

TO: BOARD OF DIRECTORS
FROM: RAY DIENZO, P.E. *R.D.*
GENERAL MANAGER
DATE: JANUARY 23, 2026



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. 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.

**Questions or clarification may be made by the Board members
without removal from the Consent Agenda**

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE JANUARY 14, 2026 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) ADOPT AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE SECTION 2.02.020 RELATING TO BOARD MEETING FREQUENCY AND DISTRICT CODE SECTION 2.08.120 RELATING TO LEAK ADJUSTMENTS [RECOMMEND INTRODUCE, WAIVE FURTHER READING, AND READ BY TITLE ONLY ORDINANCE NO. 2026-138 AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE SECTION 2.02.020 RELATING TO BOARD MEETING FREQUENCY AND DISTRICT CODE SECTION 2.08.120 RELATING TO LEAK ADJUSTMENTS]
- D-6) AMEND FISCAL YEAR 2025-26 NSWP BUDGET TO PROVIDE FUNDING FOR REPLACEMENT OF THE HVAC SYSTEM AT THE JOSHUA ROAD PUMP STATION [RECOMMEND ADOPT RESOLUTION AMENDING FY 2025-26 NSWP BUDGET IN THE AMOUNT OF \$29,742]

TO: BOARD OF DIRECTORS

REVIEWED: RAY DIENZO, P.E. *R.D.*
GENERAL MANAGER

FROM: JANA ETTEDDGUE *Ju*
FINANCE DIRECTOR

DATE: January 23, 2026

AGENDA ITEM
D-1(A)
JANUARY 28, 2026

WARRANTS

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$1,692,961.41
HAND WRITTEN CHECKS	NONE
VOIDED CHECKS	NONE

M-Monthly
 O-Occasional
 A-Annual

Item D-1(A) Warrants JANUARY 28, 2026

Nipomo Community Services District

By Payment Number

Payment Dates 01/28/2026 - 01/28/2026

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 14210				
American Industrial Supply	Stainless steel shackles,	0414811-IN	01/28/2026	123.87 O
				Payment 14210 Total: 123.87
Payment: 14211				
American Trainco LLC	Training seminars - Brown,	ORD-16138	01/28/2026	5,980.00 O
				Payment 14211 Total: 5,980.00
Payment: 14212				
American Water Works	Annual membership renewal -	SO267058	01/28/2026	539.00 A
				Payment 14212 Total: 539.00
Payment: 14213				
Brenntag Pacific, Inc.	Sodium hypochlorite	BPI575212	01/28/2026	891.22 M
				Payment 14213 Total: 891.22
Payment: 14214				
Brewer, Reed	Uniform - Boot reimbursement	JAN2026	01/28/2026	185.00 A
				Payment 14214 Total: 185.00
Payment: 14215				
California Rural Water	Annual membership renewal	2026	01/28/2026	1,745.00 A
				Payment 14215 Total: 1,745.00
Payment: 14216				
City of Santa Maria	Water purchased 10-1-25 to 12-	CINV-001790	01/28/2026	1,159,524.59 O
				Payment 14216 Total: 1,159,524.59
Payment: 14217				
Clever Ducks	Monthly computer support	INV-1472	01/28/2026	6,177.22 M
				Payment 14217 Total: 6,177.22
Payment: 14218				
Corrpro Companies, Inc.	Annual tank inspections	813409	01/28/2026	4,425.00 O
				Payment 14218 Total: 4,425.00
Payment: 14219				
Dienzo, Ray	Cell phone reimbursement -	NOV2025	01/28/2026	100.00 M
Dienzo, Ray	Cell phone reimbursement -	JAN 2026	01/28/2026	100.00 M
Dienzo, Ray	Cell phone reimbursement -	DEC2025	01/28/2026	100.00 M
				Payment 14219 Total: 300.00
Payment: 14220				
Engel & Gray, Inc.	Biosolids collection	5CX00009	01/28/2026	9,049.45 M
				Payment 14220 Total: 9,049.45
Payment: 14221				
Excel Personnel Services, Inc.	Employment agency	4696392	01/28/2026	1,798.00 M
Excel Personnel Services, Inc.	Employment agency	4693779	01/28/2026	471.20 M
				Payment 14221 Total: 2,269.20
Payment: 14222				
Executive Janitorial	Janitorial services	93055	01/28/2026	780.00 M
				Payment 14222 Total: 780.00
Payment: 14223				
Famcon Pipe and Supply Inc.	Hydrant adapters, hose adapter,	S100171677.001	01/28/2026	333.86 O
Famcon Pipe and Supply Inc.	6" gaskets, break off bolts,	S100171411.001	01/28/2026	237.08 O
				Payment 14223 Total: 570.94
Payment: 14224				
FGL Environmental	Lab tests	584225A	01/28/2026	205.00 M
				Payment 14224 Total: 205.00

Item D-1(A) Warrants JANUARY 28, 2026

Payment Dates: 01/28/2026 - 01/28/2026

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 14225				
Frank's Lock & Key	Service call for payment drop-	Q0105266	01/28/2026	110.00 ○
				Payment 14225 Total: 110.00
Payment: 14226				
Frontier Communications	BL Telephone	JAN2026	01/28/2026	93.88 M
				Payment 14226 Total: 93.88
Payment: 14227				
Gamez, Elizabeth	Uniform - Boot reimbursement	JAN2026	01/28/2026	185.00 A
				Payment 14227 Total: 185.00
Payment: 14228				
Glenna Dee Shanks	Washer rebate	JAN2026	01/28/2026	75.00 ○
				Payment 14228 Total: 75.00
Payment: 14229				
Great Western Alarm and	Annual fire tests, service call	260101450201	01/28/2026	310.00 A
Great Western Alarm and	Annual fire tests	260102497201	01/28/2026	180.00 A
				Payment 14229 Total: 490.00
Payment: 14230				
Hach Company	Portable meter, calibration and	14824672	01/28/2026	655.41 ○
				Payment 14230 Total: 655.41
Payment: 14231				
Integrated Industrial Supply, Inc.	Disposable gloves	109824	01/28/2026	232.14 ○
				Payment 14231 Total: 232.14
Payment: 14232				
JEGO Systems	TO#25-001 SCADA Alarm	2026-NCSD-9-WIN911	01/28/2026	13,310.00 ○
				Payment 14232 Total: 13,310.00
Payment: 14233				
Juarez, Jose	Uniform - Boot reimbursement	JAN2026	01/28/2026	185.00 A
				Payment 14233 Total: 185.00
Payment: 14234				
Maldonado, Francisco	Uniform - Boot reimbursement	JAN2026	01/28/2026	185.00 A
				Payment 14234 Total: 185.00
Payment: 14235				
Maryann Saunders	Washer rebate	JAN2026	01/28/2026	75.00 ○
				Payment 14235 Total: 75.00
Payment: 14236				
Mission Uniform Service	Uniforms	525299946	01/28/2026	351.19 M
Mission Uniform Service	Uniforms	525341528	01/28/2026	360.23 M
				Payment 14236 Total: 711.42
Payment: 14237				
MNS Engineers, Inc.	CM - Frontage Road Trunk Sewer	91858	01/28/2026	5,680.00 ○
MNS Engineers, Inc.	CM - Frontage Road Trunk Sewer	92467	01/28/2026	4,947.50 ○
MNS Engineers, Inc.	CM - Frontage Road Trunk Sewer	92182	01/28/2026	2,040.00 ○
				Payment 14237 Total: 12,667.50
Payment: 14238				
Nipomo Area Recreation	Clean Streets Program -	DEC2025	01/28/2026	562.03 M
				Payment 14238 Total: 562.03
Payment: 14239				
Nunley & Associates, Inc.	ESDC Frontage Rd Trunk Sewer	2500-2026	01/28/2026	4,200.25 ○
Nunley & Associates, Inc.	PCIA - 691 W TEFFT	2501	01/28/2026	270.00 ○
Nunley & Associates, Inc.	Southland WWTF Pmt & Ph2	2478	01/28/2026	10,897.75 ○
Nunley & Associates, Inc.	2024 Water Loss Audit	2496	01/28/2026	80.00 ○
Nunley & Associates, Inc.	Southland WWTF Electrical	2497	01/28/2026	1,117.26 ○
Nunley & Associates, Inc.	PCIA - TO#2025-03 HONEY	2502	01/28/2026	1,587.61 ○
				Payment 14239 Total: 18,152.87

