

**NOTICE AND CALL OF A SPECIAL MEETING:
San Simeon Community Services**



I, Mary Margaret McGuire, Chairperson of the San Simeon Community Services District Board of Directors, hereby call a Special Meeting of the Board of Directors, pursuant to California Government Code Section 54956. The Special Meeting will be held: March 20, 2020 at 4:00 pm.

Virtual Meeting Location

Pursuant to Governor Gavin Newsom's Executive Order N-29-20 dated March 17, 2020 and the San Luis Obispo County Local Emergency Order and Regulation regarding COVID-19 dated March 18, 2020, this meeting shall occur as a virtual teleconference using the Zoom app.

Join Zoom Meeting: <https://zoom.us/j/9270537206>.

Telephone number to listen to or participate in the meeting: (805) 635-8816.

Meeting ID: 927 053 7206.

The purpose of the Special Meeting is to discuss or transact the following business:

1. REGULAR SESSION: 4:00 PM

- A. Roll Call
- B. Pledge of Allegiance

2. PUBLIC COMMENT

This public comment period provides an opportunity for members of the public to address the Board on matters discussed during Agenda Item #3. If a member of the public wishes to speak at this time, Public Comment is limited to three (3) minutes.

3. BUSINESS ITEMS

- A. **Review and approval of Resolution No. 20-419 Declaration of Emergency and Resolution of the San Simeon Community Services District to Temporarily Authorize Increased Authority of the General and Temporary Relief for Non-Payment of Water/Sewer Bills.**

4. ADJOURNMENT

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, or to be able to participate in this Special meeting, please email Cortney Murguia at cmurguia@graceenviro.com and the District will work with you on your accommodation.

RESOLUTION NO. 20-419

DECLARATION OF EMERGENCY AND RESOLUTION OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT TO TEMPORARILY AUTHORIZE INCREASED AUTHORITY OF THE GENERAL MANAGER AND TEMPORARY RELIEF FOR NONPAYMENT OF WATER/SEWER BILLS

Recitals

WHEREAS, on March 4, 2020, the Governor of the State of California declared a State of Emergency to exist in California as a result of the threat of Novel Coronavirus 2019 (“COVID-19”); and

WHEREAS, on March 12, 2020, the Governor issued Executive Order N-25-20 in further response to the spread of COVID-19, mandating compliance with state and local public health officials as pertains to measures to control the spread of COVID-19; and

WHEREAS, on March 13, 2020, the San Luis Obispo County Health Officer declared a public health emergency and the County Emergency Services Director also proclaimed a local emergency due to the COVID-19 pandemic; and

WHEREAS, on March 14, 2020, the San Luis Obispo County Public Health Department announced the first confirmed case of COVID-19 in San Luis Obispo County, and additional cases have since been confirmed; and

WHEREAS, the health, safety and welfare of San Simeon Community Services District ("District") residents, businesses, visitors and staff are of utmost importance to the Board of Directors (“Board”), and additional future measures may be needed to protect the community; and

WHEREAS, preparing for, responding to, mitigating, and recovering from the spread of COVID-19 may require the District to divert resources from normal day-to-day operations and it may impose extraordinary requirements on and expenses to the District; and

WHEREAS, the District General Manager (“General Manager”) currently has spending authority up to \$5,000.00, without prior Board approval in addition to limited authority related to personnel matters; and

WHEREAS, in the absence of Board action, strict compliance with certain District rules and ordinances could prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of COVID-19; and

WHEREAS, after consideration of all the facts reasonably available for review at the present time, the Board of Directors finds it in the best interest of the District to authorize the increase in General Manager spending authority to \$10,000, and up to \$15,000 upon authorization

from the President of the Board, and approves all acts necessary and appropriate to ensure the operation of the District.

WHEREAS, the Board understands that the closures of schools and other businesses due to COVID-19 is causing or may cause a financial hardship for many of its ratepayers and therefore will suspend discontinuation of services and make other accommodations for ratepayers experiencing a hardship during this emergency.

