

**MINUTES**  
**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS REGULAR BOARD MEETING**  
**Tuesday, March 8, 2022**  
**5:00 pm**

Pursuant to San Simeon CSD Resolution 22-441 and incompliance with AB 361 this meeting occurred as a virtual teleconference using the Zoom app.

**Internet Meeting Location – Via ZOOM**

**1. REGULAR SESSION: 5:08 PM -**

- A.** Chairperson Kellas – Present  
Vice-Chairperson Giacoletti – Present  
Director de la Rosa – Present  
Director Donahue – Present

**B.** Reportable Action from 4:00 PM Closed Session – There was no reportable action.

**2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:**

Public Comment –

(1:50) Henry Krzciuk commented on his constitutional right to speak.

(3:20) Julie Tacker commented on Mr. Krzciuk’s constitutional right to speak. She also commented on the number of FPPC complaints that she had filed.

(8:15) Henry Krzciuk commented that his first amendment constitutional rights were being violated.

**3. SPECIAL PRESENTATIONS AND REPORTS:**

**A. STAFF REPORTS:**

- i. Sheriff’s Report** – (9:25) Commander MacDonald provided the report for February.
- ii. CHP Report** – None.
- iii. Superintendent’s Report** – (16:45) Jerry Copeland provided a summary of February activities.
- iv. General Manager’s Report** – (17:48) Charlie Grace provided a summary of February activities.
- v. District Financial Summary** – (27:45) Charlie Grace provided a summary of the February financials.
- vi. District Counsel’s Report** – (29:20) Jeff Minnery provided a summary of February activities.
- vii. Board Member Report** – (31:20) Chairperson Kellas provided a report on wi-fi access, language translation, and planting of trees within the District Boundary.

**B. AD-HOC & STANDING COMMITTEE REPORTS:**

- i. Status Update** – Chairperson Kellas provided a report on items i. – iv. Parking on District Streets.

(34:20) Director Donahue asked what the cost of obtaining grants for the pipe bridge.

Public Comment –

(36:17) Henry Krzciuk commented.

(36:58) Julie Tacker commented.

**4. CONSENT AGENDA ITEMS: (42: 00)**

- A. REVIEW AND APPROVAL OF MINUTES FOR THE REGULAR MEETING ON FEBRUARY 8, 2022.**
- B. REVIEW AND APPROVAL OF MINUTES FOR THE 6PM SPECIAL MEETING ON JANUARY 31, 2022.**
- C. REVIEW AND APPROVAL OF MINUTES FOR THE 4PM SPECIAL MEETING ON FEBRUARY 8, 2022.**
- D. REVIEW AND APPROVAL OF DISBURSEMENTS JOURNAL.**
- E. ADOPTION OF RESOLUTION 22-442 TO CONTINUE VIRTUAL MEETINGS PURSUANT TO THE PROVISIONS OF AB 361.**

Public Comment –  
(47:25) Henry Krzciuk commented.

(50:00) A motion was made to approve consent agenda items 4A – 4E.

Motion: Chairperson Kellas  
2nd: Director Donahue  
Vote: 4/0

Roll Call: Kellas: Yes                      Giacoletti: Yes                      de la Rosa: Yes                      Donahue: Yes

**5. HEARING ITEMS: (50:58)**

- A. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING THE VOTING AREAS SCENARIOS FOR DISTRICT BASED ELECTION SYSTEM - FIRST MEETING ON DRAFT MAPS.**

David Lopez from Cooperative Strategies presented information related to the California Voting Rights Act.

(1:09:25) Director Donahue and David Lopez discussed overlay maps and specific addresses associated with the census and registered voters.

Public Comment –  
(1:14:17) Chairperson Kellas called on Julie Tacker. Julie Tacker did not respond.  
(1:15:13) Henry Krzciuk commented.  
(1:24:34) Chairperson Kellas called on Marlena Ramey. Marlena Ramey did not respond.  
(1:25:25) Julie Tacker commented.  
(1:26:18) Chairperson Kellas called on Marlena Ramey. Marlena Ramey did not respond.  
(1:26:30) Michael Hanchett commented.

**6. BUSINESS ACTION ITEMS:**

- A. DISCUSSION, REVIEW AND APPROVAL OF THE OUTLINE FOR THE COASTAL HAZARD RESPONSE PLAN. (1:28:38)**

Jeff Oliveira from Oliveira Environmental Consulting (OEC) was present and discussed the outline for the Coastal Hazard Response Plan (CHRP).

(1:37:15) Charlie Grace further discussed the outline.  
(1:38:00) Vice-Chairperson Giacoletti commented on the outline.

(1:38:30) Director Donahue commented on the proposed locations and suggested that lot D be replaced by lot H be added in the outline. Jeff Oliveira provided information related to proposed location sites and stated that he would follow up with Dudek to obtain a response.

Public Comment –

(1:43:35) Henry Krzciuk commented.

(1:47:06) Julie Tacker commented.