Item D-1(A) Warrants JANUARY 28, 2026

Payment Dates: 01/28/2026 - 01/28/2026

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 14240				
Nu-Tech Pest Management	Pest/Rodent Control	0194168	01/28/2026	75.00 M
Nu-Tech Pest Management	Pest/Rodent Control	0194166	01/28/2026	265.00 M
Payment 14240 Total:				340.00
Payment: 14241				
OEC	Lab tests - Water	A260141	01/28/2026	3,960.00 M
OEC	Lab tests - Blacklake WRF	A260140	01/28/2026	3,692.00 M
Payment 14241 Total:				7,652.00
Payment: 14242				
Office Depot	Office supplies	452030582001	01/28/2026	28.95 M
Office Depot	Office supplies	454769049001	01/28/2026	72.88 M
Office Depot	Office supplies	452015756001	01/28/2026	70.00 M
Office Depot	Office supplies	454769056001	01/28/2026	34.30 M
Office Depot	Office supplies	452030578001	01/28/2026	17.58 M
Office Depot	Office supplies	454769017001	01/28/2026	31.72 M
Payment 14242 Total:				255.43 M
Payment: 14243				
Olivas, Silas	Uniform - Boot reimbursement	JAN2026	01/28/2026	185.00 A
Payment 14243 Total:				185.00
Payment: 14244				
O'Reilly Automotive Inc.	BlueDEF, adapters	DEC2025	01/28/2026	133.99 M
Payment 14244 Total:				133.99
Payment: 14245				
Ortega, Ozzy	D1 certificate, T1 exam	JAN2026D	01/28/2026	120.00 O
Ortega, Ozzy	T1 review course	JAN2026C	01/28/2026	160.00 O
Payment 14245 Total:				280.00
Payment: 14246				
PG&E	Electricity	DEC2025	01/28/2026	52,464.75 M
PG&E	Electricity - 1788 LYN RD	JAN2026A	01/28/2026	71.47 M
Payment 14246 Total:				52,536.22
Payment: 14247				
ReadyRefresh by Nestle	Distilled water	06A0900023136	01/28/2026	18.00 M
Payment 14247 Total:				18.00
Payment: 14248				
Richards, Watson & Gershon	General legal services through	256809	01/28/2026	4,902.20 M
Richards, Watson & Gershon	Dana Reserve Specific Plan	256811	01/28/2026	1,035.00 M
Richards, Watson & Gershon	Water rights adjudication	256810	01/28/2026	1,531.80 M
Payment 14248 Total:				7,469.00
Payment: 14249				
Roy or Gloria Relles	Washer rebate	JAN2026	01/28/2026	75.00 O
Payment 14249 Total:				75.00
Payment: 14250				
Santa Maria Ford Lincoln	Oil change - Veh#232	260057	01/28/2026	123.64 O
Payment 14250 Total:				123.64
Payment: 14251				
Sevcik, Peter	Uniform - Boot reimbursement	JAN2026	01/28/2026	150.84 A
Payment 14251 Total:				150.84
Payment: 14252				
SLO County Public Works	Inspection services, Frontage	4654	01/28/2026	161.16 O
Payment 14252 Total:				161.16
Payment: 14253				
SoCalGas	Heat - shop/office	JAN2026B	01/28/2026	183.60 M
SoCalGas	Heat - shop/office	JAN2026	01/28/2026	17.37 M
Payment 14253 Total:				200.97

Item D-1(A) Warrants JANUARY 28, 2026

Payment Dates: 01/28/2026 - 01/28/2026

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 14254				
South County Sanitary Services,	Rate holiday - December 2025	NCSDCREDIT-2025	01/28/2026	362,550.09 ^O
Payment 14254 Total:				362,550.09
Payment: 14255				
Ultrex	B&W/Color copies	4558628-CAL	01/28/2026	242.04 ^M
Payment 14255 Total:				242.04
Payment: 14256				
USA Bluebook	Replacement batter kit	INV00935583	01/28/2026	218.79 ^O
USA Bluebook	TSS Portable meter with case	INV00931874	01/28/2026	5,181.86 ^O
USA Bluebook	CHEMKEYS	INV00925422	01/28/2026	4,692.08 ^O
Payment 14256 Total:				10,092.73
Payment: 14257				
Voelker, Tyler	D3 certification renewal	JAN2026B	01/28/2026	90.00 ^A
Payment 14257 Total:				90.00
Payment: 14258				
WesTech	Wear bars kit for wastewater gritPS-INV108141		01/28/2026	9,764.56 ^O
Payment 14258 Total:				9,764.56
Payment: 14259				
White, Christian	Uniform - Boot reimbursement	JAN2026	01/28/2026	185.00 ^A
Payment 14259 Total:				185.00

TO: BOARD OF DIRECTORS

REVIEWED: RAY DIENZO, P.E. *RD*
GENERAL MANAGER

FROM: JANA ETTEDDUE *JE*
FINANCE DIRECTOR

DATE: January 23, 2026

**AGENDA ITEM
D-1(B)
JANUARY 28, 2026**

WARRANTS – BLACKLAKE ASSESSMENT DISTRICT 2020-1

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$362,998.15
VOIDED CHECKS	NONE

Item D-1(B) Warrants JANUARY 28, 2026

Nipomo Community Services District

By Payment Number

Payment Dates 01/28/2026 - 01/28/2026

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 244				
Cannon Corporation	CM - Blacklake Sewer System	94798	01/28/2026	10,232.40
Payment 244 Total:				10,232.40
Payment: 245				
Nunley & Associates, Inc.	Blacklake Sewer System	2498	01/28/2026	56,249.10
Payment 245 Total:				56,249.10
Payment: 246				
Spiess Construction Co.	Blacklake Sewer System	BLAD - 16	01/28/2026	168,242.90
Spiess Construction Co.	Blacklake Sewer System	BLAD - 15	01/28/2026	128,273.75
Payment 246 Total:				296,516.65

TO: BOARD OF DIRECTORS
FROM: RAY DIENZO, P.E. *R.D.*
GENERAL MANAGER
DATE: JANUARY 23, 2026



**APPROVE JANUARY 14, 2026
REGULAR BOARD MEETING MINUTES**

ITEM

Approve action minutes from previous Board meeting. [RECOMMEND APPROVE MINUTES]

BACKGROUND

The draft minutes are a written record of the previous Board meeting action.

RECOMMENDATION

Approve Minutes

ATTACHMENT

- A. January 14, 2026 draft Board Meeting Minutes

JANUARY 28, 2026

ITEM D-2

ATTACHMENT A

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NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

DRAFT REGULAR MEETING MINUTES

JANUARY 14, 2026 AT 9:00 A.M.

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

BOARD of DIRECTORS

PHIL HENRY, PRESIDENT
TOM GLOVER, VICE PRESIDENT
ED EBY, DIRECTOR
GARY HANSEN, DIRECTOR
JOHN JOYCE, 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 Henry called the Regular Meeting of January 12, 2026, 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, NCSO customer, commented on the Board's decorum during discussions.

C. PRESENTATIONS AND REPORTS

C-1) RECOGNITION OF 2025 BOARD OFFICERS, AND SEATING OF 2026 BOARD OFFICERS [NO ACTION REQUESTED]

Ray Dienzo, General Manager, thanked the 2025 Board President, Ed Eby, and Director Henry for their service to the Board and the Nipomo community.

Director Henry was seated as the President of the Board for 2026 and Director Glover was seated as Vice President of the Board.

There was no public comment.

C-2) 2025 FALL GROUNDWATER INDEX REVIEW [RECOMMEND RECEIVE AND FILE REPORT]

Dr. Brad Newton, Newton Geo-Hydrology Consulting Services, presented the item and answered questions from the Board and public.

Joe Martinez, NCSO customer, commented on the item.

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

Receive Announcements and Reports from Directors

Director Eby

- December 16, attended Finance and Audit Committee meeting*
- December 18, attended LAFCO meeting*

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

Director Glover

- *January 6, attended Board Officers meeting*

Director Joyce

- *January 11, attended Nipomo Action Committee meeting*

Director Henry

- *December 16, attended Finance and Audit Committee meeting*
- *January 6, attended Board Officers meeting*

There were no public comments.

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 DECEMBER 10, 2025 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

Elizabeth Gamez, Assistant Engineer, answered questions from the Board.

Jana Ettedgue, Finance Director, answered questions from the Board.

Upon the motion of Director Eby, and seconded by Director Joyce, the Board approved the Consent Agenda

Vote 5-0

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

E. ADMINISTRATIVE ITEMS

E-1) RATIFY 2026 COMMITTEE ASSIGNMENTS [RECOMMEND APPROVE COMMITTEE ASSIGNMENTS]

Ray Dienzo, General Manager, presented the item.

There were no public comments.

By acclamation, the Board approved the 2026 committee assignments.

- E-2) APPROVE NEWTON GEO-HYDROLOGY 2026 CONSULTING SERVICES TASK ORDER SCOPE AND \$65,000 BUDGET [RECOMMEND APPROVE NEWTON GEO-HYDROLOGY TASK ORDER SCOPE AND BUDGET IN THE AMOUNT OF \$65,000 FOR 2026 CONSULTING SERVICES]

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

There were no public comments.

Upon the motion of Director Eby, and seconded by Director Glover, the Board approved the task order scope and budget.

Vote 5-0

YES VOTES	NO	ABSENT
<i>Directors Eby, Glover, Joyce, Hansen and Henry</i>	<i>None</i>	<i>None</i>

- E-3) INTRODUCTION OF AN ORDINANCE AMENDING NIPOMO COMMUNITY SERVICES DISTRICT CODE SECTION 2.02.020 (MEETINGS) AND 2.08.120 (LEAK ADJUSTMENTS) [RECOMMEND INTRODUCE, WAIVE FURTHER READING, AND READ BY TITLE ONLY ORDINANCE NO. 2026-XXXX AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE SECTION 2.02.020 RELATING TO BOARD MEETING FREQUENCY AND DISTRICT CODE SECTION 2.08.120 RELATING TO LEAK ADJUSTMENTS]

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

Jana Etteddgue, Finance Director, answered questions from the Board.

Craig Steele, Legal Counsel, answered questions from the Board

Kristine Blake, NCS D customer, commented on the item.

Pat McQuillen, NCS D customer, commented on the item.

Upon the motion of Director Glover, and seconded by Director Joyce, the Board approved the introduction of Ordinance 2026-138 and read by title only – Ordinance 2026-138, An Ordinance of the Board of Directors of the Nipomo Community Services District Amending District Code Section 2.02.020 Relating To Board Meeting Frequency and District Code Section 2.08.120 Relating To Leak Adjustments.

