

# Board of Directors San Simeon Community Services District



## SPECIAL BOARD MEETING PACKET

March 28, 2023

Meeting Start Time 5:30pm

This meeting shall occur In Person and Via Zoom.

Prepared by:



**GRACE**  
ENVIRONMENTAL SERVICES

**SAN SIMEON COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS SPECIAL BOARD MEETING AGENDA  
CAMBRIA VETS HALL  
1000 MAIN STREET  
CAMBRIA, CA 93428  
Tuesday March 28, 2023  
5:30 pm**

**Internet Meeting Location – Via ZOOM**

**Join Zoom for Regular Board Session:**

<https://us02web.zoom.us/j/87307810050>

**Or One tap mobile:**

**US: +16699009128, 87307810050#**

**Or Telephone:**

**Dial (for higher quality, dial a number based on your current location):**

**US: +1 669 900 9128**

The following commands can be entered via DTMF tones using your **phone's** dial pad while in a **Zoom meeting**: \*6 - Toggle mute/unmute. \*9 - **Raise hand**.

**Webinar ID: 873 0781 0050**

**NOTE:** On the day of the meeting, the virtual meeting room will be open 30 minutes prior to the meeting start time. If you wish to submit public comment in the written format you can email [admin@sansimeoncsd.org](mailto:admin@sansimeoncsd.org). Members of the public can also contact the District office at (805) 927-4778 with any questions or concerns related to this agenda or accessing the meeting.

**1. REGULAR SESSION:**

A. Roll Call

**2. BUSINESS ACTION ITEMS:**

**Public Comment** – Public comment will be allowed for each individual business item.

Members of the public wishing to speak on business items may do so when recognized by the Chairperson. If a member of the public wishes to speak at this time, Public Comment is limited to three (3) minutes or less per person for each business item, with additional time at the discretion of the Chair.

- A. DISCUSSION, REVIEW AND APPROVAL OF A BOARD RESOLUTION PROCLAIMING A LOCAL EMERGENCY REGARDING THE DISTRICT’S ABILITY TO TREAT AND SERVE POTABLE WATER, AND AN UPDATE ON THE DISTRICT’S EFFORTS TO SECURE AN ALTERNATIVE WATER SOURCE.**

- B. DIRECTION TO STAFF AND APPROVAL OF THE ADAPTATION PLANNING GRANT PROGRAM APPLICATION SUBMITTAL.**
- C. PRESENTATION, DISCUSSION AND BOARD ACTION TO CREATE A GRANT ACQUISITION SUBCOMMITTEE.**
- D. DISCUSSION, REVIEW AND APPROVAL OF A REQUEST FOR QUALIFICATIONS FOR GENERAL MANAGER SERVICES AND A REQUEST FOR PROPOSALS FOR OPERATION SERVICES.**
- E. DISCUSSION AND BOARD DIRECTION REGARDING POTENTIAL CHANGES TO WATER MORATORIUM.**
- F. DISCUSSION, REVIEW AND APPROVAL OF A BOARD RESOLUTION AFFIRMING THE DISTRICT'S DESIRE TO REMOVE RESIDENTIALLY ZONED AREAS FROM FURTHER CONSIDERATION FOR THE RELOCATION OF THE WASTEWATER TREATMENT PLANT.**

**3. ADJOURNMENT –**

All staff reports or other written documentation, including any supplemental material distributed to a majority of the Board within 72 hours of a regular meeting, relating to each item of business on the agenda are available for public inspection during regular business hours in the District office, 111 Pico Avenue, San Simeon. If requested, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. To make a request for a disability-related modification or accommodation, contact the Office Administrator at 805-927-4778 as soon as possible and at least 48 hours prior to the meeting date. This agenda was prepared and posted pursuant to Government Code Section 54954.2.

## **Business Action Item**

**2.A. Discussion, Review and Approval of a Board Resolution proclaiming a local emergency regarding the District's ability to treat and serve potable water, and an update on the District's efforts to secure an alternative water source.**



## **BUSINESS ACTION ITEM STAFF REPORT**

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### **2.A. DISCUSSION, REVIEW AND APPROVAL OF A BOARD RESOLUTION PROCLAIMING A LOCAL EMERGENCY REGARDING THE DISTRICT'S ABILITY TO TREAT AND SERVE POTABLE WATER, AND AN UPDATE ON THE DISTRICT'S EFFORTS TO SECURE AN ALTERNATIVE WATER SOURCE.**

#### Summary:

The ongoing storm events the turbidity and siltation of the District's water source has increased to an extent that the District's water treatment plant is not able to treat and provide potable water to meet the District's typical current daily demand of between 25,000 to 30,000 gallons per day; and the District's inability to treat enough potable water to meet its typical daily demand requires that the District find an alternative source of water while the impacts of the winter storm events on the District's potable water source subside.

The Resolution declares an emergency based on the impacts of the historical winter storm events on the District's water treatment plant and authorizes the General Manager to execute all necessary and proper agreements to secure an alternative water source while the District's water treatment plant is unable to provide potable water, and continue to encourage District customers to voluntarily conserve water.

Enc: Board Resolution 23-467

**RESOLUTION NO. 23-467**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON  
COMMUNITY SERVICES DISTRICT PROCLAIMING A LOCAL EMERGENCY  
REGARDING THE DISTRICT'S ABILITY TO TREAT AND SERVE POTABLE  
WATER**

**Recitals**

WHEREAS, the San Simeon Community Services District ("District") is a California Community Services District formed and existing under the provisions of the California Community Services District Law, codified at Government Code section 61000-61144, and all acts and laws amendatory thereof or supplementary thereto, and possession all powers thereof; and

WHEREAS, the state of California has experienced severe storms throughout the winter months of December 2022 through March 2023; and

WHEREAS, with the ongoing storm events the turbidity and siltation of the District's water source has increased to an extent that the District's water treatment plant is not able to treat and provide potable water to meet the District's typical daily demand of between 25,000 to 30,000 gallons per day; and

WHEREAS, pursuant to Government Code section 61100, subdivision (a) the District may exercise the powers of a Municipal Water District codified at Water Code section 71000 et seq.; and

WHEREAS, Water Code section 71642 provides that the District may declare an emergency upon a finding of a water emergency or shortage by resolution or ordinance; and

