

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MEETING MINUTES

**JANUARY 22, 2025 AT 9:00 A.M.**

JON S. SEITZ BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

### BOARD of DIRECTORS

ED EBY, PRESIDENT  
PHIL HENRY, VICE PRESIDENT  
GARY HANSEN, DIRECTOR  
JOHN JOYCE, DIRECTOR  
TOM GLOVER, DIRECTOR

### PRINCIPAL STAFF

RAY DIENZO, GENERAL MANAGER  
JANA ETTEDDQUE, 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 January 22, 2025 to order at 9:00 a.m. and led the flag salute.*

#### B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

C.

##### B-1) ROLL CALL

*At roll call all directors were present.*

##### B-2) PUBLIC COMMENT:

*There were no public comment for items not on the agenda.*

#### D. PRESENTATIONS AND REPORTS

##### C-1) QUARTERLY DISTRICT ENGINEER'S REPORT TO THE BOARD [RECOMMEND RECEIVE AND FILE]

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

##### C-2) ACKNOWLEDGE THE 60<sup>TH</sup> ANNIVERSARY OF THE FORMATION OF THE NCSD [RECEPTION TO FOLLOW AFTER THE MEETING AT 12 NOON]

*Ray Dienzo, General Manager, presented the item and announced the reception following the conclusion of the Board meeting.*

- C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT AND COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES AND SEMINARS

*Director Eby*

- *January 16, attended LAFCO 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 JANUARY 8, 2025 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) INVESTMENT POLICY - QUARTERLY REPORT [RECOMMEND ACCEPT AND FILE REPORT]
- D-4) ANNUAL REVIEW OF DEBT MANAGEMENT POLICY AND CONTINUING DISCLOSURE UNDERTAKING POLICY [RECOMMEND REVIEW DEBT MANAGEMENT POLICY AND CONTINUING DISCLOSURE UNDERTAKING POLICY]
- D-5) ANNUAL REVIEW OF DISTRICT INVESTMENT POLICY [RECOMMEND REVIEW AND REAFFIRM POLICY]

*Director Eby commended the District's Finance team on the quarterly investment report.*

*There were no public comments.*

*Upon the motion of Director Glover, and seconded, the Board approved the Consent Agenda. Director Hansen abstained from item D-2 due to his absence at the last Board meeting.*

*Vote 5-0*

ITEM	YES VOTES	ABSTAIN	ABSENT
D-1, D-3, D-4, D-5	Directors Glover, Hansen, Joyce, Henry and Eby	None	None

*Vote 4-1-0*

ITEM	YES VOTES	ABSTAIN	ABSENT
D-2	Directors Glover, Joyce, Henry and Eby	Hansen	None

E. ADMINISTRATIVE ITEMS

E-1) CONDUCT A PUBLIC HEARING AND CONSIDER ANY PROTESTS REGARDING THE PROPOSED SOLID WASTE RATE ADJUSTMENT SET FORTH IN THE ATTACHED RESOLUTION. IF THERE IS NO MAJORITY PROTEST, ADOPT A RESOLUTION ESTABLISHING INTEGRATED SOLID WASTE COLLECTION SERVICE RATES FOR JANUARY 1, 2025, AND EACH JANUARY 1 FROM 2026 THROUGH 2029, MAKE FINDINGS AS INCLUDED IN THE ATTACHED RESOLUTION THAT ESTABLISHING SOLID WASTE RATES ARE NOT A PROJECT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND APPROVE THE THIRD AMENDMENT TO THE SOLID WASTE, RECYCLABLE MATERIALS, AND ORGANIC MATERIALS COLLECTION FRANCHISE AGREEMENT BETWEEN THE DISTRICT AND SOUTH COUNTY SANITARY SERVICES, INC. INCORPORATING THE NEW RATE SETTING METHODOLOGY [RECOMMEND CONDUCT PUBLIC HEARING AND CONSIDER PROTESTS. IF THERE IS NO MAJORITY PROTEST THEN ADOPT A RESOLUTION SETTING NEW SOLID WASTE RATES AND MAKING CEQA FINDING; APPROVE THIRD AMENDMENT TO THE FRANCHISE AGREEMENT]

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

*Garth Shultz, Principal with R3 Consulting Group, presented the item and answered questions from the Board.*

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

*President Eby opened the Public Hearing.*

*Dennis Weaver, Nipomo resident, commented on the item.*

*President Eby closed the Public Hearing.*

*Upon the motion of Director Hansen, and seconded, the Board adopted the Resolution.*

*Vote 5-0*

YES VOTES	ABSTAIN	ABSENT
<i>Directors Hansen, Henry, Glover, Joyce, and Eby</i>	<i>None</i>	<i>None</i>

*Upon the motion of Director Henry, and seconded, the Board adopted the Third Amendment to the Franchise Agreement.*

*Vote 5-0*

YES VOTES	ABSTAIN	ABSENT
<i>Directors Henry, Hansen, Glover, Joyce, and Eby</i>	<i>None</i>	<i>None</i>

- E-2) INTEGRATED WASTE MANAGEMENT AUTHORITY SPECIAL DISTRICT REPRESENTATIVE SEAT NOMINATION [RECOMMEND CONSIDER NOMINATING A NIPOMO COMMUNITY SERVICES DISTRICT DIRECTOR TO FILL THE SPECIAL DISTRICT REPRESENTATIVE SEAT ON IWMA]

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

*The Board elected not to act on the item.*

F. GENERAL MANAGER'S REPORT

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

*Director Henry thanked the District's Finance team for annotating the list of warrants as previously requested.*

G. COMMITTEE REPORTS

*None*

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

*None*

I. CLOSED SESSION ANNOUNCEMENTS

*Craig Steele, General Counsel, announced that only item 2 would be discussed in 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)
  - b. NIPOMO ACTION COMMITTEE, ET AL. V. SAN LUIS OBISPO LOCAL AGENCY FORMATION COMMISSION, ET. AL. (SAN LUIS OBISPO COUNTY SUPERIOR COURT CASE NO. 24CV-0768)
- 2) ANNUAL PERFORMANCE REVIEW PROCESS OF DISTRICT LEGAL COUNSEL UNDER GOVERNMENT CODE SECTION §54957

*There was no reportable action from closed session.*

Nipomo Community Services District  
REGULAR MEETING  
AGENDA

ADJOURN MEETING

*Director Eby adjourned the meeting at 10:45 a.m.*

MEETING SUMMARY	HOURS & MINUTES	
Regular Meeting	1 hours	25 minutes
Closed Session	0 hours	20 minutes
TOTAL HOURS	1 hours	45 minutes

Respectfully submitted,



Ray Dienzo, General Manager and Secretary to the Board

2/12/2025  
Date