Vote 3-2-0

YES VOTES	NO	ABSENT
<i>Directors Glover, Joyce, and Henry</i>	<i>Hansen, Eby</i>	<i>None</i>

ORDINANCE 2026-138, AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE SECTION 2.02.020 RELATING TO BOARD MEETING FREQUENCY AND DISTRICT CODE SECTION 2.08.120 RELATING TO LEAK ADJUSTMENTS

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

- E-4) CONSIDER AMENDMENT TO THE DISTRICT INVESTMENT POLICY [RECOMMEND CONSIDER AND ADOPT RESOLUTION TO AMEND POLICY]

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

Jana Ettetddgue, Finance Director, answered questions from the Board.

Craig Steele, Legal Counsel, answered questions from the Board

Pat McQuillen, NCS D customer, commented on the item.

Upon the motion of Director Eby, and seconded by Director Henry, the Board adopted the resolution to amend the District's Investment Policy.

Vote 3-2-0

YES VOTES	NO	ABSENT
Directors Eby, Henry, and Glover,	Joyce, Hansen	None

RESOLUTION 2026-1753 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING THE DISTRICT'S INVESTMENT POLICY.

- E-5) AUTHORIZE THE PURCHASE OF A VEHICLE GROUND BASE TRANSCIEVER FOR THE ADVANCED METERING INFRASTRUCTURE SYSTEM IN THE AMOUNT OF \$27,000 AND AMEND FISCAL YEAR 2025-26 BUDGET [RECOMMEND ADOPT RESOLUTION AMENDING FY 2025-26 BUDGET AND AUTHORIZE STAFF TO ISSUE PURCHASE ORDER IN THE AMOUNT OF \$27,000 TO AQUA-METRIC]

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

Ray Dienzo, General Manager, clarified that the requested budget adjustment is corrected to \$28,000.

Upon the motion of Director Eby, and seconded by Director Glover, the Board adopted the resolution to amend the FY2025-26 Budget and issue the purchase order in the amount of \$28,000.

Vote 4-1-0

YES VOTES	NO	ABSENT
Directors Eby, Glover, Hansen and Henry	Joyce	None

RESOLUTION 2026-1754 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING THE FISCAL YEAR 2025-26 BUDGET AND AUTHORIZING PURCHASE OF A VEHICLE GROUND BASED TRANSCIEVER FROM AQUA-METRIC AT A COST OF \$28,000

F. GENERAL MANAGER'S REPORT

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

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

SUBJECT TO BOARD APPROVAL

There were no public comments.

G. COMMITTEE REPORTS

Director Eby reported that the Finance and Audit Committee met on December 16, 2025, and received a presentation from CLASS. The Committee voted to forward that to the full Board to discuss the change in the District's investment policy.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby offered additional information regarding the change in Board meeting times.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, General Counsel, announced that there would be no 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)

ADJOURN MEETING

President Henry adjourned the meeting at 11:06 a.m.

MEETING SUMMARY	HOURS & MINUTES	
Regular Meeting	2 hours	6 minutes
Closed Session	0 hours	0 minutes
TOTAL HOURS	2 hours	6 minutes

Respectfully submitted,

Ray Dienzo, General Manager and Secretary to the Board

Date

TO: BOARD OF DIRECTORS
REVIEWED: RAY DIENZO, P.E. *R.D.*
GENERAL MANAGER
FROM: JANA ETTEDDGUE *Jv*
FINANCE DIRECTOR
DATE: JANUARY 22, 2026



INVESTMENT POLICY – QUARTERLY REPORT

ITEM

Review Investment Policy Quarterly Report [RECOMMEND ACCEPT AND FILE REPORT]

BACKGROUND

The District's Investment Policy requires the Treasurer/Finance Officer file a quarterly report that identifies the District's investments and their compliance with the policy. The quarterly report [Attachment A] is considered by the Board of Directors and is filed with the District's auditor.

As District Treasurer/Finance Officer, I am pleased to inform the Board of Directors that the District is in compliance with the Investment Policy and that the objectives of safety, liquidity, and yield have been met. The District has the ability to meet cash flow requirements for the next six months.

STRATEGIC PLAN

Goal 4. FINANCE. Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs.

RECOMMENDATION

After Board consideration and public comment, it is recommended that your Honorable Board accept the quarterly report and direct staff to file the Report with the District Auditor.

ATTACHMENTS

- A. Quarterly Investment Report

JANUARY 28, 2026

ITEM D-3

ATTACHMENT A

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
INVESTMENT POLICY-QUARTERLY REPORT 12/31/2024**

UNRESTRICTED POOLED CASH ACCOUNTS							
<i>Investment</i>	<i>Institution</i>	<i>Amount of Deposit 12/31/25</i>	<i>Rate of Interest as of 12/31/25</i>	<i>Quarterly Interest Earned or Accrued 12/31/25</i>	<i>Amount of Deposit 12/31/24</i>	<i>Rate of Interest as of 12/31/24</i>	<i>Quarterly Interest Earned or Accrued 12/31/24</i>
Public Checking (1)	<i>Five Star Bank</i>	\$503,872.32	n/a	n/a	\$519,255.15	n/a	n/a
Public Money Market	<i>Five Star Bank</i>	\$4,633,261.68	4.09%	\$48,469.77	\$4,972,760.58	4.58%	\$22,009.29
Public Money Market	<i>Mechanics Bank</i>	\$1,453,310.97	3.61%	\$13,036.60	\$778,257.05	4.67%	\$8,197.01
Pooled Money Investment	<i>Local Agency Investment Fund (LAIF)</i>	\$14,084,706.96	4.20%	\$148,926.54	\$13,474,593.35	4.62%	\$156,710.98
Pooled Money Investment	<i>Multi Bank Securities</i>	\$728,000 See attached	3.90- 4.10%	\$11,319.73	\$2,069,384.66 See attached	5.30- 5.40%	\$148,820.96
RESTRICTED CASH ACCOUNTS – DEVELOPER BOND FUNDS HELD IN TRUST							
Money Mkt - Performance Bond	<i>Five Star</i>	n/a	Closed – Deposit returned	n/a	\$20,798.28	4.58%	\$236.05
Money Mkt - Performance Bond	<i>Five Star</i>	n/a	Closed – Deposit returned	n/a	\$17,582.39	4.58%	\$199.55
RESTRICTED CASH ACCOUNT – NIPOMO SUPPLEMENTAL WATER FUNDED REPLACEMENT HELD IN TRUST							
Savings–NSWP Funded Replacement	<i>Five Star</i>	\$2,411,838.74	4.09%	\$24,709.65	\$2,100,810.81	4.58%	\$23,625.02
RESTRICTED CASH ACCOUNTS – ASSESSMENT DISTRICT 2020-1 HELD IN TRUST							
Public Checking - BL A/D 2020-1 (1)	<i>Five Star</i>	\$18,988.93	n/a	n/a	\$4,932.77	n/a	n/a
Money Mkt - BL A/D 2020-1	<i>Five Star</i>	\$1,058,777.34	4.09%	\$19,383.95	\$2,078,588.76	4.58%	\$24,363.75
Money Mkt - BL Tax Roll Collections	<i>Five Star</i>	\$158,771.41	4.09%	\$795.58	\$159,112.25	4.58%	\$833.40

(1) Analyzed Account
n/a Not applicable

Nipomo Communtiy Services District
Investments
December 31, 2025

<u>Type of Investment</u>	<u>CUSIP</u>	<u>Purchased</u>	<u>Maturity</u>	<u>Yield to Maturity</u>	<u>Par Value(1)</u>	<u>Market Value(2)</u>	<u>Cost Basis(3)</u>
12 Month Certificates of Deposit (CD's)							
Certificate of Deposit - Oxford Bank	69141NAL8	4/4/2025	4/10/2026	3.90%	\$ 240,000	\$ 240,007	\$ 240,000
24 Month Certificates of Deposit (CD's)							
Certificate of Deposit - Morgan Stanley Salt Lake	61690D2C1	4/8/2025	10/12/2027	4.10%	\$ 244,000	\$ 245,791	\$ 244,000
Certificate of Deposit - Morgan Stanley NY	61776NPY3	4/8/2025	10/12/2027	4.10%	\$ 244,000	\$ 245,791	\$ 244,000
CD Subtotal					\$ 728,000	\$ 731,589	\$ 728,000
Investment Total					\$ 728,000	\$ 731,589	\$ 728,000

Market Value Source: eConnectDirect.com for the Certificates of Deposit and Treasuries