WHEREAS, the District's inability to treat enough potable water to meet its typical daily demand requires that the District find an alternative source of water while the impacts of the winter storm events on the District's potable water source subside; and

WHEREAS, the District has secured potable water from the neighboring public agency of Cambria; and

WHEREAS, the District seeks to declare an emergency based on the impacts of the winter storm events on the District's water treatment plant, authorize the General Manager to execute all necessary and proper agreements to secure an alternative water source while the District's water treatment plant is unable to provide potable water, and continue to encourage District customers to voluntarily conserve water.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the San Simeon Community Services District, as follows:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. Declaration of Emergency. The Board of Directors hereby considers the District’s water treatment system’s inability to meet the District’s typical daily demand and proclaims that an emergency exists throughout the District from the winter storm events, and the winter storm events have caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District.
3. Authorization for General Manager to Secure Alternative Potable Water Supply. The Board hereby authorizes the General Manager to take all necessary and proper actions to secure an alternative potable water supply to meet the District’s typical daily demand while the District’s water treatment plant is unable to provide potable water.
4. Voluntary Conservation Measures. The District continues to encourage District customers to conserve water for the duration of the water shortage emergency.
5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until such time the Board of Directors adopts a subsequent resolution in accordance with Water Code section 71642 to rescind the finding of an emergency.

**ADOPTED** by the Board of Directors of the San Simeon Community Services District on March 28 2023, by the following roll call votes:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

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Jacqueline Diamond  
Chairperson, Board of Directors of the  
San Simeon Community Services District

**ATTEST:**

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Charles Grace, District Secretary and General Manager of the  
San Simeon Community Services District

**Business Action Item**

**2.B. Direction to staff regarding the Adaptation Planning  
Grant Program application submittal**





## **BUSINESS ACTION ITEM STAFF REPORT**

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### **2.B. DIRECTION TO STAFF AND APPROVAL OF THE ADAPTATION PLANNING GRANT PROGRAM APPLICATION SUBMITTAL.**

#### Summary:

Currently the Criscom Agency is on a monthly retainer to help assist in finding potential grant opportunity's for the District. Criscom will be presenting information to the Board related to the Adaption Planning Grant.

Enc: Information on the adaptation planning grant.

# General Narrative Questions

## Applicant Information

Proposed Project Name: Coastal Hazard Response Plan (CHRP) / SSCSD Wastewater Treatment Plant Relocation

Lead Applicant: San Simeon Community Services District Board

## Instructions

- **Word counts** are listed for each question. Adhering to word counts is strongly recommended, but not required.
- **Maps, figures, and pictures** may also be included as part of the responses.
- **Formatting** such as bullet points (•, ◦, Ø), lettering (a, b, c), or underline may be used to organize responses. Avoid excessive formatting to ensure readability.
- **Naming conventions** for the workbook and application narrative should mirror the following format [Lead Applicant Name – Project Name- Name of Document] for example [City of Albuquerque – Climate Adaptation Plan - Narrative].

## Checklist

Use the checklist below to ensure all materials have been submitted as part of the Application.

- General Narrative Questions (this Word document)
- Workbook (Includes Applicant Summary, Work Plan and Budget) (Excel)
- Letters of Support (PDF)

## Project Vision & Priorities

### 250 words

1. Present the Vision Statement. Include the project approach, priority goals, objectives, and aspirations of your proposed project.

The San Simeon Community Services District Board is submitting the Integrated Climate Adaptation and Resiliency Program's Climate Adaptation Planning Grant Application for the San Simeon Coastal Hazards Response Plan (Project) to request grant funds for planning efforts related to inland relocation of the existing San Simeon wastewater treatment plant (WWTP) and wastewater facilities away from the coastal hazard zone. This project entails the development of the Coastal Hazards Response Plan, stakeholder outreach, and potential amendments to the San Luis Obispo Local Coastal Program (LCP) that would facilitate the future relocation of the WWTP. This project's planning area includes the San Simeon Acres community within the Coastal Zone. The existing WWTP represents a critical public infrastructure located in an area at risk from coastal erosion and flooding, given the location of the WWTP at the top of a coastal bluff and adjacent to a coastal stream. Damage to the existing WWTP resulting from coastal hazards presents significant risks to public safety and water quality within the community. This situation is representative of the coastal threats and sea level rise challenges facing critical infrastructure located along all of coastal California's dynamic shoreline area. The San Simeon WWTP would serve as a case study for similar facilities along the California coast, and this funding would allow for technical investigations to inform coastal land use planning goals and policies for inland relocation of critical public infrastructure; and to allow for restoration of the existing WWTP property with native riparian, wetland, and coastal bluff habitats.

## Community Need & Adaptive Capacity

### 750 words

2. Provide any or all of the following, using any of the sources listed in Section A "Consideration of Vulnerable Communities" of the APGP Grant Guidelines.
  - a. An overview of any existing information about the proposed project area's vulnerable communities, including population characteristics, locations, and other known factors contributing to vulnerability.
  - b. How the vulnerable communities have been involved in the proposed project to date (or, if this has not yet been feasible, the plan for how they will be involved from application submission date onward).
  - c. How the project will address the unique needs, and enhance the adaptive capacity of, vulnerable communities.



The population of San Simeon in California is approximately 445, with 292 households. The area of San Simeon has a median household income of \$50,486, less than 80% of the Statewide average, and a 6.4% poverty rate. Additionally, San Simeon is located within the boundaries of a low-income community. The community also serves over 900,000 visitors per year who visit the Hearst Castle National Historic Landmark (a hilltop mansion built by William Randolph Hearst in the 20th century) and utilize coastal access and recreation opportunities at Hearst San Simeon State Park and the Piedras Blancas northern elephant seal rookery populated by over 15,000 elephant seals. Development of a Coastal Hazard Response Plan and related planning efforts would make progress towards goals of preventing the loss of property (both public and private), damage, and disruption of critical public services, providing co-benefits to reduce sea level rise impacts on public health. In addition, planning to relocate WWTP infrastructure would reduce the risk of hazardous material release due to coastal storm surges or erosion-induced damage and increase resilience to coastal hazards within the WWTP service area. This project aims to provide the San Simeon community and decision-makers with comprehensive information for planning resilient development and protecting critical infrastructure and coastal resources. To address needed essential adaptive infrastructure management, SSCSD would develop a Coastal Hazards Response Plan that would function as a technical report building on previous studies to advance work on planning for WWTP relocation and revetment removal while addressing coastline climate change impacts. In addition, the Coastal Hazards Response Plan would serve as a driving document to help guide and determine the need for potential future LCP Amendments.

