

MEETING MINUTES
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS REGULAR MEETING
Thursday, April 8, 2021
6:00 pm

Internet Meeting Location – via ZOOM

1. REGULAR SESSION @ 6:01 pm

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

2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Public Comment – (2:20)

Julie Tacker commented on the February letter from the District Attorney's office, the newsletter, District Counsel's letter related to the NFWF grant, and the process of green sheet items.

Henry Krzciuk commented on open and accountable government within the District and the process of having items placed on the agenda, public comment items, and public complaints against the District.

Michael Donahue spoke about overflowing dumpsters and asked that this matter be addressed.

(13:05) William Carson spoke (13:05) about an email that he received stating that Highway 1 would be open by the end of April.

3. SPECIAL PRESENTATIONS AND REPORTS:

A. STAFF REPORTS:

- i. **Sheriff's Report – (14:15)** Chris Langton provided the report for the month of March.
- ii. **Superintendent's Report – (21:53)** Jerry Copeland provided a summary of March activities.
(23:37) Director Carson commented on the power outage and complimented staff on their fast response time.
(25:15) Julie Tacker commented.
(26:05) Jeff Minnery commented.
(27:35) Henry Krzciuk commented.
- iii. **General Manager's Report – (30:30)** Charles Grace provided a summary of March activities.
- iv. **District Financial Summary – (37:05)** Charles Grace provided a summary of the March financials.
- v. **District Counsel's Report – (38:52)** Jeffrey Minnery provided a summary of March activities.

B. PUBLIC COMMENTS ON SPECIAL PRESENTATIONS AND REPORTS:

Public Comment – (40:39)

Henry Krzciuk commented.

Julie Tacker commented.

4. CONSENT AGENDA ITEMS:

Public Comment – (49:40)

Julie Tacker commented.
Henry Krzciuk commented.
Karina Tiwana commented.
Michael Donahue commented.

A. Review and approval of Minutes for the Regular Meeting on March 11, 2021.

B. Review and approval of Minutes for the Special Meeting on February 25, 2021.

C. Review and approval of Disbursements Journal.

(59:15) Vice-Chairperson Giacoletti commented on the legal bills.

(1:00:03) A motion was made to approve the consent agenda item A-C.

Motion: Chairperson Kellas
2nd: Director Carson
Vote: 5/0
Abstain:

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

5. CLOSED SESSION-The Board will adjourn to Closed Session pursuant to Government Code Section 54957(b) to consider the following:

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: District Counsel

Public Comment – (1:05:00)
Michael Hanchett commented.
Julie Tacker commented.
Henry Krzciuk commented.

(1:10:00) Reconvene to Open Session – there was no reportable action.

6. BUSINESS ACTION ITEMS:

A. Approval of the District Fiscal Audit for 2019-2020. (1:10:58)

A motion was made to approve the 2019/2020 FY audit.

Motion: Chairperson Kellas
2nd: Director Carson
Vote: 5/0
Abstain:

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

B. Discussion regarding review of the monthly disbursement journal.

Public Comment – (1:11:40)
Henry Krzciuk commented.
Julie Tacker commented.

(1:15:00) Chairperson Kellas introduced the item and suggested that an ad-hoc committee be formed to review the invoices. She suggested that Director Maurer and Vice-Chairperson Giacoletti might be good candidates to be on the committee.

Public Comment - (1:17:08)
Michael Donahue commented.

(1:18:30) Director Maurer commented that he would be glad to have Vice-Chairperson on the committee.

(1:18:45) A motion was made to create an ad hoc committee consisting of Director Maurer and Vice-Chairperson to review all invoices and look for ways to review all expenses.

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

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

C. Discussion regarding updates to the Policy & Procedures including updating the social media policy (AB992). (1:12:00)

Chairperson Kellas introduced the item and provided background information on this item.

Public Comment – (1:22:00)
Julie Tacker commented.

(1:23:00) District Counsel Jeffrey Minnery commented suggesting that the Chairperson open each item, have the General Manager introduce the item and discuss it, bring it back to the Board for questions, and then allow for public comment. Suggesting that this policy change be implemented.

Public Comment - (1:24:19)
Julie Tacker commented.
Henry Krzciuk commented.