(1) Par Value is the Face Value of the investment when it matures

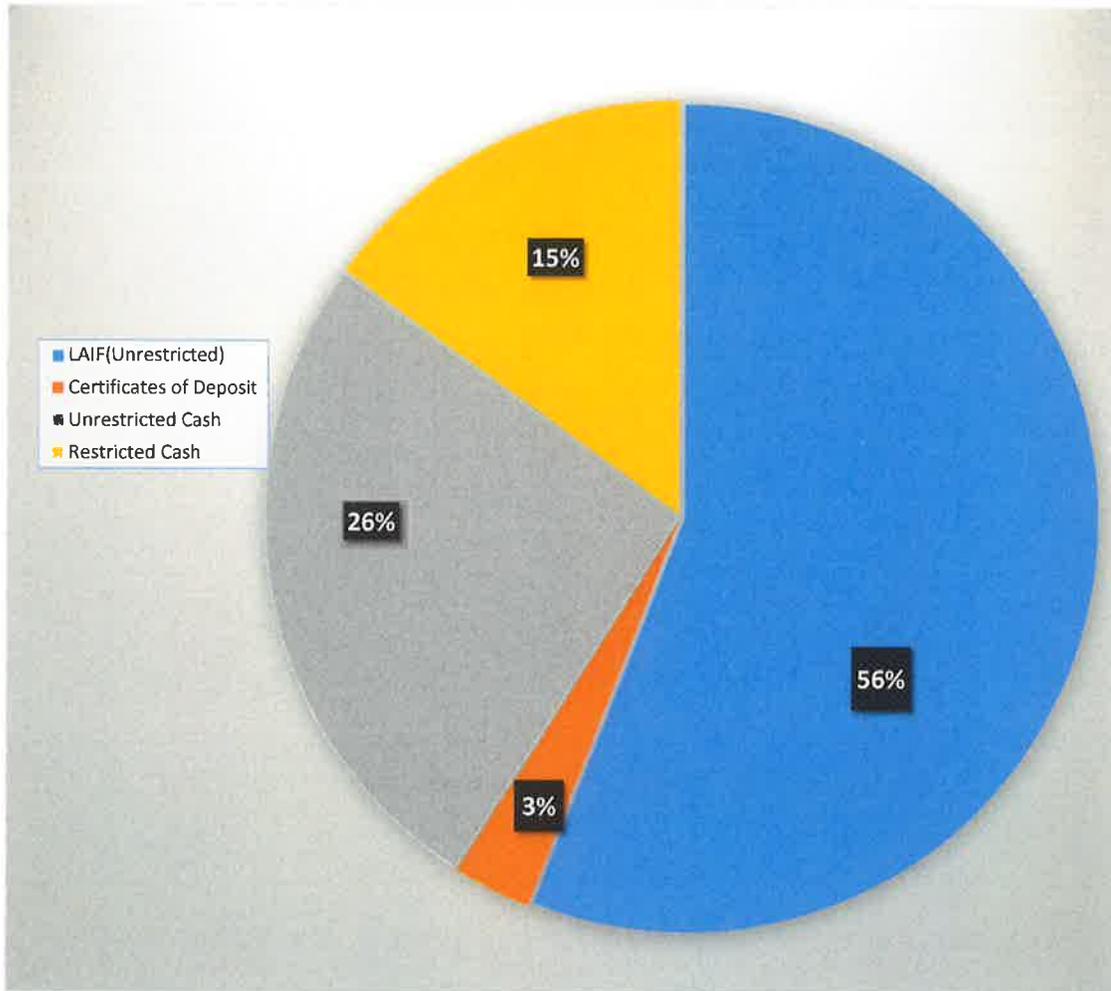
(2) Market Value of Certificates of Deposit is shown as of 12/31/2025

(3) Cost Basis is the original purchase price of the investment

Notes to Mention

- Investments listed in this report comply with the California Government Codes 53600-53864 and the District's Statement of Investment Policy.
- Sufficient funds are available to meet the District's expenditure requirements for the next six months.
- All CDs are 100% FDIC insured and noncallable

**Nipomo Community Services District
Cash and Investment Allocation
December 31, 2025**



Cash and Investment Summary			
LAIF(Unrestricted)	\$	14,084,707	56%
Certificates of Deposit	\$	728,000	3%
Unrestricted Cash	\$	6,590,445	26%
Restricted Cash	\$	3,648,376	15%
Total	\$	25,051,528	100%

Pursuant to Section 8.A. of the Investment Policy

Summary of Electronic Transfers (greater than \$500,000)

<u>Transfer Date</u>	<u>Amount</u>	<u>Transfer From</u>	<u>Transfer To</u>
12/16/2025	\$600,000.00	FSB Money Market BLAD	FSB Checking Account BLAD

TO: BOARD OF DIRECTORS
FROM: RAY DIENZO, P.E. *R.D.*
GENERAL MANAGER
DATE: JANUARY 22, 2026



ANNUAL REVIEW OF DEBT MANAGEMENT POLICY AND CONTINUING DISCLOSURE UNDERTAKING POLICY

ITEM

Review of the Debt Management Policy and the Continuing Disclosure Undertaking Policy for the District. [RECOMMEND REVIEW DEBT MANAGEMENT POLICY AND CONTINUING DISCLOSURE UNDERTAKING POLICY]

BACKGROUND

The Debt Management Policy [Attachment A] was developed to provide guidance in the issuance and management of debt by the District and is intended to comply with Government Code Section 8855(i). The Debt Management Policy is reviewed annually to ensure compliance with the above and to suggest any recommended changes. A Continuing Disclosure Undertaking policy requires issuers of municipal bonds to provide ongoing, timely financial and operational information to bondholders and the public to ensure transparency and compliance with SEC regulations.

Bond counsel for the District has reviewed the Debt Management Policy and does not have any suggested changes.

FISCAL IMPACT

None.

STRATEGIC PLAN

Goal 4. FINANCE. Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs.

- B.1 Evaluate, plan for and maintain finances that are adequate for all needs, stable, and reliable over the long-term.
- B.5 Maintain adequate rates to fund future capital replacements.

RECOMMENDATION

Staff recommends your Board review the Debt Management Policy and Continuing Disclosure Undertaking Policy.

ATTACHMENTS

- A. Resolution 2022-1614, with Exhibit A - Debt Management Policy and Continuing Disclosure Undertaking Policy for the District

JANUARY 28, 2026

ITEM D-4

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-1614**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO
COMMUNITY SERVICES DISTRICT APPROVING THE ADOPTION
OF THE AMENDMENT TO THE DEBT MANAGEMENT POLICY AND
THE CONTINUING DISCLOSURE UNDERTAKING POLICY FOR THE
DISTRICT**

WHEREAS, debt management policies establish parameters for evaluation, issuing, and managing the District's debt. The policies outlined in the attached debt management policy are not intended to serve as a list of rules to be applied to the District's debt issuance process, but rather to serve as a set of guidelines to promote sound financial management; and

WHEREAS, adherence to a debt management policy and adoption of a continuing disclosure undertaking policy assures rating agencies and the capital markets that a government is well managed and should meet its obligations in a timely manner; and

WHEREAS, the Board of Directors of the Nipomo Community Services District ("District"), desires to adopt an amended debt management policy and a continuing disclosure undertaking policy at this time; and

WHEREAS, Amended Debt Management Policy (the "Amended Debt Management Policy") and the Continuing Disclosure Undertaking Policy (the "Continuing Disclosure Undertaking Policy") have been prepared and are hereby presented at this meeting; and

WHEREAS, it is appropriate at this time for the Board of Directors to consider approval of the adoption of the Amended Policy and the Continuing Disclosure Policy;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Nipomo Community Services District:

Section 1. The above recitals are true and correct, to the best of its knowledge.

Section 2. The Amended Debt Management Policy in the form presented at this meeting attached hereto Exhibit "A" is hereby approved and adopted.

Section 3. The Continuing Disclosure Undertaking Policy in the form presented at this meeting attached hereto Exhibit "B" is hereby approved and adopted.

Section 4. The officers of the District are hereby directed to do and cause to be done any and all acts and things necessary or proper, to the best of its knowledge, in order to effectuate the purposes of this resolution.

Section 5. This resolution shall take effect immediately.

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THE DISTRICT

Upon a motion by Director Armstrong, seconded by Director Woodson, on the following
roll call vote, to wit:

AYES: Director Armstrong, Woodson, Malvarose, and Eby
NOES: None
ABSTAIN: None
ABSENT: Director Gaddis

the foregoing resolution is hereby passed and adopted on this 26th day of January, 2022.



ED EBY
President of the Board

ATTEST:



MARIO IGLESIAS
General Manager and Secretary to the Board

APPROVED AS TO FORM AND
LEGAL EFFECT:


CRAG A. STEELE
District Legal Counsel

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AMENDED DEBT MANAGEMENT POLICY

Overview

The District utilizes a comprehensive planning process to determine its long-term capital needs. The District evaluates each capital project in relation to established levels of reserves, current rate structure, expected asset life/replacement timeline and available revenue sources to ensure that adequate financial resources are available to support the District's financial obligations.

The District's Debt Management Policy is integrated into the decision-making framework utilized in the budgeting and capital improvement planning process. As such the following policies outline the District's approach to debt management.

I. GENERAL MANAGEMENT POLICIES

The District will provide for a periodic review of its financial performance, and review its performance relative to the financial policies outlined herein. These financial policies will be taken into account during the capital planning, budgeting and rate-setting process.

- The District will adopt revised rates, fees and charges in compliance with the applicable law, including the Proposition 218 Omnibus Implementation Act, and will consider recommendations and input from the public as it relates to such proposed changes.
- All District funds will be invested according to the Investment Policy of the District.
- Necessary appropriations for annual debt service requirements will be routinely included in the District's annual budget.

II. FINANCIAL MANAGEMENT POLICIES

- The District will evaluate financing for each capital project on a case-by-case basis. The District will seek to pay for all capital projects from current revenues and available reserves prior to or in combination with the use of debt.
- The District will seek to issue debt only in the case where there is an identified source of repayment. Bonds will be issued to the extent that (i) projected fixed revenues are sufficient to pay for the proposed debt service together with all existing debt service covered by such fixed revenues, or

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(ii) additional projected revenues have been identified as a source of repayment in an amount sufficient to pay for the proposed debt.

- User Fees and Rates will be set at adequate levels to generate sufficient revenues to pay all operating and maintenance costs, to maintain sufficient operating reserves, and to pay debt service costs, if necessary.

III. DEBT AND CAPITAL MANAGEMENT POLICIES

The following policies formally establish parameters for evaluating, issuing, and managing the District's debt. The policies outlined below are not intended to serve as a list of rules to be applied to the District's debt issuance process, but rather to serve as a set of guidelines to promote sound financial management.

In issuing debt, the District objectives are:

- Ensure ratepayer security
- Maintain high credit ratings and access to credit enhancement
- Preserve financial flexibility

A. Standards for Use of Debt Financing

When appropriate, the District will use long-term debt financing to achieve an equitable allocation of costs/charges between current and future system users; to provide more manageable rates in the near and medium term; and to minimize rate volatility.

