

MEETING MINUTES
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS REGULAR BOARD MEETING
Tuesday, October 11, 2022
5:00 pm

Pursuant to San Simeon CSD Resolution 22-457 and incompliance with AB 361 this meeting occurred as a virtual teleconference using the Zoom app.

Internet Meeting Location – Via ZOOM

1. REGULAR SESSION @ 5:00 PM

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

2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA: (2:00)

Public Comment -

(2:35) Julie Tacker commented that she had sent the Board a letter requesting a boundary survey and title search of Pico Ave beach access. She requested that the Board members request this matter be placed onto an agenda.

(6:30) Henry Krzciuk commented on the Cavalier agreement stating that it was done unfairly.

(9:53) Director Donahue commented on his letter to the Board related to this agreement. He and Chairperson Kellas further discussed this matter.

3. SPECIAL PRESENTATIONS AND REPORTS: (11:00)

A. STAFF REPORTS:

- i. **Sheriff's Report** – None.
- ii. **CHP Report** – None.
- iii. **Dudek Public Outreach Report** – Wastewater Treatment Plant Relocation – CHRP – Director Donahue requested that this item be moved off special presentations stating that John Dudek was not staff. Josh George clarified that this practice was standard with other agencies further stating that this item was properly agenized. Dudek staff (John Davis, Mike Metts, and Caroline Groves) was present to provide information about the upcoming public outreach meeting. Dudek presented a brief power point presentation regarding the project timeline, possible alternative site locations, and the stakeholder list.

(34:00) Director Donahue commented on the concept of the leaving the plant in the same location that it currently is. Stating that it could be elevated. John Davis (Dudek) stated that they would be looking at this alternative through a coastal hazards modeling plan. He further stated that the Coastal Commission regulations were very strict and that this was not likely based on the information that Dudek currently had.

(38:55) Vice-Chairperson Giacoletti commented about removal of the outfall and the potential of working with Cambria. Vice-Chairperson and John Davis (Dudek) further discussed her questions. Director de la Rosa inquired about the which technology had the largest footprint and which had the smallest footprint.

Public Comment –

(44:26) Henry Krzciuk commented.

(47:58) Karina Tiwana commented.

(54:38) Sherry Brajcich commented.

(1:00:20) Julie Tacker commented.

- iv. **Superintendent's Report** – (1:08:33) Steve Orellana provided a summary of the September activities.
- v. **General Manager's Report** – (1:09:50) Charlie Grace provided a summary of the September activities.
- vi. **District Financial Summary** – (1:13:00) Charlie Grace provided a summary of September financials.
- vii. **District Counsel's Report** – (1:15:00) Josh George provided a summary of the September activities.
- viii. **Board Member Report** – None.

B. AD-HOC & STANDING COMMITTEE REPORTS:

ii. **Status Update** – Budget Committee – None.

iii. **Status Update** – Water Committee – None.

Public Comment –

(1:16:20) Julie Tacker commented.

(1:18:02) Henry Krzciuk commented.

(1:20:00) Marcia commented.

4. CLOSED SESSION: (1:21:00)

Public Comment –

(1:21:20) Julie Tacker commented.

(1:22:50) Henry Krzciuk commented.

(1:24:22) Karina Tiwana commented.

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code § 54956.9. One (1) Potential Case

******RECONVENE TO OPEN SESSION******

(22 min: 6:30 pm – 6:52 pm)

Report on Closed Session: No reportable action.

5. CONSENT AGENDA ITEMS (part A): (1:30:40)

(1:31:40) Director Donahue commented on the payments to Bob Hather and Jeff Oliveira that were listed on the disbursements journal. He also asked that item A and B be part of the Business Action Items. There was further discussion about the disbursements journal.

