

MINUTES
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS REGULAR MEETING
Wednesday, May 13, 2020
3:00 pm

Internet Meeting Location

1. REGULAR SESSION: @ 3:04 PM

- | | | |
|-----------|--|---------------------------------------|
| A. | Acting Chairperson Kellas – Present | General Manager, Charlie Grace |
| | Director Russell – Present | District Counsel, Natalie Frye Laacke |
| | Director Carson – Present | |
| | Director Maurer – Present (visually present) | |

2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Public Comment – Henry Krzciuk asked that his submittal be included in the meeting minutes. He also commented on the California Rangeland Trust letter and requested this matter be added to the next meeting agenda. He commented about the status of the vacant property of the land next to the office, inquired about the Beautification Grant, and the repair work that was done Pico Stairs.

Acting Chairperson Kellas responded to his question about the Pico artwork explaining that it was a miscommunication.

Charlie Grace responded that the funds for the Beautification Grant would be returned to the County. He also explained that the artist has directed staff to leave the work that was done at Pico stairs alone and that the wood would return to the natural state in a year or two.

3. SPECIAL PRESENTATIONS AND REPORTS:

A. STAFF REPORTS:

- i. Sheriff's Report** – Commander Nelson provided the report for April.
- ii. Superintendent's Report** – Jerry Copeland provided a summary of April activities.
- iii. General Manager's Report** – Charlie Grace provided a summary of April Activities. Jeff Oliveira (Oliveira Consulting) provided a summary of grant activities for the District.

Director Russell asked staff about the visual impact simulation drawings and the California Rangeland Trust (CRT).

Jeff Oliveira provided information about the simulation drawings and explained that this was part of the reason that staff had created the 3D simulations.

Director Russell asked other questions related to the visual aspects of the tanks. Jeff Oliveira provided further information related to the visual aspects, he also stated that the visual simulations had been sent to the CRT for their review.

Henry Krzciuk commented that the question and answers related to the CRT letter. He remarked that this was a Brown Act violation and that he would be reporting this violation. He also questioned the CEQA Request for Proposal (RFP) and staff awarding the contract without Board approval.

Michael Hanchette remarked about the negative environment that was being created for staff and the Board by one unhappy community member.

David Sansone commented that he disagreed with Hank's comments about the CEQA RFP, stating that the General Managers report made it clear that no contract was being awarded without the Boards approval. He further expressed that he agreed with Michael Hanchette's comments about one person trying to direct the efforts of staff and the Board.

iv. District Financial Summary – Charlie Grace provided a summary of the monthly financials.

v. District Counsel's Report – Natalie Frye Laacke provided a summary of April activities.

B. BOARD OF DIRECTORS AND COMMITTEE REPORTS: None

C. SPECIAL PRESENTATION: None

D. PUBLIC COMMENTS ON SPECIAL PRESENTATIONS AND REPORTS:

Public Comment – See above

4. CONSENT AGENDA ITEMS:

Public Comment – Henry Krzciuk commented on the Oliveira Consulting invoices and accused staff of splitting invoices to avoid Board approval. He said he was also concerned because this was work that the Renee had previously done and all work should have been approved by the Board. He also mentioned the invoices for Legal Counsel.

A. Review and approval of Minutes for the Special Meeting on March 20, 2020.

B. Review and approval of Minutes for the Regular Meeting on April 8, 2020.

Director Russell asked that on the Roll Call vote his "No" vote be changed to a "Yes" vote. Staff acknowledged the typo.

C. Review and approval of Disbursements Journal.

A motion was made to approve items 4A-4C with the changes provided by Director Russell.

Motion by: Acting Chairperson Kellas

2nd: There was no second for the motion

All in: 3 /1*

*Vote not counted: Maurer (Maurer was experiencing technical difficulties and the sound function was not working for him, so staff did not receive a vocal yes from on this item. He nodded his head in agreement).

Director Carson asked if the accusations being made by Henry Krzciuk are going to be addressed.

Natalie Frye Laacke commented that staff could not reply to these issues because this matter was not on the agenda.

Director Russell, Director Carson, and acting Chairperson Kellas discussed moving this topic matter to agenda item six 6.

Roll Call:
Kellas: Yes Russell: Yes Carson: Yes Maurer: Yes (No verbal vote taken)

5. BUSINESS ACTION ITEMS:

Public Comment –

A. Discussion on Procedure to Fill the Vacancy on the San Simeon Community Services District created by the Resignation of Director Mary Margaret McGuire; Direction to Staff to Post Notice of Vacancy pursuant to Gov’t Code 1780; Schedule meeting at which candidates will be considered and the appointment made.

Acting Chairperson Kellas introduced this item.

A motion was made for staff to post the notice of vacancy pursuant to Gov’t Code.