To date, there have been several different ways the public within this vulnerable community has been involved. First, SSCSD has developed a list of key stakeholders that SSCSD will coordinate with to create the Coastal Hazards Response Plan and eventual WWTP relocation. Stakeholders will include local, regional, state, and federal agencies, landowners, and other interested parties. Second, SSCSD has also facilitated up to eight (8) stakeholder meetings with relevant agencies with authority over the development, as well as with any potential landowners or technical specialists, to discuss alternatives for a proposed new and/or relocated WWTP and wastewater functions and selection of a preferred option. Finally, SSCSD has provided opportunities for public input and questions through a comment period on the draft Coastal Hazards Response Plan, regular project updates (at a minimum, quarterly) at SSCSD Board Meetings, and the local LCP adoption process.

3. Describe known climate change-related issues and possible solutions in the project region, as well as gaps in this knowledge the project will address, including any or all of the following:
  - a. Any existing information available on current and future climate change impacts, and gaps in known information.
  - b. Information on historic conditions, such as hazards faced by the community in the past.



- c. How the proposed planning project will expand on existing knowledge and fill information gaps on climate change vulnerability, impacts, and/or adaptation solutions and build community resilience to climate change.

A narrow sandy beach backed by low coastal bluffs fronts the existing WWTP site and is protected by a historically placed 12-foot-high by 15-foot-deep rock revetment. Coastal processes, including erosion, coastal storms and flooding, and sea level rise, present significant risks to public safety and water quality within the community threatening the existing WWTP infrastructure. In addition, rising seas would converge with coastal-draining creeks in the Project vicinity, including the Arroyo del Padre Juan Creek, which could potentially flood the existing WWTP site. Regional sea level rise models with one foot, or more of sea level rise (NOAA 2019; Climate Central 2016) project impacts on the site. Such impacts could occur early as 2030 (Ocean Protection Council 2018; CCC 2019). Damage to the WWTP resulting from coastal hazards could result in water quality issues within the surrounding offshore area and nearby creeks threatening human and wildlife populations, as well as a lapse in critical utility services to this DAC.

The Coastal Hazards Response Plan and potential subsequent LCP Amendment would emphasize considerations of sea level rise hazards upon community health and well-being. The Project includes establishing a policy framework for adapting to coastal hazards and improving resiliency to protect critical public infrastructure and vulnerable populations threatened by existing and future coastal hazards. Planning for relocation of the WWTP would ensure enhanced protection of the future wastewater system and increase the long-term sustainability of the utility system. The Habitat Restoration and Monitoring Plan and the Site Assessment and Feasibility Analysis would also assess existing critical infrastructure that supports the WWTP and connects to a regional and community-wide network, including an outfall and pipe support structures.

## Co-Benefits

### 250 words

Describe how the proposed project will prioritize strategies and outcomes that provide climate change adaptation co-benefits (such as social equity, greenhouse gas mitigation, economic, and/or environmental co-benefits).

More than 75 parcels within the District rely on the WWTP to provide wastewater treatment services. Therefore, a functioning wastewater conveyance system is vital to the community's health and public safety. Planning to relocate WWTP infrastructure would reduce the risk of hazardous material release due to coastal storm surges or erosion-induced damage and increase resilience to coastal hazards within the WWTP service area. The Habitat and Monitoring Plan would also remove invasive vegetation to restore native species and further reduce the risk of bluff erosion to enhance the long-term coastal resilience of the Project area and adjacent areas from erosion.



Significant co-benefits of Project implementation include benefits to coastal access and recreation. The Project area is adjacent to a popular public beach, an essential resource for residents and visitors. Without the Project, the sandy beach in San Simeon could be significantly eroded by sea level rise as soon as 2030, substantially impairing beach access and recreation. Such public recreation access impacts also include a loss of socio-economic value within a DAC that relies heavily on tourism. Landward relocation of the WWTP and removal of the rock revetment would allow the shoreline to naturally migrate inland over time, maintaining a sandy beach and intertidal zone for continued beach access for recreational opportunities. Further, restoring the site to open space and coastal habitat would provide a public benefit of a passive recreation resource that would contain opportunities for hiking and birdwatching and would significantly enhance the viewshed along the beach.

## Community Partnership

### 500 words

Describe the partnership structure, including roles, responsibilities, and why this specific group of organizations is well suited to carry out the proposed planning activities of the proposed project. Include details on previous history working together if applicable; if this is an emerging partnership, share what aspects of this new partnership will set the group up for success.

Charles Grace, Principal of Grace Environmental Services, would provide project management and expertise regarding wastewater treatment systems and input on the feasibility of infrastructure relocation and site restoration. Grace Environmental Services have operated and maintained water treatment facilities, including conventional water treatment, reverse osmosis, and groundwater remediation facilities. Charles has over 25 years of experience in special district management and water treatment, distribution, infrastructure maintenance, customer relations, and other support function needs.

The District would select engineering and environmental consultants with qualified staff experienced in preparing habitat restoration and biological monitoring plans, coastal adaptation and resiliency strategies, and Coastal Act and permitting requirements that pertain to the Project. The 50-60% Preliminary Design Plans would be completed by an environmental sub-consultant specializing in biological restoration and has experience in utilizing innovative design approaches to restore native coastal bluff scrub, riparian, and estuarine habitats.

In addition to preparing the Habitat Restoration and Monitoring Plan and the 50-60% design plans, the environmental consultant would perform the site assessment and feasibility analysis to plan for the future relocation of wastewater treatment infrastructure. The environmental consultant would have land use compatibility experience and consider various factors in the feasibility analysis, including viable vehicle access points, sensitive receptors, and sensitive biological habitat areas. The environmental consultant would also



assist with stakeholder outreach, relations with permitting and regulatory agencies, and public meetings regarding the Project.