- Debt financing will be utilized as needed to finance (1) system expansion projects related to demand growth, and (2) major projects necessary to comply with regulatory requirements.
- Capital projects financed through debt issuance should not be financed for a term longer than the expected useful life of the project.
- Lease Agreements and Installment Sale Agreements shall be considered as an alternative to long-term debt. Although these forms of alternative financing are subject to annual appropriation, they shall be considered as long-term fixed rate debt until maturity.

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B. Financing Criteria

The District will evaluate alternative debt structures (and timing considerations) to ensure cost-efficient financing under prevailing market conditions.

Credit Enhancement - The District will consider the use of credit enhancement on a case-by-case basis. Only when clearly demonstrable savings can be realized shall credit enhancement be utilized.

Cash-Funded Reserve/Surety - The District may purchase a surety policy or replace an existing cash-funded Debt Service Reserve Fund when deemed prudent and advantageous.

Call Provisions - In general, the District's securities should include optional call provisions. The District will avoid the sale of non-callable long-term fixed rate bonds, absent careful evaluation of the value of the call option.

Additional Bonds Test/Rate Covenants - The amount and timing of debt will be planned to comply with the additional bonds tests and rate covenants outlined in the appropriate legal and financing documents, and these policies.

Short-Term Debt - The District may utilize short-term borrowing to serve as a bridge for anticipated revenues, construction financing, or future bonding capacity.

Term - 10 to 30 years is standard, but up to 35 years may be acceptable, depending on cash flow assumptions, construction timeline, and remaining useful life of the asset being financed.

Maximum Yield - Case by case, as recommended by Municipal Advisor and as governed by State law.

Maximum Premium - Case by case, as recommended by Municipal Advisor and as governed by State law.

Maximum Discount - Case by case, as recommended by Municipal Advisor and as governed by State law.

Payment Dates - After considering cash flow needs, the General Manager will determine the occurrence of all new debt service payments.

Structure of the Debt - Prefer level debt service, but shall be determined on a case-by-case basis, as recommended by of the General Manager and Municipal Advisor.

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Use of Variable Rate Debt - The District will not issue variable interest rate debt unless the proposed debt is converted to a fixed rate or hedged.

Investment of Bond Proceeds - Bond proceeds will be invested in accordance with the permitted investment language outlined in the bond documents for each transaction. The District will seek to maximize investment earnings within the investment parameters set forth in each respective bond indenture. The reinvestment of bond proceeds will be incorporated into the evaluation of each financing decision; specifically addressing arbitrage/rebate position, and evaluating alternative debt structures and refunding savings on a "net" debt service basis, where appropriate.

Reimbursement Resolution - Must be adopted by the Board if the project capital costs are advanced by the District prior to the expenditure and/or commitment of funds, and bond sale.

C. Types of Long-Term Funding

The District shall consider several methods of financing capital projects. This policy will set forth guidelines for these decisions by identifying parameters within each funding source that are considered appropriate. These parameters are defined below.

Certificates of Participation/Lease Revenue Bonds - Certificates of Participation (COP's) and Lease Revenue Bonds (LRB) can finance water, wastewater and electrical utilities, or other public facilities and are almost identical in structure and security. They are used to finance capital projects that either 1) have an identified budgetary system for repayment; 2) generate enterprise revenue; 3) rely on a broader pledge of General Fund revenues; or 4) finance the purchase of real property and the acquisition and installation of equipment for the District's general government or enterprise purposes. COP's and LRB's are secured by a lease-back or installment sale arrangement between the District and another public entity. The general operating revenues of the District or an enterprise and/or a designated special fund are used to pay the lease or installment payments, which are, in turn, used to pay debt service on the COP's or LRB's. Bond covenants provide that revenues generated by enterprise funds must be sufficient to maintain required debt coverage levels, or the rates of the enterprise have to be raised to maintain the coverage and operations of the facility. For General Fund pledges, bond covenants include an annual appropriation covenant. COP's and LRB's do not constitute indebtedness under the state constitution and are not subject to voter approval.

Because COP's are not created by statute, but rather are used to securitize an underlying contract, they can be adapted to a number of financing situations. They are commonly used for both lease revenue and enterprise revenue financings where no

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workable statutory framework is available or a joint powers financing authority is not available.

Revenue Bonds - Revenue Bonds also finance water, wastewater utilities, or other public facilities. They are payable by the revenues generated by the enterprise. This type of debt is considered self-liquidating. Revenue Bonds are payable solely from the enterprise funds and are not secured by any pledge of General Fund revenues of the District. Bond covenants provide that revenues generated by these enterprise funds must be sufficient to maintain required debt coverage levels, or the rates of the enterprise have to be raised to maintain the coverage and operations of the facility. A bond election may be required to issue Revenue Bonds.

Assessment Bonds - The District may issue assessment bonds under the 1911 and 1915 Improvement Acts through the formation of a special benefit assessment district under the 1911 or 1913 Acts. The bonds may be issued to finance facilities or provide services and are secured by assessments levied on parcels within a defined area that are proportionate to the special benefit conferred upon a parcel, as determined by a qualified assessment engineer. Assessments are subject to majority protest hearing and notice ballot requirements. Assessment Bonds, although repaid through additional assessments levied on a discrete group of property owners, constitute overlapping indebtedness of the District and have an impact on the overall level of debt affordability. Assessment Bonds are not obligations of the District's General Fund.

Mello-Roos Bonds - The Mello-Roos Act of 1982 allows the District to establish a Mello-Roos Community Facilities District (CFD) which allows for financing of public improvements and services. These CFD special taxes must be approved by a two thirds vote of registered voters within the special district (unless there are fewer than 12 registered voters, in which case the vote is by landowners), and are secured solely by a special tax on the real property within the special district. CFD Bonds, although repaid through additional special taxes levied on a discrete group of taxpayers, also constitute overlapping indebtedness of the District and have an impact on the overall level of debt affordability. CFD Bonds are not obligations of the District's General Fund.

Capital Lease Debt - A lease purchase obligation placed with a lender without the issuance of securities may be used to finance certain vehicle and equipment purchases will be evaluated on a case-by-case basis.

D. Limitations on Amount of Debt Issuance

(1) Pursuant to Section 61126 of Government Code of the State of California, the District may incur general obligation bonded indebtedness in an amount not to exceed 15% of the total assessed valuation of all real and personal property in the District.

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Review of recent credit rating agency guidelines indicate that debt service of more than 10% of available revenues or expenditures is considered above average or high. The District shall strive to maintain its non-enterprise backed debt service as a percentage of available revenue below 10%.

Long-term obligations payable solely from specific pledged sources, in general, are not subject to a debt limitation. Examples of such long-term obligations include those which achieve the financing or refinancing of projects provided by the issuance of debt instruments that are payable from restricted revenues or user fees (enterprise funds) and revenues generated from a project. In determining the affordability of proposed enterprise obligations, the District will perform an analysis comparing projected annual net revenues (after payment of operating and maintenance expense) to estimated annual debt service. Generally, legal covenants requiring a minimum coverage ratio are set forth in the bond documents, and are based on the level of security provided to the bondholders (of the senior or subordinate debt obligations). The District's enterprise obligations shall include a coverage ratio requirement of at least 125% for senior bonds and a coverage ratio requirement of at least 105% for senior and subordinate debt combined. Per the rating agency guidelines, the District shall strive to maintain a coverage ratio of 115% using historical and/or projected net revenues to cover annual debt service for bonds issued on a subordinate basis which have a 105% coverage ratio requirement. The District will require a rate increase to cover both operations and debt service costs, and create debt service reserve funds to maintain the required coverage ratios.

E. Method of Issuance

The District will determine, on a case-by-case basis, whether to sell its bonds competitively or through negotiation. Public offerings can be executed through either a competitive sale or a negotiated sale. It shall be the policy of the District to issue debt through a competitive sale whenever feasible subject to advice of the District Municipal Advisor.

Competitive Sale - In a competitive sale, the District's bonds shall be awarded to the lowest responsible bidder providing the lowest true interest cost ("TIC"), as long as the bid adheres to requirements set forth in the official notice of sale.

Negotiated Sale - District recognizes that some securities are best sold through negotiation. In consideration of a negotiated sale, the District shall assess the following circumstances in determining the advisability such a sale:

- Issuance of variable rate or taxable bonds
- Complex structure or credit considerations (such as non-rated bonds),

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which requires a strong pre-marketing effort

- Significant par value, which may limit the number of potential bidders
- Unique proprietary financing mechanism (such as a financing pool), or specialized knowledge of financing mechanism or process
- Market volatility, such that the District would be better served by flexibility in the timing of its sale in a changing interest rate environment
- When an Underwriter has identified new financing opportunities or presented alternative structures that financially benefit the District that could not be achieved through a competitive bid.
- As a result of an Underwriter's familiarity with the project/financing, which enables the District to take advantage of efficiency and timing considerations.
- Other considerations and advantages as presented by District Consultants and Staff

Private Placement – From time to time the District may elect to issue debt on a private placement basis. Such method shall only be considered if it is demonstrated to result in cost savings or provide other advantages relative to other methods of debt issuance, or if it is determined that access to the public market is unavailable and timing considerations require that a financing be completed.

F. Service Provider Selection

All Municipal Advisors, bond counsel, disclosure counsel, trustees, and underwriters will be selected pursuant to District's Purchase Policy relating to hiring consultants.

G. Market Communication and Reporting Requirements

Rating Agencies and Investors - The General Manager shall be responsible for maintaining the District's relationships with one or more national rating agencies.

Continuing Disclosure - The District shall use its best efforts to be in compliance with Rule 15c2-12 by filing its annual financial statements and other financial and operating data for the benefit of its bondholders.

