

MEETING MINUTES
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS REGULAR MEETING
Thursday, June 10, 2021
5:00 pm

Internet Meeting Location – VIA ZOOM

1. REGULAR SESSION @ 5:03 PM

- A. Chairperson Kellas – Present
- Vice-Chairperson Giacoletti – Present
- Director Carson – Present
- Director Maurer – Present
- Director de la Rosa – Present

2. CLOSED SESSION – (1:30)

A. Public Comment –

- (1:37) Julie Tacker commented.
- (3:28) Henry Krzciuk commented.
- (5:20) Michael Donahue commented.

- B. Pursuant to Government Code Section 54956.9 (d)(2)** Conference with District Legal Counsel regarding anticipated litigation. Number of cases: one (1) Robert Hather. (8:05)

(8:17) **RECONVENE TO OPEN SESSION** – there was no reportable action.

3. HEARING ITEM – (8:28)

A. Public hearing regarding Robert Hather request for hardship exemption under Ordinance 102.

(11:50) Open public hearing.

(12:08) Jeffrey Minnery introduced the item and presented the Board with a power point presentation related to Mr. Hather's request.

(23:15) Chairperson Kellas asked if Jeff Stulberg was on the call. She allowed Robert Hather the ability to speak.

(26:00) The Board members asked questions related to the hardship.

Public Comment –

- (49:15) Greg Sanders commented.
- (53:37) Julie Tacker commented.
- (58:00) Henry Krzciuk commented.
- (1:04:50) Michael Donahue commented.

(1:06:20) Tina Dickason commented.

(1:08:00) Public comment was closed.

(1:08:31) The Chairperson started the finding of the facts process.

(1:26:00) Discussion occurred between Jeffrey Minnery and the Board.

(1:29:45)

A motion was made stating the following finding of facts:

Based on the information received by the Board in discussion today the Board lacks information sufficient to grant a hardship exemption at this time without first going thru the necessary process to determine the availability of water and therefore, the granting of a hardship would not be in harmony with the purpose and intent of Ordinance 102.

(1:30:40) Director de la Rosa commented that water storage and water quality were important components in the finding of facts.

(1:33:22) The motion was given a 2nd by Vice-Chairperson Giacoletti.

Motion: Chairperson Kellas
2nd: Vice-Chairperson Giacoletti.
Vote: 4/1
Abstain:

Roll Call: Kellas: Yes Giacoletti: Yes Carson: No Maurer: Yes de la Rosa: Yes

4. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA: (1:34:00)

Public Comment –

(1:34:40) Henry Krzciuk commented on the Hearst encroachment not being on the meeting agenda. He also remarked on the Coastal Hazard Response Plan (CHRP) not being on the meeting agenda.

(1:37:21) Julie Tacker commented on the District's response to the County's grant inquiry. She also remarked on the District's failure to respond to citizen's complaint.

5. SPECIAL PRESENTATIONS AND REPORTS: (1:39:50)

A. STAFF REPORTS:

- i. Sheriff's Report – (1:40:40) Chris Langston provided a report for the month of May.
- ii. Superintendent's Report – (1:42:00) Charles Grace provided a summary of May activities.
- iii. General Manager's Report – (1:44:11) Charles Grace provided a summary of May Activities.
- iv. District Financial Summary – (1:46:46) Cortney Murguia provided the May Financials.
- v. District Counsel's Report – (1:48:40) Summary of May Activities.

A. AD-HOC COMMITTEE REPORTS:

- i. Status Report – (1:50:07) Director Maurer provided an update on the committee’s progress.
- ii. Status Report – (1:51:20) Chairperson Kellas provided an update on the committee’s progress.
- iii. Status Report – (1:51:50) Director de la Rosa provided an update on the committee’s progress.
- iv. Status Report – (1:52:40) Director Maurer provided a brief update about the Budget Committee meeting
- v. Status Report – (1:53:35) No updates.

6. CONSENT AGENDA ITEMS – (1:54:00)

- A. Review and approval of Minutes for the Regular Meeting on May 13, 2021.**
- B. Review and approval of Minutes for the Special Meeting on May 27, 2021.**
- C. Review and approval of Disbursements Journal.**

PUBLIC COMMENT ON SPECIAL PRESENTATIONS AND REPORTS/CONSENT AGENDA ITEMS -

(1:55:00) Henry Krzciuk commented.

(1:57:54) Julie Tacker commented.

Review of the meeting recording reflects that there was never a formal motion made to approve the consent agenda items.

7. BUSINESS ACTION ITEMS:

A. Discussion regarding the FY 2021/2022 Budget. (2:01:10)

Chairperson Kellas stated that this item had been pulled from the agenda.

Public Comment –

(2:01:55) Julie Tacker commented.

(2:03:44) Henry Krzciuk commented.

B. Direction to staff regarding entering into an agreement with Raider Painting to recoat the pipe bridge not to exceed the amount of \$45,000.00. (2:05:20)

(2:05:35) Chairperson Kellas recused herself. She asked that Director Maurer please help fill in.

(2:05:49) Director Maurer asked that Charlie Grace provide a summary report of this matter. Charles Grace introduced the item.

(2:09:30) Vice-Chairperson Giacoletti asked Charlie Grace for clarification on the Trombley Painting Quote.

Public Comment –

(2:11:50) Henry Krzciuk commented.

