

**MINUTES**  
**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS REGULAR BOARD MEETING**  
**1350 MAIN STREET**  
**(Coast Unified Board Room)**  
**CAMBRIA, CA 93428**  
**Thursday, February 1, 2024**  
**6:00 p.m.**

**REGULAR MEETING OF THE SAN SIMEON COMMUNITY SERVICE DISTRICT**  
**COUNCIL – MINUTES**

**1. CALL TO ORDER**

The Regular Meeting of the San Simeon Community Service District Council was called to order at 6:05 p.m. by Vice Chairperson Tiwana.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Vice Chairperson Tiwana.

**3. Roll Call**

Present: Director Holly Le, Director Jacqueline Diamond,  
Director Michael Donahue, Vice Chairperson Karina Tiwana

Absent: None

Staff Present: Patrick Faverty, Ed.D., Interim General Manager  
Nubia Goldstein, White Brenner LLP

**PUBLIC COMMENT FOR THIS ITEM**

- Julie Tacker commented on findings of the De La Rosa Investigation
- Bob Hather commented on water and environmental studies, Still Water reports and questioned updates for the Local Coastal Plan.
- Citizen commented on the lack if the superintendent report and financial report included in the agenda.
- Citizen commented on the lack of ADA compliance of the damaged roads, and expressed concern for the agenda not being translated into additional languages.

**4. SPECIAL PRESENTATIONS AND REPORTS (6:21 p.m.- 6:31 p.m.):**

Interim General Manager's regarding the importance of potential Divestiture due to the district's shortage of available funds; funds that are needed for necessary improvement projects such as the unsafe beach stairway, and water billing issues.

District Counsel stated there was nothing to report within the month of January.

FRM Operations Report: Summary of the December and January Activities.

**5. CONSENT AGENDA ITEMS (6:31 p.m.- 6:36 p.m.)**

A motion was made by Vice Chairperson Tiwana to approve the minutes from the December 7, 2023, District Council Meeting. As well as to review and approve the December and January disbursement journals.

PUBLIC COMMENT OPEN FOR THIS ITEM

- Steve Orellana stated concerns with previous agenda minutes recordkeeping.

Vice Chair Tiwana removed the motion for approval of the minutes from approval and opened a board discussion for the approval of the disbursement journals.

A motion was made by Director Donahue to approve the disbursement journals, Director Diamond seconds the motion.

Vote was taken as follows:

AYES: Le, Donahue, Diamond, Tiwana  
NOES: None  
ABSTAIN: None  
ABSENT: None

District Counsel's recommendation to work with District staff to review and provide suggested revisions for December 7, 2023, meeting minutes.

**6. BUSINESS ACTION ITEMS (6:36 p.m.- 7:40 p.m.):**

A. DIVESTITURE UPDATE-CONSIDER AN URGENCY RESOLUTION

The Interim General Manager provided a statement requesting the District Council board to write an emergency resolution to increase the matter of urgency for seeking divestiture. The district does not have funds available to pay for the estimated (\$20,000,000) Twenty Million Dollars for the relocation of the wastewater treatment plant, new water billing tanks, and monies owed the U.S. Department of Agriculture.

PUBLIC COMMENT OPEN FOR THIS ITEM

Julie Tacker commented on the relocation of the water treatment plant and expressed a concern for the lack of funding aid and grants from the county.

A motion was made by Vice Chairperson Tiwana, asking District Counsel and Staff to draft an appropriate urgency resolution with the inclusion of financial statements-available for approval by the following District Council Meeting. Director Donahue seconds the motion.

Vote was taken as follows:

AYES: Le, Donahue, Diamond, Tiwana

NOES: None

ABSTAIN: None

ABSENT: None

#### B. CHRP EXTENSION UPDATE

##### PUBLIC COMMENT OPEN FOR THIS ITEM

- Citizen expressed concern regarding the effects of the CHRP extension on county power.

Vice Chairperson Tiwana recommended that Staff to move forward with CHRP extension request.

#### C. PIPE BRIDGE AND OUTFLOW PIPE UPDATE

The Interim General Manager provided a statement that he has been in contact with the county for the pipe bridge plan which was 90% approved in December. The Coastal Commission has approved the outflow project, as well as the beginning of the necessary CUPPCA process of land submittal and commencing a search for potential contractors to begin the bidding process.

Director Donahue commented on the Coastal Commission's recommendation for a foot bridge.