## Workplan and Budget

### 250 words

4. Provide a high-level budget justification that summarizes the overall project costs. Explain how the requested budget is aligned with the proposed Work Plan and reflects the overall project objectives and program goals. Applicants may choose to organize the budget items under the eligible cost categories for the APGP.

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## **Business Action Item**

### **2.C. Presentation, Discussion and Board Action to create a Grant Acquisition Subcommittee**





## **BUSINESS ACTION ITEM STAFF REPORT**

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### **2.C. PRESENTATION, DISCUSSION AND BOARD ACTION TO CREATE A GRANT ACQUISITION SUBCOMMITTEE.**

#### Summary:

This item was placed on the agenda at the request of the Chairperson. Criscom will be presenting information to the Board on the need to form an Ad-Hoc grant acquisition subcommittee.

## **Business Action Item**

**2.D Discussion, Review and Approval of a request for qualifications for general manager services and a request for proposals for operation services**



## **BUSINESS ACTION ITEM STAFF REPORT**

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### **2.D. DISCUSSION, REVIEW AND APPROVAL OF A REQUEST FOR QUALIFICATIONS FOR GENERAL MANAGER SERVICES AND A REQUEST FOR PROPOSALS FOR OPERATION SERVICES.**

#### Summary:

Prepared by District Counsel

Enc:

**San Simeon Community Services District**  
**Request for Qualifications (“RFQ”)**  
**for the Position of General Manager**

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**Issue Date:** Month/Day, 2023

**Deadline for Submissions:** 5:00 p.m. on Month/day, 2023

**Submission Requirements:** RFQs electronic submission to: [jdiamond@sansimeoncsd.org](mailto:jdiamond@sansimeoncsd.org); “Water/Wastewater service RFQ” should be written in the subject line of the email or prospective consultants may send five (5) hardcopies to:

San Simeon Community Services District  
Attention: Jacqueline Diamond, Board Chair  
111 Pico Avenue  
San Simeon, CA 93452

**Request for Information:** Questions or inquiries related to the RFQ, RFQ procedures, or the requested services may be submitted to Nubia Goldstein, General Counsel, via email at: [Nubia@whitebrennerllp.com](mailto:Nubia@whitebrennerllp.com) by Month/day, 2023, by 5:00 p.m. Any questions or inquiries received after this date will not receive a response.

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**SERVICES NEEDED:**

The San Simeon Community Services District (“District”) is seeking a qualified individual or firm to secure a part-time position as the District’s new General Manager. The District does not currently have employees; therefore the General Manager will be responsible for the supervision of District administrative services, facilities, finances, and general oversight for District contractors and professional services. The general manager must be on-site at the District office, facilities, and community for one day a week (or portions of several days dependent upon necessary duties). The General Manager will be expected to attend and participate in board, budget, and water committee meetings. Budget and water committee meetings presently occur three to four times per year. It is recognized that a change from current contractor services would require a transition period necessitating additional hours. The duties of this position were being carried out by the contract which expired on January 31, 2023.

**DISTRICT OVERVIEW:**

The District was formed in the 1960s and is located on the North Coast of San Luis Obispo County along State Highway 1 approximately halfway between Los Angeles and San Francisco.

The District provides water, wastewater, and other municipal services for a small community of approximately 445 people. The current average annual water production is approximately 79-acre feet per year. The District holds a water right license issued by the State Water Board to extract 140-acre feet per year from Pico Creek wells subject to the conditions identified in the license. The District currently holds an annual budget of \$1.1 million.

The District owns and has all applicable permits for a wastewater and treatment system consisting of less than five (5) miles of sewer lines, headworks, biological wastewater treatment, disinfection, effluent disposal via ocean outfall, and related equipment. Additionally, the District owns a water supply, storage, and distribution system consisting of two (2) wells, one (1) emergency well, one (1) storage tank and up to two-hundred and fifty (250) connections, less than five (5) miles of distribution lines, and related equipment. Lastly, the District maintains a local two-lane road of less than five (5) miles, a street lighting system with approximately fifty (50) active streetlights and a District office building.

The website provides comprehensive information on the District and includes information on projects. Board meeting agendas, packages, and recordings are available on the District's website and provide an excellent reference for understanding district management, operations, finances, and present projects.

#### **SCOPE OF WORK:**

The General Manager is the highest level management appointee and serves at the pleasure of the San Simeon Board of Directors ("Board"), and will be responsible for procuring and managing the day-to-day contractual services for the District's potable water, including filtration, and as needed reverse osmosis desalination including the associated water lines; wastewater and recycled water including associated sewer lines; street and road maintenance, right-of-way, and incidental work; street lighting; weed and rubbish abatement; and trash services (currently pending).

The General Manager will be expected to be on-site at least once a week; oversee after hours emergency calls for service and weekend/holiday coverage as needed; attend and participate in Board, budget, and water committee meetings; implement Board policies for the operation of the District; serve as a liaison with San Luis Obispo County, the California Coastal Commission, state parks and nearby communities and provide a variety of office management services.

**Upon approval and direction from the Board, the General Manager may recruit District employees to fulfill operations and office management duties in lieu of contractual services.** The General Manager will be responsible for managing all district staff which consists of, recruiting, supervising, and disciplining.

#### I. DEFINED DUTIES OF GENERAL MANAGER

In accordance with Government Code § 61050 the District board of directors shall appoint a district officer as general manager. Pursuant to Government Code § 61051 the General Manager shall:

- (a) Implement the policies established by the District board of directors for the operation of the District.
- (b) Appoint, supervise, discipline and dismiss district employees, consistent with the employee relations system established by the board of directors.<sup>1</sup>
- (c) Supervise District facilities and services.
- (d) Supervise District finances.