H. Initial Disclosure

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When the District determines to issue debt directly, the General Manager shall request the involved departments to prepare, review or update portions of any required offering document or preliminary official statement (the "POS") within their particular areas of knowledge for which they are responsible. The information contained in the POS is developed by personnel under the direction of the General Manager, with the assistance of the financing team, including the Bond Counsel, Disclosure Counsel, District Counsel and Municipal Advisor. The financing team shall assist staff in determining the materiality of any particular item, and in the development of specific language for the POS. Once the draft POS has been substantially updated, the entire draft POS is reviewed in its entirety to obtain final comments and to allow the underwriters, if any, to ask questions of the District's senior officials.

A substantially final form of the POS is provided to the Board in advance of approval, generally by including the document with the agenda material relating to the approval of the debt, to afford such Board an opportunity to review the POS, ask questions and make comments.

IV. POST ISSUANCE COMPLIANCE POLICY

A. In General

The Board of Directors of the District recognizes its responsibility to ensure compliance with all Federal laws and regulations ("Federal Requirements") applicable to the District's bonds and other obligations the interest on which is excluded from gross income for federal income tax purposes or are otherwise tax advantaged ("Tax-Exempt Bonds"). This policy and guidelines relate to requirements that must be met subsequent to the issuance of Tax-Exempt Bonds in order to maintain that exclusion or receive a federal tax credit payment including, without limitation, requirements relating to use of proceeds, arbitrage, private business use, and record retention. This policy and guideline supersede any post-issuance compliance policy previously adopted by the District but do not supersede, limit or contravene any representations, statements or covenants of the District contained in the bond documents (the "Bond Documents") for its Tax-Exempt Bonds. The purpose of this policy is to provide guidelines and establish procedures for compliance with Federal Requirements in connection with the issuance of Tax-Exempt Bonds.

B. Policy

It is the policy of the District to adhere to all applicable tax requirements with respect to its Tax-Exempt Bonds as set forth in the Bond Documents including, but not

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limited to, requirements relating to the use of proceeds of Tax-Exempt Bonds and facilities financed and refinanced with Tax-Exempt Bonds (the "Bond-Financed Facilities"), arbitrage yield restrictions and rebate, timely return filings, and other general tax requirements set forth in the Bond Documents.

C. Compliance Monitoring

Consistent with the covenants of the District contained in the Bond Documents, the District will monitor compliance with the federal tax requirements applicable to its Tax-Exempt Bonds. The following officers or employees of the District are responsible for monitoring compliance with those requirements: General Manager with assistance from Bond and Tax Counsel and Municipal Advisor. The General Manager shall report to the Board of Directors in conjunction with the annual Debt Policy review that compliance with federal tax requirements applicable to its Tax-Exempt Bonds have been reviewed and met.

D. Record Retention

In accordance with Internal Revenue Service ("IRS") requirements, the District will retain the following records with respect to its Tax-Exempt Bonds:

- Bond transcripts;
- Documentation showing the expenditure of proceeds of the Tax-Exempt Bonds for one or more Bond-Financed Facility;
- Documentation showing the use of the Bond-Financed Facilities;
- Documentation showing the sources of payment and security for the Tax-Exempt Bonds;
- Documentation related to the investment of proceeds of the Tax-Exempt Bonds, including the purchase and sale of securities, investment income received, yield calculations, and rebate calculations;
- All returns filed with the IRS for the Tax-Exempt Bonds (including, as applicable, IRS Forms 8038-G *Information Return for Tax-Exempt Governmental Obligations*, 8038-T *Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate*, and 8038-R *Request for Recovery of Overpayments under Arbitrage Rebate Provisions*), together with sufficient records to show that those returns are correct; and

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- Any other documentation that is material to the exclusion of interest on the Tax-Exempt Bonds from gross income for federal income tax purposes.

Except as otherwise set forth in the Bond Documents, the District will retain the records described above in hard and/or electronic copy format for so long as the applicable Tax-Exempt Bonds remain outstanding and for a period of six years after final redemption of the applicable Tax-Exempt Bonds. With respect to Tax-Exempt Bonds that are refunding bonds, the District will retain the above-described records for the refunding and refunded bonds (and any earlier issue in the case of a series of refundings).

The following officers or employees of the District are responsible for retaining the records relating to the Issuer's Tax-Exempt Bonds: General Manager and Secretary.

E. Arbitrage Compliance

It is the policy of the District to maintain a system of record keeping and reporting to meet the arbitrage rebate compliance requirements of the federal tax code. Unless otherwise instructed by bond counsel, at closing the District will execute documentation covenanting to comply with Federal rebate and arbitrage requirements. Unless otherwise instructed by bond counsel, annually the District will engage a consultant to assist in the monitoring of the investment of bond proceeds, perform the required calculations to determine arbitrage rebate and yield restriction compliance, and file the required federal forms. Unless otherwise instructed by bond counsel, every five years the District will file (if arbitrage rebate is owed) with the Internal Revenue Service the appropriate required documentation demonstrating arbitrage rebate liability and provide payment of at least 90% to the US Treasury for arbitrage rebate liability, if any.

F. Remedial Action

If the District in complying with the terms and provisions the policies or guidelines set forth herein or determines that the requirements of these policies and guidelines or the tax covenants or representations in the Bond Documents may have been violated, the District will make final determinations, if necessary with the assistance of its Bond and Tax Counsel and Municipal Advisors, and take appropriate actions related to such noncompliance including, if appropriate, any remedial action described under applicable Treasury Regulations or through the Tax Exempt Bonds Voluntary Closing Agreement Program.

G. Coordination With Bond Documents

In the event of any conflict between these Procedures and Guidelines and the Bond Documents, the Bond Documents shall govern.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES
DISTRICT APPROVING THE ADOPTION OF THE AMENDMENT TO THE DEBT
MANAGEMENT POLICY AND THE CONTINUING DISCLOSURE
UNDERTAKING POLICY FOR THE DISTRICT
EXHIBIT "B"**

CONTINUING DISCLOSURE UNDERTAKING POLICY

1. PURPOSE

The following policy of the Nipomo Community Services District (the "District") is intended to ensure compliance with securities law requirements applicable to the District's issues, whether comprising bonds, bond anticipation notes, certificates of participation, revenue obligations or other instruments.

2. IN GENERAL

The Securities and Exchange Commission Rule 15c2-12, as amended (the "Rule"), requires certain information regarding an entity responsible for the repayment of a municipal security (an "Issuer") be disclosed to the municipal marketplace. In 2010, the U.S. Securities and Exchange Commission ("SEC") amended the Rule to enhance the disclosure requirements of Issuers in an effort to improve the quality and availability of information regarding outstanding municipal securities. In SEC Rel. No. 34-62184, accompanying an expansion of the Rule, the SEC summarized its "mandate to adopt rules reasonably designed to prevent fraudulent, deceptive or manipulative acts or practices in the market for municipal securities." The release reiterates the SEC's position that material non-compliance by an Issuer with past continuing disclosure obligations may warrant, without corrective actions, an underwriter being prohibited from underwriting such an Issuer's municipal securities, and thus would prevent the Issuer from accessing the municipal securities market.

The Board of Directors of the District (the "Board") acknowledges that, pursuant to the Rule, the District is required on an ongoing basis to provide certain financial and operating data to those persons and firms who own or are interested in purchasing the bonds, bond anticipation notes, certificates of participation, revenue obligations and other municipal obligations of the District previously issued and those which may in the future be issued by or on behalf of the District (the "Obligations"). Pursuant to the Rule, the District has entered into a number of undertakings, such as an agreement or certificate, under the Rule (each, a "Continuing Disclosure Undertaking") regarding its outstanding Obligations and will be required to enter into a new Continuing Disclosure Undertaking with regard to any additional Obligations of the District.

Inasmuch as the Rule prevents an investment banking firm, or underwriter (each, an "Underwriter") from purchasing the Obligations of the District in the absence of a Continuing Disclosure Undertaking and adequate assurances from the District that it will comply with the terms thereof, it is vital that the District maintain compliance with the Rule and its Continuing Disclosure Undertakings.

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3. SELECTION OF RESPONSIBLE OFFICER

The District will identify, on an annual basis, the Treasurer or his or her designee ("Responsible Officer") within the District that will be responsible for compiling and filing annual reports (the "Annual Reports") and notices (the "Listed Event Notices") of the occurrence of certain listed events (found in each Continuing Disclosure Undertaking), if necessary. In the absence of such delegation by the Board, the Responsible Officer shall be the General Manager of the District.

4. ELECTRONIC MUNICIPAL MARKET ACCESS

The Responsible Officer will familiarize themselves with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") website. The Responsible Officer will understand how to locate the District's Obligations on EMMA. If the District is serving as its own Dissemination Agent, the Responsible Officer will establish a user identification and password for EMMA and become familiar with uploading documents onto EMMA.

5. IDENTIFYING AND UNDERSTANDING EXISTING CONTINUING DISCLOSURE OBLIGATIONS

The Responsible Officer will, for each separate issue of outstanding municipal securities to which the Rule applies, read the related Continuing Disclosure Undertaking and identify the following:

- The date by which the Annual Report must be filed;
- The contents that need to be included in the Annual Report;
- The Listed Event Notices that must be filed; and
- When Listed Event Notices are required to be filed.

6. PREPARING AND SUBMITTING THE ANNUAL REPORT

Preparing Annual Audited Financial Statements. The District will begin the process of completing its audited financial statements as soon as practicable after the close of each Fiscal Year. Such audited financial statements should be completed at least one month prior to the date the Annual Report must be filed.