PUBLIC COMMENT OPEN FOR THIS ITEM- None

#### D. STAIRWAY UPDATE

The Interim General Manager provided a statement about the perpetual deterioration of the cement stairway caused by ocean wave erosion. As well as the ownership and liability in question of the stairway.

Director Le stated the urgency of the stairway's current condition.

Vice Chairperson Tiwana proposed the option to explore demolition of the stairway.

Interim General Manager stated that he is in discussion with the Coastal Commission regarding the ownership of the stairway.

Director Donahue commented on the possibility of constructing a chain-link fence for liability purposes.

PUBLIC COMMENT OPEN FOR THIS ITEM

- Julie Tacker expressed support of the stairway's demolition as well as the City's ownership and subsequent liability responsibility of the stairway.

**E. SPRINGBROOK BILLING SYSTEM**

The Interim General Manager provided a statement about the receiving and reviewing the bid for the automated Springbrook Billing system. Included in the agenda were the annual costs per service for software usage.

Vice Chairperson Tiwana requests the bid to be posted as an attachment to the agenda.

**Vice Chair Tiwana adjourns for a five (5) minute break for the videographer (7:21 p.m.)**

**Meeting Called Back into Order (7: 26 p.m.)**

The Interim General Manager stated the billing software was a subscription agreement with estimated total incurred costs.

Vice Chairperson Tiwana recommends that District Counsel review bid item.

PUBLIC COMMENT OPEN FOR THIS ITEM

- Julie Tacker expressed concern for the potential increase in incurred costs for a subscription agreement.
- Steve Orellana posed the question to the board if multiple bids were requested or submitted to the District.

A motion was made by Vice Chairperson Tiwana for District Counsel to review the contract for the Springbrook Billing system bid, as well as to address the question if the City needs to receive two (2) more bids. Director Donahue seconds the motion.

Vote was taken as follows:

AYES: Le, Donahue, Diamond, Tiwana

NOES: None

ABSTAIN: None

ABSENT: None

#### F. PAVEMENT POTHoles & REPAVING ISSUES

The Interim General Manager provided a statement that the California Uniform Public Construction Cost Accounting Act (CUPPCA) allowed for the city to Informally request bids from pre-qualified bidders up to Two Hundred Thousand Dollars (\$200,000.00). This process may be used to address paving repair issues for the district's roads. A list of pre-qualified companies has been provided to the District by the County.

The Interim General Manager commented on the three (3) necessary bids, as well as the CUPPCA requirements.

Director Diamond posed the question of the fluid resource management's ability to address the pothole issue.

District Counsel commented on CUPCCA Procedures and recommends a Resolution be drafted to address state law.

PUBLIC COMMENT OPEN FOR THIS ITEM-None

A motion was made by Director Donahue to address CUPCCA issues. Director Le seconds the motion.

Vote was taken as follows:

AYES: Le, Donahue, Diamond, Tiwana

NOES: None

ABSTAIN: None

ABSENT: None

#### G. MS. BRACICH REQUEST FOR REIMBURSEMENT OF WATER DEPOSIT

Vice Chairperson Tiwana requested to remove the item from the agenda item and for it to be moved to closed session due to upcoming litigation matters.

PUBLIC COMMENT OPEN FOR THIS ITEM

- Citizen stated concern for the inconsistent information available on the agenda packet at the time of the initial publication.

**7. CLOSED SESSION (7:44 p.m.- 8:09 p.m.):**

PUBLIC COMMENT OPEN TO CLOSED SESSION AGENDA ITEMS-None

**Roll Call**

Present: Director Holly Le, Director Jacqueline Diamond,  
Director Michael Donahue, Vice Chairperson Karina Tiwana

Absent: None

Staff Present: Patrick Faverty, Ed.D., Interim General Manager  
Nubia Goldstein, White Brenner LLP

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Exposure to litigation pursuant to paragraph (2) of subdivision (d) of  
Government Code § 54956.9: two (2) Potential Cases

**Meeting Resumes Session (8:10 p.m.)**

District Counsel reported on Closed Session Items- Counsel stated direction has been provided to Staff.

**8. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS  
(8:10 p.m.- 8:12 p.m.):**

PUBLIC COMMENT OPEN TO FUTURE AGENDA ITEMS

- Citizen commented on Hurlbert settlement.

**9. ADJOURNMENT (8:12 p.m.):**

The Regular Meeting of the San Simeon Community Service District adjourned at 8:12 p.m.