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

1. The Board of Directors declares a State of Emergency to exist in San Simeon as a result of the threat of Novel Coronavirus 2019 (“COVID-19”)
2. The Board of Directors authorizes an increase in the General Manager’s spending authority to \$10,000, and up to \$15,000 upon authorization from the President of the Board.
3. The Board of Directors orders that the process to discontinue water or sewer service for nonpayment shall be suspended for ninety (90) days from the date of adoption of this Resolution.
4. The Board of Directors orders that all late fees for nonpayment of water or sewer service shall be waived for ninety (90) days from the date of adoption of this Resolution.
5. The Board of Directors orders that for ratepayers experiencing a financial hardship due to COVID-19, the General Manager is authorized to work with the ratepayer on an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for ninety (90) days or more.
6. The General Manager may take all actions necessary, proper, and appropriate in his/her reasonable discretion to ensure the operation of the District, the safety of employees, and the safety of the public, including, but not limited to reasonable deviations from Board adopted Ordinances, Resolutions, Policies, and Procedures.
7. The authority vested in the General Manager by this resolution will terminate upon a declaration by the Governor that the State of Emergency has ended and the County Health Officer that the Public Health Emergency has ended and the County Emergency Services Director that the Local Emergency has ended.

ADOPTED by the Board of Directors of the San Simeon Community Services District on March 20, 2020, by the following roll call votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

The foregoing Resolution is hereby adopted this 20 day of March, 2020.

Mary Margaret McGuire, Chairperson of the
Board of Directors

ATTEST:

Charles Grace, General Manager and
Secretary for the Board of Directors

**APPROVED AS TO FORM
AND LEGAL EFFECT:**

Natalie F. Laacke, District Counsel

March 20, 2020 Special Board Meeting
Handouts from Henry Krzciuk

Handout special mtg
3/20/2020

From: Henry Krzciuk hkrzciuk@gmail.com
Subject: Re: Special Meeting Friday 3/20/2020 @ 4 pm
Date: March 19, 2020 at 20:18
To: Charles Grace cgrace@graceenviro.com, MM McGuire mmsansimeon@gmail.com, Gwen Kellas gkellas@verizon.net, russell@sansimeoncsd.org, William Maurer wmaurer@sansimeoncsd.org, Will Carson willcarson99@icloud.com

To San Simeon CSD Board Members and General Manager

In the event, that I am unable to make comments via the zoom meeting, I am provided the following input regarding the proposed resolution:

1. We are a disadvantaged community. How does this help the large number of disadvantaged San Simeon residents who have their water and sewer bills included in their monthly rent by the landlords? Who is this resolution really helping?
2. Does paragraph 4 apply to hotels, restaurants, and other businesses? If so, I think that should be clearly stated. The way this is written, there is no reason for anyone -- landlord, business owner, or resident to pay any water or sewer bill for ninety days. At a minimum, some simple English/ Spanish form of hardship request should be available that can be dropped off at the office.
3. Where is Charles Grace's General Manager/Grace Environmental Services Continuity of Operations Plan (COOP)? We need to see it for water, sewer, and administration (billing etc.) services. How is our Operations Superintendent, the new operator in training, and our office manager going to be backed up? In this resolution, he needs to be required to provide such a staffing backup plan within two weeks for Board and public review and approval.
4. General Manager Charles Grace has refused to allow Cambria to provide backup operations support. He needs to be overridden by our Board and as part of this resolution required to accept Cambria's offer for such emergency backup by conducting orientation meetings for Cambria operations staff within two weeks. There is nothing more important for this CSD than protecting our water and sewer services (community safety, health and welfare). This becomes part of the COOP.
5. Does this expanded expenditure authority allow our General Manager to procure operations and administration labor and consultants? There are no stated limitations on types of purchases. Like his contract, it needs to be limited to emergency repairs/maintenance, presently \$2,500. He has a fixed price contract to provide operations, management, and administration services. The District continues to pay his company monthly regardless of volumes. Particularly since he refused to accept Cambria's backup offer, the District should not be subject to additional labor charges to perform his contracted services.
6. Paragraph 6 - This emergency authority needs to be reviewed and extended if necessary, by Board approval every 90 days.
7. A paragraph needs to be added that requires the General Manager to report monthly and publicly all expenditures, with clear/descriptions explanations and copies of invoices, made under the authority this Emergency Resolution. The number and type of requests for assistance need to be disclosed (without personal reference).

Hank Krzciuk
San Simeon Resident