**II. OPTIONAL OFFICE MANAGER/ADMINISTRATOR SERVICE REQUIREMENTS (applicant can submit a proposal to provide these services to the District as part of the statement of qualifications)**

- (a) Office manager/administration is expected to require approximately 32-40 hours per week.
- (b) Staff and operate the District office, answer telephones, and respond to email and citizen requests.
- (c) District office shall be staffed Monday-Thursday from 9:00 a.m. until 4:00 p.m. with a half hour closed for lunch.
- (d) Maintain District files and records including board ordinances, resolutions and minutes.
- (e) Process customer billing and collection including operation of the District's billing software.
- (f) Prepare and mail customer water and sewer bills.
- (g) Deposit collected funds.
- (h) Maintain records of deposits for auditing.
- (i) Respond to customer inquiries.
- (j) Process accounts receivable, accounts payable and aged receivables.
- (k) Coordinate with District's bookkeeper.
- (l) Operate District's accounting software/system.
- (m) Setup and attend Board of Director and committee meetings.
- (n) Prepare meeting agendas, board packets, and minutes.
- (o) Respond to Public Records Act requests.
- (p) Participate in annual budget preparations with the District Budget Committee.
- (q) Oversee the maintenance of the District's permits and licenses as required by regulatory agencies.
- (r) Maintain the District website working with contracted webmaster.

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<sup>1</sup> The District does not have employees. In lieu of employees the General Manager shall be responsible for the supervision of the other contractor(s) and professional services provided to the District.

- (s) Prepare and distribute quarterly newsletter.
- (t) Oversee and prepare grant applications on District's behalf.

**RFQ REQUIREMENTS:**

All proposals shall include the following information. Missing, disorganized or incomplete proposals shall not be considered.

- I. Cover letter: This shall identify the applicant's name, address, telephone number, email address and a concise description of key provisions of the proposal, key personnel, price and any other relevant information the applicant believes would make them the best incumbent for the job.
  
- II. Statement of Qualifications: This section shall thoroughly demonstrate how the applicant's experience, training, and education relates to the scope of work by detailing similar services and/or projects. Additionally, the applicant should include the District's desired knowledge, training and experience detailed below:

Desired knowledge, training, and experience:

- Community Service Districts' general principles
- Government (city, county, state or special district) management
- Public administration
- Agenda and staff report preparation
- Water and wastewater operations
- Budgeting/financial management
- Government procurement services
- County operations and permitting
- California Coastal Commissions permitting
- State and Federal grant processes
- Development/building processes
- Ordinance enforcement
- Brown Act
- Public Records Act
- Project management

- III. Rates & Costs: This section should include:
  - a. A proposed approach, method or technique for providing District services.
  - b. Identification of key personnel that would be assigned to provide administrative services.
  - c. An itemized list of cost estimates for rates or costs, equipment costs, hourly/salary rates for all professional, technical, and support staff (including applicant), vendor/consultant preferences, and other proposed charges.

- IV. Three professional references: References should include the name, title, organization, address and telephone number for an individual who can attest to the applicant's work or project history.

**SELECTION CRITERIA AND SUBMITTAL PROCESS:**

- I. Evaluations of each RFQ will be performed by a committee of individuals to be selected by the Board. Each submission will be ranked based on the selection committee's evaluation of content and completeness and ability to meet the District's objectives and provide best value. In the event of close ranking, a shortlist interview may be performed. All selected prospective consultants will be contacted with specific information as to the location and time of interviews.
- II. The District will identify the firm that best meets the needs of the District and enter contract negotiations with the highest ranked firm. Contracts must be executed within 30 days of offer (or other agreed to time frame, on a case-by-case basis) or negotiations will be terminated and the offer to contract will be rescinded. Should the District fail to reach agreement with the top ranked firm, the District may enter negotiations with the next highest rated firm and so on.
- III. All requirements for the RFQ are to be submitted in a sealed envelope to the District on or before 5:00 p.m. on **XX, XX, 2023**, with the fee estimate in a separate sealed envelope. Responses to this RFQ received after the stated deadline will not be accepted. The time of delivery shall be definitively determined by the time-stamping clock located in the San Simeon Community Services District. It is the prospective consultant's sole responsibility to see that its proposal is received in proper time, and prospective consultants assume all risks arising out of the means of delivery. Any submittal received after the deadline will be returned unopened.

All responses must be completed as required, signed by an officer of the firm who is authorized to enter into a binding agreement with the District on behalf of the firm, and must be received at the place and time designated above.

**REQUIRED INSURANCE:**

Following award and execution of contract, the selected consultant shall have insurance carrier(s) issue direct to San Simeon Community Services District, certificates of insurance for the following coverage:

- I. Worker's compensation as prescribed by law.
- II. Comprehensive general liability, including umbrella coverage of \$2,000,000.
- III. Vehicle liability coverage (for bodily injury and property damage, combined single limit) of not less than \$1,000,000.
- IV. Employer's liability (covers criminal or fraudulent acts of employees) of \$2,000,000.



Service provider affirms the above referenced insurance shall be maintained in force throughout the term of the agreement. The insurance provided by the services provider will be primary and noncontributory. San Simeon, its Board of members, agents, and attorneys, must be named as additional insureds under the general liability, vehicle liability, and employer's liability policies. Each insurance policy required by the professional services provider must contain a provision that no termination, cancellation, or change of coverage can be made without thirty (30) days' notice to San Simeon Community Services District. Insurance required by agreement will be satisfactory only if issued by companies admitted to do business in California, rated B+ or better in the most recent edition of Best's Key Rating Guide, and only if they are of financial category class VII or better.

**GENERAL RFQ DISCLAIMERS:**

- I. EQUAL OPPORTUNITY CLAUSE. Prospective consultants shall ensure against discrimination in employment practices based on State and Federal laws and regulations. The District hereby ensures that minority business enterprises will be afforded full opportunity to submit RFQs in response to this notice and will not be discriminated against based on requirements of State and Federal laws and regulations.
  
- II. EQUAL OPPORTUNITY EMPLOYMENT COMPLIANCE. Consultant shall certify that it has sought out and considered minority business enterprises for those portions of the work to be subcontracted and has fully documented such actions that said documentation is open to inspection, and that said action will remain in effect for the life of any contract awarded hereto.  
  
Furthermore, the prospective consultant shall certify that all steps will be taken to meet all equal employment opportunity requirements of the contract documents. Consultant shall certify that in all previous contracts or subcontracts, all reports which may have been due under the requirements of any agency, State, or Federal equal employment opportunity orders have been satisfactorily filed, and that no such reports are currently outstanding.
  
- III. LEGAL RESPONSIBILITIES. All RFQs must be submitted, filed, made, and executed in accordance with State and Federal laws relating to RFQs for contracts of this nature whether the same or expressly referred to herein or not. Any company submitting a proposal will, by such action, thereby agree to each and all terms, conditions, provisions, and requirements set forth, contemplated, and referred to in the RFQ, and other contract documents, and to full compliance therewith.
  