Preparation of Tables and Other Information. The Responsible Officer will identify any information that is required to be included in the Annual Report but is not part of the

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District's audited financial statements, and contact the sources necessary to compile such information as soon as possible after the close of each Fiscal Year. The District should consider adding any information required by its Continuing Disclosure Undertakings not included already in its audited financial statements into a supplementary information section of its audited financial statements.

Submission of Annual Report. Following the compilation of the information that is to be included in the Annual Report and prior to the date on which the Annual Report must be filed, the Responsible Officer will submit the Annual Report to the Dissemination Agent identified in the Continuing Disclosure Undertaking or to EMMA, as applicable.

Review of EMMA. Following the submission of the Annual Report to EMMA or the Dissemination Agent, as applicable, the Responsible Officer should review the EMMA website to confirm that the Annual Report has been posted. If the Annual Report has not been posted, the Dissemination Agent should be notified, or the Responsible Officer should file the Annual Report, as applicable.

7. IDENTIFYING AND REPORTING LISTED EVENTS

Understanding the Listed Events. The Responsible Officer should be aware of the listed events (found in each Continuing Disclosure Undertaking) (the "Listed Events") necessitating the filing of a Listed Event Notice. The Listed Events required to be included in each Continuing Disclosure Undertaking pursuant to the Rule have been included as Appendix A to this policy. Appendix A also includes two Listed Events that became effective for all Continuing Disclosure Undertakings entered into on or after February 27, 2019. These Listed Events are discussed in further detail below. If clarification is required regarding what is meant by each such Listed Event, the District's disclosure counsel should be contacted to clarify such meaning.

Filing Event Notices. Each such notice shall be filed by the District, or by the Dissemination Agent, if any, on behalf of the District, to EMMA in a timely manner.

Occurrence of a Listed Event. The Issuer should contact its disclosure counsel if it has any questions regarding the occurrence of a Listed Event, and whether such occurrence may require the filing of an Event Notice.

Additional Listed Events Required in Continuing Disclosure Undertakings Entered Into On and After February 27, 2019. As a result of an amendment to the Rule, Continuing Disclosure Undertakings entered into on or after February 27, 2019, are required to include certain additional Listed Events relating to (a) the incurrence of certain financial obligations if material (other than bonds or notes for which an official statement has been posted to EMMA), (b) the modification of the terms of a financial obligation which affects

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security holders, if material, and (c) a default, event of default, acceleration, waiver or other modification or similar events with respect to a financial obligation that reflects financial difficulties. Included as Appendix A is a list of the Listed Events required by the Rule, identifying the two additional events that were incorporated by the amendment to the Rule and are required to be in all Continuing Disclosure Undertakings following February 27, 2019.

As provided in the amendment to the Rule, "[t]he term "financial obligation" means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term "financial obligation" does not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule (i.e., posted to EMMA).

Debt Obligations. SEC Rel. No. 34-83886 (the "SEC Release"), the adopting release published in connection with the amendments to the Rule, interprets debt obligations to include both debt and debt-like obligations, and requires them to be disclosed when incurred or amended, if material.

Debt obligations exclude bonds, notes or other obligations (including lease revenue bonds or certificates of participation) offered pursuant to an official statement that complies with the Rule, and is posted by the underwriter or the Issuer to EMMA. Debt obligations also exclude ordinary financial and operating liabilities incurred in the normal course of the Issuer's business.

The SEC Release interprets debt-like obligations to include leases that are "vehicles to borrow money." The SEC Release points to lease-revenue transactions and certificates of participation transactions as examples of such vehicles, as these transactions involve a person advancing money to an Issuer which will be used by the Issuer to acquire or improve property, obtaining title to or a lease of the property, and leasing or subleasing the property to the Issuer in consideration for rent that repays the advance. Most operating leases would not fall into the category of debt obligations for purposes of the amendment either because they do not result in the receipt of money by or for the benefit of an Issuer or are ordinary obligations incurred in the normal course of Issuer operations.

Derivative Instruments. The SEC defines "derivative instrument" as "a derivative instrument entered into in connection with, or pledged as a security or a source of payment for, an existing or planned debt obligation." The SEC Release interprets "derivative instrument" to include any swap, security-based swap, future contract, forward contract, option, any combination of the foregoing, or any similar instrument," but only if

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related to an existing or planned debt, either because entered into to hedge the debt or pledged as security for the debt.

Guarantees. The SEC Release states that an Issuer's "guarantee" of a "debt obligation" or covered derivatives instrument would also be considered a "financial obligation." For these purposes, "guarantee" is intended to include any obligation to pay or secure a third party's or Issuer's financial obligation. This term would include a payment guarantee by an entity such as the District.

It is hereby the policy of the District, that the Responsible Officer be notified of the incurrence of any financial obligation to be entered into by or on behalf of the District. The Responsible Officer shall take measures to advise all applicable District staff of this District policy.

In addition, such Responsible Officer will notify the District's municipal advisor and the District's bond counsel and/or disclosure counsel of the receipt by the District of any default, event of acceleration, termination event, modification of terms (only if material or reflecting financial difficulties), or other similar events under any agreement or obligation to which the District is a party and which may be a "financial obligation" as discussed above. Such notice should be provided by the Responsible Officer as soon as the Responsible Officer receives notice from District staff, consultants or external parties of such event or receives direct written notice of such event so that the District can determine, with the assistance of the municipal advisor and bond counsel and/or disclosure counsel, whether notice of such event is required to be filed on EMMA pursuant to the Rule. If filing on EMMA is required, the filing is due within 10 business days of the occurrence of such event to comply with the applicable Continuing Disclosure Undertaking entered into after February 27, 2019.

The District will develop a system whereby a designated member of District Staff will create a list identifying the execution by the District of any agreement or other obligation which might constitute a "financial obligation" for purposes of the Rule and which is entered into after February 27, 2019. Amendments to existing agreements or financial obligations which relate to covenants, events of default, remedies, priority rights, or other similar terms should be reported to the District's municipal advisor and the District's bond counsel and/or disclosure counsel as soon as notice of amendment requests is received by District staff, consultants, or external parties of such event. Such notice is necessary so that the District can determine, with the assistance of bond counsel and/or disclosure counsel, whether such agreement or other obligation constitutes a material "financial obligation" for purposes of the Rule. If such agreement or other obligation is determined to be a material "financial obligation" or a material amendment to a "financial obligation" described above, notice thereof would be required to be filed on EMMA within 10 business days of execution or incurrence.

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8. RECORD RETENTION

The District should retain the transcript containing the documents related to each issue of municipal securities of the District. The District will retain electronic and paper copies of each Annual Report submitted to EMMA. The District will retain electronic and paper copies of each Listed Event Notice submitted to EMMA. The District should retain all source data used to complete the Annual Report. For example, source material pertaining to assessed valuation, tax rates or other tables noted in the Continuing Disclosure Undertaking that are required to be updated annually.

The Responsible Officer should create an index cataloging the aforementioned documents (the "retained documents"). Such index and documents should be stored at the main office of the District. The Responsible Officer should be responsible for the maintenance and updating of such index. If the individual serving as Responsible Officer is replaced, the index, the retained documents and a copy of these procedures should be provided to the individual assuming the position of Responsible Officer.

The retained documents identified in this Section 8.0 should be retained for a period of at least six years following the maturity, prepayment or redemption of the related issue of municipal securities.

9. EFFECTIVE DATE

This Continuing Disclosure Undertaking Policy is effective as of January 8, 2020.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2020-1539**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES
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MANAGEMENT POLICY AND THE ADOPTION OF A CONTINUING DISCLOSURE
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Appendix A

Listed Events – Pre-February 27, 2019

- (i) principal and interest payment delinquencies;
- (ii) non-payment related defaults, if material;
- (iii) unscheduled draws on debt service reserves reflecting financial difficulties;
- (iv) unscheduled draws on credit enhancements reflecting financial difficulties;
- (v) substitution of credit or liquidity providers, or their failure to perform;
- (vi) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (vii) modifications to rights of security holders, if material;
- (viii) bond calls, if material, and tender offers;
- (ix) defeasances;
- (x) release, substitution, or sale of property securing repayment of the security, if material;
- (xi) rating changes;
- (xii) bankruptcy, insolvency, receivership, or similar event of the Issuer or another obligated person;
- (xiii) the consummation of a merger, consolidation, or acquisition involving the Issuer or another obligated person or the sale of all or substantially all of its assets, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (xiv) appointment of a successor or additional trustee or the change of name of a trustee, if material.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2020-1539**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES
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New Events – Post-February 27, 2019 Transactions

- (xv) incurrence of a Financial Obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the obligated person, any of which affect security holders, if material; and
- (xvi) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the obligated person, any of which reflect financial difficulties.

TO: BOARD OF DIRECTORS
FROM: RAY DIENZO R.D.
GENERAL MANAGER



REVIEWED: CRAIG STEELE
GENERAL COUNSEL

DATE: JANUARY 22, 2026

ADOPT AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE SECTION 2.02.020 RELATING TO BOARD MEETING FREQUENCY AND DISTRICT CODE SECTION 2.08.120 RELATING TO LEAK ADJUSTMENTS

ITEM

Adopt an ordinance of the Board of Directors of the Nipomo Community Services District amending District Code Section 2.02.020 relating to the regular meeting date for the Board, and Section 2.08.120 relating to leak adjustments [RECOMMEND ADOPT, WAIVE FURTHER READING, AND READ BY TITLE ONLY ORDINANCE NO. 2026-138 AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE SECTION 2.02.020 RELATING TO BOARD MEETING FREQUENCY AND DISTRICT CODE SECTION 2.08.120 RELATING TO LEAK ADJUSTMENTS]

BACKGROUND

At the December 10, 2025, meeting, the Board directed staff to provide a recommendation on changing the regular Board meeting frequency, possibly to once per month. Staff reviewed the feasibility of a once-per-month meeting frequency and concluded that District operations can be adjusted to the new schedule without impacting services. To implement this change, Section 2.02.020 of the District Code needs to be amended. If the Board approves this Code change, then the Board By-laws will need to be changed as well. The change in the Board By-laws would be agendized at the next regular Board meeting. This amendment would change the Code to hold one regular meeting per month, typically on the fourth Wednesday. The Brown Act requires that the District designate, by ordinance or resolution, "the" regular meeting date for the Board. In addition, this amendment would permit the General Manager to continue the regular meeting to a subsequent Wednesday, on occasion, or cancel a regular meeting for lack of business or lack of a quorum with the consent of the Board Chair and notice to the Board and public.

