECOMMEND BY MOTION AND ROLL CALL VOTE, AUTHORIZE STAFF TO BID PROJECT]

Director Henry commented on the budget for item D-3.

John Joyce, Nipomo resident, commented on the item.

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

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

Upon the motion of Director Henry, and seconded, the Board approved consent agenda item D-3.

Vote 4-0-1

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

E. ADMINISTRATIVE ITEMS

- E-1) APPROVE FINAL DRAFT OF THE SOUTH COUNTY SANITARY SERVICES RATE STUDY REPORT AND DIRECT STAFF TO INITIATE A PROPOSITION 218 PROCESS, INCLUDING SETTING A PUBLIC HEARING DATE FOR JANUARY 22, 2025 [RECOMMEND APPROVE REPORT, DIRECT STAFF TO INITIATE PROPOSITION 218 PROCESS AND SET JANUARY 22, 2025 FOR PUBLIC HEARING]

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

Garth Schultz, President of R3 Consulting Group, Inc., presented the item and answered questions from the Board and public.

Jeff Clarin, District Manager for Waste Connections, answered questions from the Board and public.

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

John Joyce, Nipomo resident, commented on the item.

Upon the motion of Director Henry, and seconded, the Board approved the Report, directed staff to initiate the Prop 218 process and set January 22, 2025 for the Public Hearing

Vote 4-0-1

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

Director Eby called for a 5-minute recess.

Director Gaddis excused himself from the remainder of the meeting.

Director Eby resumed the meeting at 10:25 a.m.

- E-2) ANNUAL COMPREHENSIVE FINANCIAL REPORT (AUDIT REPORT) FOR FISCAL YEAR 2023-2024 [RECOMMEND RECEIVE AND FILE 2023-2024 AUDIT REPORT]

Ray Dienzo, General Manager, introduced the item.

Jana Ettedgue, Finance Director, introduced the item and Laura Arvizu, CPA with Rogers, Anderson, Malody, and Scott, who will present the item.

Laura Arvizu, CPA with Rogers, Anderson, Malody, and Scott, presented the item and answered questions from the Board.

Upon the motion of Director Hansen, and seconded, the Board approved receiving and filing the FY2023-2024 Audit Report.

Vote 3-0-2.

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

- E-3) LETTER TO PURVEYORS REGARDING DELIVERY OF SUPPLEMENTAL WATER STARTING IN JULY OF 2025 [RECOMMEND, BY MOTION AND ROLL CALL VOTE, DIRECT STAFF TO SEND LETTER TO PURVEYORS]

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

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

Gerald Stover, Nipomo resident, commented on the item.

John Joyce, Nipomo resident, commented on the item.

Janine Arie, Nipomo resident, commented on the item.

Upon the motion of Director Henry, and seconded, the Board directed staff to send the Letter to Purveyors, with minor edits per the discretion of the General Manager and Board Counsel.

Vote 2-1-2.

YES VOTES	NO VOTES	ABSENT
Directors Henry, and Eby	Hansen	Iglesias, Gaddis

F. GENERAL MANAGER'S REPORT

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

Gerald Stover, Nipomo resident, commented on the item.

G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, General Counsel, announced that there would be no closed session.

Nipomo Community Services District
REGULAR MEETING
MINUTES

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)

ADJOURN MEETING

Director Eby adjourned the meeting at 11:02 a.m.

MEETING SUMMARY	HOURS & MINUTES	
Regular Meeting	2 hours	2 minutes
Closed Session	0 hours	0 minutes
TOTAL HOURS	2 hours	2 minutes

Respectfully submitted,



Ray Dienzo, General Manager and Secretary to the Board

12/11/2024

Date