(1:50:40) Michael Hanchett commented.

(1:52:35) Jeff Oliveira answered several questions related to the public comment. He encouraged the public to contact the District or him with any questions or concerns related to the CHRP.

(1:56:15) A motion was made to accept the draft as is with future amendments based on continued input.

Motion: Chairperson Kellas

2nd: Director de la Rosa

Vote: 4/0

Roll Call: Kellas: Yes

Giacoletti: Yes

de la Rosa: Yes

Donahue: Yes

**B. DISCUSSION, REVIEW AND APPROVAL OF A TEMPORARY CONTRACT WITH OLIVEIRA ENVIRONMENTAL CONSULTING TO PERFORM GENERAL SERVICES NOT TO EXCEED THE AMOUNT OF \$10,000.00. (1:57:10)**

Charlie Grace introduced the item.

Public Comment –

(2:00:05) Henry Krzciuk commented.

(2:02:15) Michael Hanchett commented.

(2:02:58) Julie Tacker commented.

(2:04:01) A motion was made to approve the temporary contract with OEC for the period of 90 days.

Motion: Chairperson Kellas

2nd: Vice-Chairperson Giacioletti

Vote: 4/0

Roll Call: Kellas: Yes

Giacoletti: Yes

de la Rosa: Yes

Donahue: Yes

**C. DISCUSSION AND DIRECTION REGARDING THE CREATION OF A DISTRICT ORDINANCE TO ADDRESS CAMPING ON DISTRICT OWNED STREETS WITHIN SAN SIMEON. (2:04:27)**

Charlie Grace introduced the item.

(2:05:50) Director de la Rosa commented on the feasibility of enforcement related to a camping ordinance. He further stated that he believed this would be a necessary ordinance. He and Chairperson Kellas further discussed the feasibility of enforcement.

Public Comment –

(2:04:47) Henry Krzciuk commented.

(2:10:40) Julie Tacker commented.

(2:11:50) Michael Hanchett commented.

(2:13:17) Director Donahue commented that the District needed to create a no camping ordinance.

(2:14:12) A motion was made that staff address the County to be brought into the County ordinance as far as the County roads and that staff and the Board individually review and consider the degrees of possibility as to how it (a no camping ordinance) as far as District roads. Chairperson Kellas rephrased the motion. A 2<sup>nd</sup> motion was made to direct staff to get the county owned streets in San Simeon added to the no camping ordinance and to research a no camping ordinance on District owned roads.

Motion: Chairperson Kellas

2nd: Director Donahue

Vote: 4/0

Roll Call: Kellas: Yes

Giacoletti: Yes

de la Rosa: Yes

Donahue: Yes

**D. APPROVAL OF HARBOR OFFSHORE INC., TO PERFORM AN INSPECTION OF THE RESERVOIR NOT TO EXCEED THE AMOUNT OF \$4,900.00. (2:15:31)**

Chairperson Kellas recused herself stating that this item was related to maintenance.

Vice-Chairperson Giacioletti introduced the item.

(2:17:30) Chairperson Kellas returned to the meeting stating that she did not need to recuse herself because the reservoir is over 500 feet from her residence.

Public Comment –

(2:18:40) Henry Krzciuk commented.

(2:20:30) A motion was made to authorize the work.

Motion: Chairperson Kellas

2nd: Director de la Rosa

Vote: 4/0

Roll Call: Kellas: Yes

Giacoletti: Yes

de la Rosa: Yes

Donahue: Yes

**E. CONSIDERATION AND APPROVAL OF INDEMNIFICATION FOR GRACE ENVIRONMENTAL, LLC (“GES”) COSTS INCURRED IN FPPC INVESTIGATION. (2:20:55)**

(2:21:50) Charlie Grace recused himself.

Chairperson Kellas introduced the item.

Public Comment –

(2:22:27) Henry Krzciuk commented.

(2:23:40) Julie Tacker commented.

(2:27:00) Michael Hanchett commented.

(2:30:27) Jacqueline Diamond commented.

(2:33:00) Vice-Chairperson Giacoletti commented that she considered this to be a very troubling issue and that it was a difficult issue to align oneself on.

(2:34:18) A motion was made that based on the fact the FPPC found no intent to harm that the District honor the contract and pay the legal fees \$ 49,246.63 but not the fine in the amount of \$4500.00.

Motion: Chairperson Kellas  
2nd: Director de la Rosa  
Vote: 3/1

Roll Call: Kellas: Yes                      Giacoletti: Yes                      de la Rosa: Yes                      Donahue: No

**7. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS – (2:35:17)**

Chairperson Kellas asked that discussion related to recouping frivolous complaints resulting in legal fees be added to the agenda. Director Donahue asked that RFP's for general management services, an RFP for legal services, and an RFP for operations and management services be added to future agendas. Director de la Rosa asked that discussion related to a no-camping ordinance be continued.

**8. ADJOURNMENT @ 7:54 PM**