In addition, as discussed with the Board Officers, staff recommend a minor change to the District Code Section 2.08.120.A.2.c Leak Adjustment to address a limit on a customer's ability to receive a leak adjustment. Currently, the Code states that leak adjustments will only be granted if the amount of the adjustment is greater than one hundred dollars (\$100). There have been several instances in which a customer submitted a leak adjustment request, staff performed the analysis to determine the amount of relief and found that the adjustment would fall short of the \$100 limit. This led to a denial in granting an adjustment because it did not meet the \$100 threshold. These situations create aggravation for customers because staff must reject their request even if it gets close to the \$100 limit. Staff recommend removing this \$100 limit.

At the January 14, 2026, Board meeting, the Board approved the proposed changes by a vote of 3-2; Directors Eby and Hansen voted no. If the ordinance is approved, it will take effect 30 days later, on February 27, 2026.

FISCAL IMPACT

There is minimal fiscal impact associated with the adoption of this ordinance. One meeting per month would reduce the Director's compensation by \$100 per meeting per Director. Also, the cost of leak adjustments that could be processed without the \$100 limit may increase to about \$500 per month.

STRATEGIC PLAN

Goal 6 – GOVERNANCE AND ADMINISTRATION – Conduct District activities in an efficient, equitable and cost-effective manner.

RECOMMENDATION

Staff recommend that your Honorable Board introduce, waive further reading, and read by title only Ordinance No. 2026-138

ATTACHMENT

- A. ORDINANCE NO. 2026-138 AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE SECTION 2.02.020 RELATING TO BOARD MEETING FREQUENCY AND DISTRICT CODE SECTION 2.08.120 RELATING TO LEAK ADJUSTMENTS
- B. Redline version of Code section changes

JANUARY 28, 2026

ITEM D-5

ATTACHMENT A

ORDINANCE NO. 2026-138

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE SECTION 2.02.020 RELATING TO BOARD MEETING FREQUENCY AND DISTRICT CODE SECTION 2.08.120 RELATING TO LEAK ADJUSTMENTS

THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The Nipomo Community Services District's staff have recommended that the Board amend the District Code to update certain administrative provisions relating to Board meeting frequency and Leak Adjustment amount limits.

Section 2. Section 2.02.020 of the Nipomo Community Services District Code is hereby amended to read as follows:

"2.02.020 Regular meetings.

Regular meetings of the Board of Directors shall be held on the fourth Wednesday of the month at 9:00 a.m. at the District headquarters. The General Manager may occasionally continue a regular meeting to a subsequent Wednesday of a month, or cancel a regular meeting in a given month for lack of business or lack of quorum, with the consent of the Board President and notice to the Board members and public."

Section 3. Section 2.08.120.A.2.c of the Nipomo Community Services District Code is hereby repealed.

Section 4. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage. Pursuant to Government Code Section 25124(b) the District shall publish this Ordinance, or a summary of this Ordinance, with the names of the members of the Board of Directors voting for or against the Ordinance, in a newspaper of general circulation within the District, and shall publish the Ordinance on the District's website.

INTRODUCED at its regular meeting of the Board of Directors held on January 14, 2026, and

PASSED and ADOPTED by the Board of Directors of the Nipomo Community Services District at its regular meeting on January 28, 2026, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

CONFLICTS:

PHIL HENRY

President, Board of Directors

ATTEST:

APPROVED AS TO FORM:

RAY DIENZO

General Manager and Secretary to the Board

CRAIG A. STEELE

District Legal Counsel

JANUARY 28, 2026

ITEM D-5

ATTACHMENT B

2.02.020 Regular meetings.

~~Regular meetings of the Board of Directors shall be held on the fourth Wednesday of the month at 9:00 a.m. at the District headquarters. The General Manager may occasionally continue a regular meeting to a subsequent Wednesday of a month, or cancel a regular meeting in a given month for lack of business or lack of quorum, with the consent of the Board President and notice to the Board members and public. Regular meetings of the board of directors shall be held on the second and fourth Wednesdays of the month at 9:00 a.m. at the district headquarters.~~

(Ord. No. 2023-136, § 4, 8-23-2023)

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2.08.120 Leak adjustments.

A. A water service customer who received a high bill for water service due to a leak may make a written request for leak adjustment relief pursuant to this section. The written request must be received by the district no later than 4:30 p.m. on the due date of the bill in question. The general manager or their designee shall investigate such complaint in the following manner:

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1. The general manager or their designee shall first determine whether the increase in water consumption is related to a leak occurring on the customer's side of the water service connection and, if so, that the leak has been remedied.
2. The general manager or their designee shall review the customer's water bills for the same time period in the previous two years to determine whether or not there is a significant differential in terms of water use that was evidenced by a leak. Where there is a significant difference as determined by the general manager or their designee, water usage for the billing period shall be billed as follows:
 - a. The five-year average normal usage will be billed at the rates in place at the time of the high bill.
 - b. All excess usage (over and above the average normal usage) will be billed at a rate equivalent to the otherwise applicable water rates minus the portion of the rate associated with supplemental water, as established by resolution.
 - c. ~~Leak adjustments will only be processed if the adjustment is greater than one hundred dollars.~~

TO: BOARD OF DIRECTORS
FROM: RAY DIENZO *R.D*
GENERAL MANAGER
DATE: JANUARY 23, 2026

AGENDA ITEM
D-6
JANUARY 28, 2026

AMEND FISCAL YEAR 2025-26 NIPOMO SUPPLEMENTAL WATER PROJECT BUDGET TO PROVIDE FUNDING FOR REPLACEMENT HVAC SYSTEM AT THE JOSHUA ROAD PUMP STATION

ITEM

Amend the Fiscal Year (“FY”) 2025-26 Nipomo Supplemental Water Project budget to provide funding for replacement of the HVAC system at the Joshua Road Pump Station [RECOMMEND ADOPT RESOLUTION AMENDING FY 2025-26 NIPOMO SUPPLEMENTAL WATER PROJECT BUDGET IN THE AMOUNT OF \$29,742].

BACKGROUND

The HVAC system at the Nipomo Supplemental Water Project (“NSWP”) Joshua Road Pump Station (“JRPS”) failed in October 2025 after being repaired numerous times since the original installation in 2015. The HVAC system cools the variable frequency drives (“VFDs”) that control the pumps as well as cools the pumps themselves. The HVAC system had exceeded its useful life and could not be repaired further. The District replaced the HVAC system in December 2025 at a cost of \$29,742.

FISCAL IMPACT

While the FY 2025-26 NSWP budget includes funding for repairs at the JRPS, it did not include funded replacement capital funding for full replacement of the HVAC system. A budget adjustment in the amount of \$29,742 from Supplemental Water Funded Replacement Reserves is required.

STRATEGIC PLAN

Goal 2. FACILITIES THAT ARE RELIABLE, ENVIRONMENTALLY SENSIBLE AND EFFICIENT. Plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations.

Goal 5. OPERATIONS. Maintain a proactive program to ensure readiness of systems and cost-effectiveness of operations.

RECOMMENDATION

Staff recommend that the Board, by motion and roll call vote, adopt a resolution amending the FY 2025-26 NSWP budget to provide funding for replacement of the HVAC system at the Joshua Road Pump Station in the amount of \$29,742.

ATTACHMENTS

- A. Resolution 2026-17XX JRPS HVAC Budget Amendment

JANUARY 28, 2026

ITEM D-6

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2026-17XX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT AMENDING THE FISCAL YEAR 2025-26
NIPOMO SUPPLEMENTAL WATER PROJECT BUDGET TO PROVIDE FUNDING FOR
THE REPLACEMENT OF THE HVAC SYSTEM AT THE JOSHUA ROAD PUMP STATION
IN THE AMOUNT OF \$29,742**

WHEREAS, the Joshua Road Pump Station pump station supplies most of the District's water and thus continuous operation is critical to the District's ability to provide water to its customers; and

WHEREAS, the HVAC system that cools the variable frequency drives and pumps failed in October 2025, could no longer be repaired, and needed to be replaced; and

WHEREAS, the HVAC system was replaced in December 2025; and

WHEREAS, the FY 2025-26 Nipomo Supplemental Water Project ("NSWP") budget did not include funded replacement capital funding for full replacement of the HVAC system.

**NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE
NIPOMO COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS AS FOLLOWS:**

1. The above recitals and referenced findings are true and correct and incorporated herein by this reference.
2. The Board authorizes transfer of \$29,742 from Supplemental Water Funded Replacement Reserves to provide funding for the replacement HVAC system in the FY 2025-2026 NSWP Budget.

On the motion of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

**AYES:
NOES:
ABSENT:
ABSTAIN:**

The foregoing resolution is hereby adopted this 28th day of January 2026.

PHIL HENRY
President, Board of Directors

ATTEST:

APPROVED AS TO FORM AND
LEGAL EFFECT:

RAY DIENZO
General Manager and
Secretary to the Board

CRAIG A. STEELE
District Legal Counsel