(2:16:22) Director Maurer made a motion to approve the Raider Painting quote.

Motion: Director Maurer

2nd: Director Carson

Vote: 4/0
Recused: Kellas

Roll Call: Carson: Yes Maurer: Yes de la Rosa: Yes Giacoletti: Yes

C. Direction to staff regarding entering into an agreement with RNM Engineering, Inc. for construction services management not to exceed the amount of \$9000.00. (2:17:30)

Chairperson Kellas introduced the item. Charlie Grace provided additional background information about the project.

(2:24:50) Director Carson, Charlie Grace, and Vice-Chairperson Giacoletti discussed community power outages during a rain event, system reliability, and the life expectancy of the generator.

(2:34:45) Henry Krzciuk commented.

(2:37:24) Chairperson Kellas made a motion to approve the item not to exceed the amount of \$9,000.00.

Motion: Chairperson Kellas
2nd: Director de la Rosa
Vote: 4/0
Abstain: 1/0

Roll Call: Kellas: Yes Giacoletti: Abstain Carson: Yes Maurer: Yes de la Rosa: Yes

D. Discussion regarding the Districts existing liability insurance policy with Special District Risk Management Authority (SDRMA) renewal invoice due July 15, 2021. (2:39:07)

Chairperson Kellas introduced the item.

(2:40:54) Julie Tacker commented.

(2:43:09) Henry Krzciuk commented.

(2:44:55) Chairperson Kellas made a motion that the Board review the policy and provide suggested changes to staff on or before June 24, 2021.

Motion: Chairperson Kellas
2nd: Vice-Chairperson Giacoletti
Vote: 5/0
Abstain:

Roll Call: Kellas: Yes Giacoletti: Yes Carson: Yes de la Rosa: Yes Maurer: Yes

E. Discussion regarding the District hiring a public relations consultant. (2:50:00)

Chairperson Kellas introduced the item.

(2:51:25) Director Maurer suggested that quotes should be obtained. Vice-Chairperson Giacoletti stated that she was opposed to the idea. Director Carson also suggested that without the overall cost figures he was hesitant to make any determination.

(2:54:44) Henry Krzciuk commented

(2:56:35) Julie Tacker commented.

(2:58:58) April commented.

(3:00:00) Chairperson Kellas made a motion to hire a public relations consultant. (Clarifying, quotes would be obtained and this information would be provided to the Board.) There was no 2nd.

(3:02:20) Vice-Chairperson suggested that the item be tabled. She made a motion to table the item. There was no 2nd.

(3:03:20) Director Carson made a 2nd for Chairperson Kellas's motion.

Motion: Chairperson Kellas
2nd: Director Maurer
Vote: 2/3
Abstain: Giacoletti

Roll Call: Kellas: Yes Giacoletti: Abstain Carson: Yes Maurer: No de la Rosa: No

F. Direction to staff regarding the contract with the State of California regarding State Parks' wastewater treatment. (3:06:57)

Chairperson Kellas introduced the item.

(3:08:30) Henry Krzciuk commented.

(3:10:18) Julie Tacker commented.

(3:12:00) Chairperson Kellas made a motion that it be passed to staff to either obtain third party quotes or work with district counsel.

Motion: Chairperson Kellas
2nd: Director Carson

(3:13:07) Director de la Rosa commented that the relationship with the community of San Simeon and State Parks should be symbiotic. Vice-Chairperson Giacoletti suggested that perhaps the contract could be renegotiated without legal to reduce costs. Charlie Grace spoke and explained that the contract had not expired. He went on to clarify why the negotiation process would require counsel to be involved.

(3:19:00) Jeffrey Minnery commented.

(3:20:30) Chairperson Kellas repeated her motion.

Motion: Chairperson Kellas
2nd: Vice-Chairperson Giacoletti
Vote: 5/0
Abstain:

Roll Call: Kellas: Yes Giacoletti: Yes Carson: Yes Maurer: Yes de la Rosa: Yes

G. Discussion regarding public comment and Regular Meeting Agenda layout. (3:21:10)

Chairperson Kellas introduced the item.

(3:24:48) Director Maurer, Vice-Chairperson Giacoletti, and Chairperson Kellas discussed the current process for the District and potential alternatives.

(3:31:30) Director Carson asked for clarification on Brown Act compliance as it related to the other agendas that were provided as part of the packet. Jeffrey Minnery provided a response stating that these formats met the requirements of the Brown Act.

(3:33:00) Director Maurer and Kellas suggested that any motion include language related to “at the Chair’s discretion” and that any changes be reviewed after two months.

(3:36:30) Henry Krzciuk commented.

(3:39:16) Julie Tacker commented.

(3:43:17) April commented.

(3:46:30) Chairperson Kellas made a motion that the public comment allotment be combined (allowing for a single three minutes) for items not on the agenda, special presentations and reports, and consent agenda items. That public comment on Business Actions be reduced to allow for two minutes per speaker.

Motion: Chairperson Kellas

2nd: Vice-Chairperson Giacoletti

Vote: 5/0

Abstain:

Roll Call: Kellas: Yes Giacoletti: Yes Carson: Yes Maurer: Yes de la Rosa: Yes

8. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS – (3:47:40)

Director de la Rosa requested that an update be provided on the water tank project and the State Parks contract.

Chairperson Kellas asked that Ordinance 102 be added to the agenda.

9. ADJOURNMENT @ 9:34 pm