- IV. NON-COLLUSION AFFIDAVIT. Proposer shall declare that the only person or parties interested in its proposal as principals are those named therein; that no officer,

agent, or employee of the District is personally interested, directly or indirectly, in its proposal; and that its proposal is in all respects fair and without collusion or fraud.

- V. **RESERVATION OF RIGHTS.** The District reserves, in its sole discretion, the right to reject any and all RFQ submissions, including the right to postpone or delay the RFQ process at any time, or to decline to award the agreement to any of the prospective consultants. The District shall not be obligated to respond to any proposal submitted, nor be legally bound in any manner by the submission of the proposal. Further, the District reserves the right to waive any immaterial irregularities in an RFQ. Finally, the District reserves the right to reject any RFQ that is determined to contain false, misleading, or materially incomplete information.
  
- VI. **CONFLICT OF INTEREST.** The District prohibits participation from any prospective consultant who has or will have a financial or business relationship with any District employee, Board Member, or Consultant or Professional services provider contracted with the District. Any prospective consultant selected will be required to adhere to the provisions set forth in Government Code section 1090 and comply with all applicable State and Federal laws pertaining to California's Political Reform Act. If selected, the prospective consultant may be required to complete a Statement of Economic Interest (Form 700) in accord with the Fair Political Practices Commission.

**San Simeon Community Services District**  
**Request for Proposal (“RFP”)**  
**for Water/Wastewater Operations**

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**Issue Date:** Month/Day, 2023

**Deadline for Submissions:** 5:00 p.m. on Month/day, 2023

**Submission Requirements:** RFPs electronic submission to: [jdiamond@sansimeoncsd.org](mailto:jdiamond@sansimeoncsd.org); “Water/Wastewater service RFP” should be written in the subject line of the email or prospective consultants may send five (5) hardcopies to:

San Simeon Community Services District  
Attention: Jacqueline Diamond, Board Chair  
111 Pico Avenue  
San Simeon, CA 93452

**Request for Information:** Questions or inquiries related to the RFP, RFP procedures, or the requested services may be submitted to Nubia Goldstein, General Counsel, via email at: [Nubia@whitebrennerllp.com](mailto:Nubia@whitebrennerllp.com) by Month/day, 2023, by 5:00 p.m. Any questions or inquiries received after this date will not receive a response.

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**SERVICES NEEDED:**

The San Simeon Community Services District (“District”) is requesting proposals for operation and maintenance of its Water/Wastewater Treatment Facilities. The District is currently under contract for these services which will expire on January 31, 2023.

**DISTRICT OVERVIEW:**

The District was formed in the 1960s and is located on the North Coast of San Luis Obispo County along State Highway 1 approximately halfway between Los Angeles and San Francisco. The District provides water, wastewater, and other municipal services for a small community of approximately 462 people. The current average annual water production is approximately 79-acre feet per year. The District holds a water right license issued by the State Water Board to extract 140 acre feet per year from Pico Creek wells subject to the conditions identified in the license. The District currently holds an annual budget of \$1.1 million.

The District owns and has all applicable permits for a wastewater and treatment system consisting of less than five (5) miles of sewer lines, headworks, biological wastewater treatment, disinfection, effluent disposal via ocean outfall, and related equipment. Additionally, the District

owns a water supply, storage, and distribution system consisting of two (2) wells, one (1) emergency well, one (1) storage tank and up to two-hundred and fifty (250) connections, less than five (5) miles of distribution lines, and related equipment. Lastly, the District maintains a local two-lane road of less than five miles, a street lighting system with approximately fifty (50) active streetlights and a District office building.

The website provides comprehensive information on the District and includes information on projects. Board meeting agendas, packages, and recordings are available on the District's website and provide an excellent reference for understanding district management, operations, finances, and present projects.

**SCOPE OF WORK:**

- I. Provide facility preventative and corrective maintenance and repair and day-to-day operation, and recommendations for improvements in accordance with state regulations including testing and reporting.
- II. Provide emergency response for public safety and environmental protection, after hours, on weekends, and holidays as necessary. Prospective consultant's firm will respond to calls regarding facility emergencies within sixty (60) minutes.
- III. Provide on-site staff eight (8) hours per day, on multiple days per week as needed.
- IV. Collect and analyze samples for operational testing and reporting as required for governmental reporting.
- V. Purchase and maintain an inventory of chemicals routinely used in the operation of the facility to be stored on-site in compliance with CalOSHA standards.
- VI. Dispose of water and wastewater sludge and byproducts in a manner approved by State regulations.
- VII. Assist the District General Manager and staff with billings and collect payment from customers for water consumption and sewage disposal in accord with the current rate structure.
- VIII. Perform turn-on and turn-off services directly related to the proper care and maintenance of the facility.
- IX. Respond to all collection system callouts to assess responsibility.
- X. Perform sewer collection cleaning annually and inspect and report on manholes needing repair.
- XI. Perform semiannual street sweeping and regular system flushing through fire hydrants.
- XII. Perform weed abatement as needed.
- XIII. Prepare and submit regular monthly and/or yearly compliance reports as required by the Regional Water Quality Control Board or any other local, state, or federal agency.
- XIV. A representative shall attend regular Board meetings where questions and inquiries related to the scope of services is involved as requested by the Board.
- XV. Provide monthly operations and summary reports to District General Manager.
- XVI. Perform hydrant testing and manual inspection and cleaning.
- XVII. Read water meters monthly and handle repairs.

### **MINIMUM QUALIFICATIONS:**

- I. Prospective consultant is engaged in the business of water/wastewater treatment, maintenance, and repair for XX (XX) years or more.
- II. Prospective consultant possesses all permits, licenses, certification levels, and professional credentials necessary to perform services as specified in the scope of work.

### **RFP REQUIREMENTS:**

All proposals shall include the following information. Missing, disorganized, or incomplete proposals shall not be considered.