- A. REVIEW AND APPROVAL OF MINUTES FOR THE REGULAR MEETING ON AUGUST 9, 2022.**
- B. REVIEW AND APPROVAL OF MINUTES FOR THE SPECIAL MEETING ON AUGUST 30, 2022.**
- C. REVIEW AND APPROVAL OF MINUTES FOR THE SPECIAL MEETING ON SEPTEMBER 14, 2022.**
- D. REVIEW AND APPROVAL OF DISBURSEMENTS JOURNAL.**
- E. ADOPTION OF RESOLUTION 22-458 TO CONTINUE VIRTUAL MEETINGS PURSUANT TO THE PROVISIONS OF AB 361.**
- F. DISCUSSION REVIEW AND APPROVAL OF PROPOSAL FROM PADRE ASSOCIATES, INC. FOR THE DISTRICT PICO STAIRS SLURRY REPAIR – PERMITTING (\$5,450).**

Public Comment –

(1:39:50) Karina Tiwana commented.

(1:42:26) Henry Krzciuk commented.

(1:44:49) Director Donahue made a motion to pull items 5.A and 5.F from the consent agenda items.

2nd: None

(1:47:43) It was acknowledged that the Chairperson was recusing herself from item 6.A and 6.B.

A motion was made to approve the consent agenda items 5.A-F as is.

Motion: Chairperson Kellas

2nd: Director Donahue

Vote: 4/0

Roll Call:

Kellas: Yes

Giacoletti: Yes

de la Rosa: Yes

Donahue: Yes

6. CONSENT AGENDA ITEMS (part B): (1:49:10)

Chairperson Kellas recused herself.

- A. DISCUSSION REVIEW AND APPROVAL OF PROPOSAL FROM PADRE ASSOCIATES, INC. FOR THE DISTRICT OCEAN OUTFALL LINE MAINTENANCE PROJECT – PERMITTING (\$32,980).**

B. DISCUSSION REVIEW AND APPROVAL OF PROPOSAL FROM BRENNAN FOR THE ANNUAL INSPECTION OF OCEAN OUTFALL LINE (\$11,703).

(1:49:12) A motion was made to approve consent agenda items 6.A and 6.B.

Motion: Director Donahue
2nd: Vice-Chairperson Giacoletti
Vote: 3/1
Absent: Kellas

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

7. BUSINESS ACTION ITEMS:

A. DISCUSSION, REVIEW AND APPROVAL REGARDING A CHARLES SCHWAB BROKERAGE /CHECKING ACCOUNT. (1:50:00)

(1:50:30) Chairperson Kellas introduced the item. Director Donahue provided additional information about this item. There was further discussion about this matter between the Board.

Public Comment –
(2:01:48) Karina Tiwana commented.
(2:04:25) Julie Tacker commented.
(2:07:40) Henry Krzciuk commented.
(2:10:50) Michael Hanchett commented.

(2:12:30) Director Donahue responded to Michael Hanchett's comment stating that this type of investment was completely risk free. Chairperson Kellas asked if more research could be done on this topic and it could be brought back to the Board at a later time.

No action was taken on this item.

8. PUBLIC HEARING: (2:14:36)

A. PUBLIC HEARING PURSUANT TO SSCSD ORDINANCE 102 HARDSHIP – hearing to review water will serve requests based on hardship applications and responses from: Mr. Marcum, Mr. Hurlbert, Mrs. Seifert and Mrs. Brajcich.

Chairperson Kellas introduced this item. She stated that the Akel report needed to be further reviewed to accommodate a potential error on the waitlist.

Public Comment –
(2:16:28) Lloyd Marcum commented.
(2:18:15) Sherry Brajcich commented.
(2:21:10) Julie Tacker commented.
(2:25:00) Henry Krzciuk commented.
(2:28:40) Karina Tiwana commented.

(2:31:30) The Directors further discussed this matter.

Public Comment –

(2:36:40) Sherry Brajcich commented.

(2:41:10) Vice-Chairperson Giacoletti responded to Sherry's comment.

- 9. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS** – Director Donahue requested that his complaint letter be placed on the November meeting agenda, he also requested that a title search and boundary survey for Pico Avenue beach access be placed on the agenda.

10. ADJOURNMENT – @ 8:10 PM