(1:27:42) A motion was made to utilize policy AB992.

Motion: Chairperson Kellas
2nd: Director Carson
Vote: 5/0
Abstain:

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

D. Discussion related to the 6 PM meeting time of regular Board meetings. (1:29:17)

Chairperson Kellas introduced the item.

Public Comment - (1:30:20)
Michael Donahue commented.
Julie Tacker commented.
Henry Krzciuk commented.
Michael Hanchett commented.
Miguel Sandoval commented.

(1:34:46) Vice-Chairperson Giacoletti stated that she agreed with Mr. Hanchett and Mr. Sandoval about having an earlier start time for the Board meetings.

(1:35:18) Director Carson commented that he would just like to see a consistent start time for the meetings and that the time not be changed for at least the period of one year.

(1:35:35) Director de la Rosa stated that he thought a later start time for the meetings was better for the community because many residents were getting off of work at 4 or 5 pm.

(1:36:00) Director Maurer spoke that he was leaning towards a 5:00 or 5:30 pm meeting start time.

(1:36:50) A motion was made to move the start time to 5:00 pm and review this time in three months.

Motion: Chairperson Kellas
2nd: Vice-Chairperson Giacoletti
Vote: 3/2
Abstain:

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

E. Consideration of RRM Design to complete the finalization of LAFCO solid waste power on behalf of the District. (1:37:42)

Chairperson Kellas introduced the item.

Public Comment – (1:38:38)
Michael Donahue commented.
Henry Krzciuk commented.

(1:42:02) Vice-Chairperson Giacoletti asked about the numbers on the staff report and stated that the total funds spent should be \$14,000 and not \$15,000.

(1:43:30) A motion was made to approve the contract for RRM in the amount of \$2,000.00.

Motion: Chairperson Kellas
2nd: Director Maurer
Vote: 5/0
Abstain:

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

F. Discussion related to the Hearst Limited Term Encroachment Agreement and Letter from Ogden and Fricks, LLC. (1:44:10)

Public Comment – (1:44:30)
Michael Donahue commented.
Michael Hanchett commented.
Julie Tacker commented.
Karina Tiwana commented.
Henry Krzciuk commented.
Michael Hanchett commented.

(1:57:50) Jeffrey Minnery suggested that there was conflicting information that had been provided by various sources. The initial agreement was used as a stop gap. He

stated that a middle ground would be that the District enter into the agreement but with slight changes to the agreement. He went on to suggest that the \$17,000 be paid and the agreement would then be in place.

(2:03:00) Chairperson Kellas asked for Board member input.

(2:04:00) Director de la Rosa asked Jeffrey Minnery if the information provided by Ogden and Fricks, LLC was in fact a gift. Jeffrey Minnery replied stating that there had been no gift to the District. He went on to suggest that the Board authorize staff to enter into the agreement with language that would protect the District should the property ownership issue be resolved.

(2:06:50) A motion was made to direct legal counsel and Grace Environmental Services to work with the Hearst Corporation on the agreement and the payment of the outstanding amount and on the terms provided tonight and return this matter to Board at the next Board meeting or soon thereafter.

Motion: Chairperson Kellas
2nd: Director Maurer
Vote: 5/0
Abstain:

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

G. Discussion of video contract with Lori Mather productions for Special Board meeting recordings. (2:08:35)

This item was delayed ~~to do the Brown Act~~ and will be placed on the May Board meeting agenda.

Public comment – (2:09:45)
Julie Tacker commented.
Karina Tiwana commented.
Henry Krzciuk commented.
Michael Hanchett commented.

H. Consideration of endorsing correspondence to Senator Feinstein regarding water reclamation and reuse program funding. (2:19:30)

Chairperson Kellas introduced this item.

Public comment - (2:20:15)
Karina Tiwana commented.
Henry Krzciuk commented.

(2:20:44) A motion was made for the District to endorse the correspondence to Senator Feinstein.

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

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

7. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS – Director Maurer asked that discussion about Paavo Ogren be added to the May agenda. Director de la Rosa asked that the parking ordinance matter also be added to the May agenda. Chairperson Kellas asked that there be discussion related to an ad hoc committee to review the policy and procedures manual.

8. ADJOURNMENT @ 9:05 pm

DRAFT