Motion by: Acting Chairperson Kellas

2nd: Director Russell

All in: 3 /1*

*Vote not counted: Maurer (Maurer was experiencing technical difficulties and the sound function was not working for him, so staff did not receive a vocal yes from on this item. He nodded his head in agreement).

Roll Call:
Kellas: Yes Russell: Yes Carson: Yes Maurer: Yes (No verbal vote taken)

A. Appointment of a new Chairperson and Vice-Chairperson.

Acting Chairperson Kellas introduced this item.

Kellas made a motion for John Russell to be the Vice Chairperson.

Motion by: Acting Chairperson Kellas

2nd: Director Carson

Gwen Kellas nominated herself as Chairperson.

Motion by: Acting Chairperson Kellas

2nd: Maurer (only visual second – not vocal)

All in: 3 /1*

*Vote not counted: Maurer (Maurer was experiencing technical difficulties and the sound function was not working for him, so staff did not receive a vocal yes from on this item. He nodded his head in agreement).

Roll Call:

Kellas: Yes

Russell: Yes

Carson: Yes

Maurer: Yes (No verbal vote taken)

B. Review of authorization of powers to the General Manager awarded under Resolution 20-419.

Acting Chairperson Kellas introduced this item.

Henry Krzciuk commented on this matter stating that he was concerned about the General Manager having unlimited spending authority. He asked that Board revise the Resolution to include his changes.

Director Russell made a motion to repeal Ordinance 20-419. There was no second to the motion.

Director Maurer was having technical difficulties, so a recess was taken.

Chairperson Kellas and Natalie Frye Laacke discussed the technical difficulties that Director Maurer was having. Natalie advised that there was still a quorum of Board members without Maurer being able to vote.

A motion was made to continue Resolution 20-419 for an additional 30 days.

Director Russell commented that without his vote, the motion made by Chairperson Kellas would not pass. He stated even if the Board didn't take formal action on this matter, the Resolution would remain in effect. He asked Natalie Frye Laacke to clarify this. She agreed that the Resolution would remain in effect,

Director Maurer (Maurer was experiencing technical difficulties and the sound function was not working for him, so staff did not receive a vocal yes from Director Maurer on this item. He nodded his head in agreement).

There was no action taken on this item.

C. Adoption of Resolution 20-420 approving the application for and/or execution of grant funds from the Ocean Protection Council.

Chairperson Kellas introduced this item.

A motion was made to approve Resolution 20-420.

Motion by: Chairperson Kellas

2nd: Director Russell

All in: 3 /1*

*Vote not counted: Maurer (Maurer was experiencing technical difficulties and the sound function was not working for him, so staff did not receive a vocal yes from Director Maurer on this item. He nodded his head in agreement).

Roll Call:

Kellas: Yes Russell: Yes Carson: Yes Maurer: Yes (No verbal vote taken)

D. Direction to staff regarding a request for proposal for the District to contract with an engineering firm for on-call services.

Chairperson Kellas introduced this item.

Henry Krzciuk commented that he was in support of this concept.

Michael Hanchette commented and suggested that this item should be tabled.

A motion was made to table this item.

Motion by: Director Russell

2nd: Chairperson Kellas

All in: 3 /1*

*Vote not counted: Maurer (Maurer was experiencing technical difficulties and the sound function was not working for him, so staff did not receive a vocal yes from Director Maurer on this item. He nodded his head in agreement).

E. Discussion related to the creation and implementation of a Brown Act Checklist for the Board agenda and discussion to schedule Brown Act training.

Chairperson Kellas introduced the item.

Henry Krzciuk commented that this should be a public training, so members of the public are aware of what the Board is learning about and how they should behave.

Chairperson Kellas, Director Russell, and Director Carson discussed the Brown Act training online with the California Special District Association (CSDA), which offers free online webinars.

A motion was made to direct staff to create a Brown Act checklist and Board members that choose to take the Brown Act training due so online using the CSDA website.

Director Russell asked that the motion be split into two separate motions.

A motion was made to direct staff to create a Brown Act checklist.

Motion by: Chairperson Kellas

2nd: Director Russell

All in: 3 /1*

Roll Call:

Kellas: Yes Russell: Yes Carson: Yes Maurer: Yes (No verbal vote taken)

A motion was made that staff and the Board members take the Brown Act training due so online using the CSDA website.

Motion by: Chairperson Kellas

2nd: Director Maurer

All in: 3 /1*

*Vote not counted: Maurer (Maurer was experiencing technical difficulties and the sound function was not working for him, so staff did not receive a vocal yes from Director Maurer on this item. He nodded his head in agreement).

Roll Call:

Kellas: Yes Russell: Yes Carson: Yes Maurer: Yes (No vocal vote taken)

6. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS – Chairperson Kellas commented that she wanted a discussion related to the tanks on the June meeting agenda.

7. ADJOURNMENT @ 4:49 PM