- I. Cover letter: This section shall include the prospective consultant's name, address, telephone number, email address and desired contact person for the remainder of the selection process. This statement shall be an executive summary of key personnel of the prospective consultant's team, including a brief overview of their qualifications and why the prospective consultant should be selected.
- II. Statement of Qualifications: The statement shall describe the prospective consultant's firm and will concisely detail the prospective consultant's work experience/qualifications and ability to perform the specific tasks outlined in the scope of work section of this RFP. This section should also identify the prospective consultant's ability to provide the appropriate insurance in the adequate amounts. A quality statement will demonstrate the prospective consultant's record of success particularly with public agencies.
- III. Work Plan & Costs: This section should demonstrate the prospective consultant's understanding of the scope of work by detailing their overall approach to the services identified in this RFP; how the work will be organized; quantity and quality of time key personnel will be involved in their respective roles of the project; fee estimate of how much the services will cost and reasonableness of the fee estimate requested to do the work; and any foreseeable issues to be addressed and how the prospective consultant intends to resolve the issue.
- IV. Three professional references: References should include the name, title, organization, address, and telephone number for a professional contact who can attest to the prospective consultants work or project history and demonstrated record of success.

### **SELECTION CRITERIA AND SUBMITTAL PROCESS:**

- I. Evaluations of each RFP will be performed by a committee of individuals to be selected by the Board. Each submission will be ranked based on the selection committee's evaluation of content and completeness and ability to meet the District's objectives and provide best value. In the event of close ranking, a shortlist interview may be performed. All selected prospective consultants will be contacted with specific information as to the location and time of interviews.
- II. The District will identify the firm that best meets the needs of the District and enter contract negotiations with the highest ranked firm. Contracts must be executed within 30 days of offer (or other agreed to time frame, on a case-by-case basis) or negotiations will be terminated and the offer to contract will be rescinded. Should the District fail to reach agreement with the top ranked firm, the District may enter negotiations with the next highest rated firm and so on.
- III. All requirements for the RFP are to be submitted in a sealed envelope to the District on or before 5:00 p.m. on **XX, XX, 2023**, with the fee estimate in a separate sealed envelope. Responses to this RFP received after the stated deadline will not be accepted. The time of delivery shall be definitively determined by the time-stamping clock located in the San Simeon Community Services District. It is the prospective consultant's sole responsibility to see that its proposal is received in proper time, and prospective consultants assume all risks arising out of the means of delivery. Any submittal received after the deadline will be returned unopened.

All responses must be completed as required, signed by an officer of the firm who is authorized to enter into a binding agreement with the District on behalf of the firm, and must be received at the place and time designated above.

**REQUIRED INSURANCE:**

Following award and execution of contract, the selected consultant shall have insurance carrier(s) issue direct to San Simeon Community Services District, certificates of insurance for the following coverage:

- I. Worker's compensation as prescribed by law;
- II. Comprehensive general liability, including umbrella coverage of \$2,000,000;
- III. Vehicle liability coverage (for bodily injury and property damage, combined single limit) of not less than \$1,000,000;
- IV. Employer's liability (covers criminal or fraudulent acts of employees) of \$2,000,000;

Service provider affirms the above referenced insurance shall be maintained in force throughout the term of the agreement. The insurance provided by the services provider will be primary and noncontributory. San Simeon, its Board of members, agents, and attorneys, must be named as additional insureds under the general liability, vehicle liability, and employer's liability policies.

Each insurance policy required by the professional services provider must contain a provision that no termination, cancellation, or change of coverage can be made without thirty (30) days' notice to San Simeon Community Services District. Insurance required by agreement will be satisfactory only if issued by companies admitted to do business in California, rated B+ or better in the most recent edition of Best's Key Rating Guide, and only if they are of financial category class VII or better.

**GENERAL RFP DISCLAIMERS:**

- I. **EQUAL OPPORTUNITY CLAUSE.** Prospective consultants shall ensure against discrimination in employment practices based on State and Federal laws and regulations. The District hereby ensures that minority business enterprises will be afforded full opportunity to submit RFPs in response to this notice and will not be discriminated against based on requirements of State and Federal laws and regulations.
  
- II. **EQUAL OPPORTUNITY EMPLOYMENT COMPLIANCE.** Consultant shall certify that it has sought out and considered minority business enterprises for those portions of the work to be subcontracted and has fully documented such actions that said documentation is open to inspection, and that said action will remain in effect for the life of any contract awarded hereto.  
  
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- III. **LEGAL RESPONSIBILITIES.** All RFPs must be submitted, filed, made, and executed in accordance with State and Federal laws relating to RFPs for contracts of this nature whether the same or expressly referred to herein or not. Any company submitting a proposal will by such action thereby agree to each and all terms, conditions, provisions, and requirements set forth, contemplated, and referred to in the RFP, and other contract documents, and to full compliance therewith.
  
- IV. **PROPER LICENSING REQUIREMENTS.** Any prospective consultant or sub-consultant who is not licensed in accordance with the provisions of the State Business and Professions Code or who fails to maintain a required license will be considered to have created a material breach of contract.
  
- V. **NON-COLLUSION AFFIDAVIT.** Proposer shall declare that the only person or parties interested in its proposal as principals are those named therein; that no officer,

agent, or employee of the District is personally interested, directly or indirectly, in its proposal; and that its proposal is in all respects fair and without collusion or fraud.

- VI. **RESERVATION OF RIGHTS.** The District reserves, in its sole discretion, the right to reject any and all RFP submissions, including the right to postpone or delay the RFP process at any time, or to decline to award the agreement to any of the prospective consultants. The District shall not be obligated to response to any proposal submitted, nor be legally bound in any manner by the submission of the proposal. Further, the District reserves the right to waive any immaterial irregularities in a RFP. Finally, the District reserves the right to reject any RFP that is determined to contain false, misleading, or materially incomplete information.
  
- VII. **CONFLICT OF INTEREST.** The District prohibits participation from any prospective consultant who has or will have a financial or business relationship with any District employee, Board Member, or Consultant or Professional services provider contracted with the District. Any prospective consultant selected will be required to adhere to the provisions set forth in Government Code section 1090 and comply with all applicable State and Federal laws pertaining to California's Political Reform Act. If selected, the prospective consultant may be required to complete a Statement of Economic Interest (Form 700) in accord with the Fair Political Practices Commission.



## **Business Action Item**

### **2.E Discussion and Board Direction regarding potential changes to water moratorium**



## **BUSINESS ACTION ITEM STAFF REPORT**

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### **2.E. DISCUSSION AND BOARD DIRECTION REGARDING POTENTIAL CHANGES TO WATER MORATORIUM.**

#### Summary:

The District provides water to its customers from the Pico Creek Valley Groundwater Basin, which has not been adjudicated. The District has a water license (License 12272, Permit 12465) issued from the State Water Board and has a right to the maximum production of 140 acre-feet per year (“AFY”) from Pico Creek underflow. There currently exists a moratorium on the issuance of new water connections within the District originally established by Ordinance No. 61 and extended by Ordinance No. 63, Ordinance No. 66 and Ordinance No. 102.

The District's moratorium on new water connections was implemented due primarily to water quality problems - which were, at least in part, the result of seawater intrusion leading to high chloride concentrations in the water pumped from the Pico Creek Groundwater Basin. After the District's moratorium on new water connections was implemented, the District also established a wait list for property owners that wanted to place a deposit with the District for a new water connection, despite the moratorium being in place.

In or around March of 2022, the District retained Akel Engineering Group, Inc. to perform a Water Supply Assessment (the “Akel Assessment”) which found, among other things that the groundwater supply for the proposed future developments within the area of the District is expected to meet certain future demands. Specifically, the Akel Assessment determined that during a normal year, the supply of water is projected to exceed demand in 2025 by 37.4 AFY. The Water Supply Assessment also found that the groundwater level was consistent from 2016 to 2020 based on historical metered depths and was not significantly affected by the District's water production - which is historically at approximately 80 AFY.

#### Conclusion:

This item was placed on the agenda to allow for Board discussion regarding this matter.

## **Business Action Item**

**2.F. Discussion, Review and Approval of a Board Resolution affirming the District's desire to remove residentially zoned areas from further consideration for the relocation of the Wastewater Treatment Plant.**



## **BUSINESS ACTION ITEM STAFF REPORT**

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**2.F. DISCUSSION, REVIEW AND APPROVAL OF A BOARD RESOLUTION AFFIRMING THE DISTRICT'S DESIRE TO REMOVE RESIDENTIALLY ZONED AREAS FROM FURTHER CONSIDERATION FOR THE RELOCATION OF THE WASTEWATER TREATMENT PLANT.**

Summary:

This item was placed on the agenda by the Board Chairperson.

Enc: Board Resolution 23-468

**RESOLUTION NO. 23-468**

**A RESOLUTION OF THE BOARD FOR DIRECTORS OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT TO EXPRESS ITS SUPPORT FOR THE RELOCATION OF THE EXISTING WASTEWATER TREATMENT PLANT TO A LOCATION THAT IS NOT RESIDENTIALLY ZONED.**

**WHEREAS**, San Simeon Community Service District ("District") currently owns and operates a wastewater treatment plant ("WWTP") located on coastal bluffs that are within the coastal hazards area; and

**WHEREAS**, since at least 1983, the California Coastal Commission ("Coastal Commission") has authorized the District to undertake various structural and component upgrades to the WWTP to ensure its structural integrity and reliability; and

**WHEREAS**, on July 18, 2019, the Coastal Commission issued Coastal Development Permit ("CDP") 3-19-0020 ("Permit") to the District, which, in part, required the decommissioning of the WWTP within ten (10) years due to the WWTP's location in the coastal hazards area;

**WHEREAS**, the Permit further requires the District, in consultation with San Luis Obispo County ("County"), to prepare and submit a Coastal Hazards Response Plan ("CHRP") to the Coastal Commission for approval;

**WHEREAS**, on April 22, 2021, the District and the County entered into an agreement to provide management of the Coastal Commission's Local Coastal Program ("LCP") grant for the Project ("LCP Grant Agreement");

**WHEREAS**, the LCP Grant Agreement reaffirms the District's duty to prepare a draft CHRP ("Draft CHRP") in consultation with the County and sets forth specific tasks related to the District's preparation of the Draft CHRP, including stakeholder engagement;

**WHEREAS**, in preparing the Draft CHRP, the District is required to identify various landward locations and a preferred site for the relocation of the WWTP;

**WHEREAS**, following public outreach meetings regarding the Draft CHRP on November 14, 2022 and on March 8, 2023, the District received comments from several landowners within the District's service area ("Public Comments");

**WHEREAS**, the more than a majority of the Public Comments oppose relocating the WWTP to a residentially zoned area, identifying reasonably foreseeable consequences associated with relocating the WWTP to a residentially zoned area, including noise and air quality impacts;

**WHEREAS**, adopting and implementing the CHRP is a multi-agency effort contingent on both County and Coastal Commission approvals;

**WHEREAS**, the District lacks authority to unilaterally remove residentially zoned areas from further consideration for relocation of the WWTP;

**WHEREAS**, the District expresses its support for relocation of the WWTP outside of residentially zoned areas and commits to taking the following acts as described below.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT DOES RESOLVE AS FOLLOWS:**

1. After careful consideration of the Public Comments, the District expresses its support for the view that the WWTP should not be relocated to a residentially zoned area. Siting the WWTP in a residential area may compromise orderly development within the San Simeon community.
2. In preparing the Draft CHRP, the District shall consult with the County and all appropriate agencies to express the District's support for considering relocation options for the WWTP that are outside of residentially zoned areas.
3. In preparing Draft CHRP, the District shall take all reasonable actions to reflect its support for the WWTP being relocated outside of a residentially zoned area.
4. In preparing the Draft CHRP, the District shall document the public comments received in opposition to relocating the WWTP in a residentially zoned area.
5. The District's obligations to present the above recommendations and findings in the Draft CHRP are subject to all applicable Permit requirements, LCP Grant Agreement Requirements, and all applicable law.
6. If, after the required CHRP consultation with the County, the County recommends relocation of the WWTP to a residentially zoned area, SSCSD, may request that the Coastal Commission reconsider the issue.

**Upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, and on the following roll call vote to wit:**

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

**The foregoing Resolution is hereby adopted this \_\_\_\_ day of \_\_\_\_\_, 2023**

**ATTEST:**

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Jacqueline Diamond  
Chairperson of the Board of Directors

ATTEST:

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Charles Grace  
District Secretary