

**MEETING MINUTES**  
**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS REGULAR BOARD MEETING**  
**Tuesday, February 14, 2023**  
**5:00 pm**

Pursuant to San Simeon CSD Resolution 23-463 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 Diamond – Present
- Vice-Chairperson Tiwana – Present
- Director de a Rosa – Present
- Director Donahue – Present
- Director Kellas – Present

**2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA: (1:30)**

Public Comment –

(2:25) Julie Tacker commented about Director Kellas and unbecoming behavior on social media.

(5:43) David Sansome commented that Julie Tacker was an obstructionist He further complimented Director Kellas on her behavior.

(7:04) Michael Hanchett stated that several Board members and members of the public had been harassed and challenged by members of the public.

(8:45) April Dury commented on actions of people.

**3. SPECIAL PRESENTATIONS AND REPORTS: (10:00)**

**A. STAFF REPORTS:**

- i. **Sheriff's Report** – None.
- ii. **CHP Report** – None.
- iii. **Superintendent's Report** – (10:40) Steve Orellana provided a summary of January activities.
- iv. **General Manager's Report** – (11:58) Steve Orellana provided a summary of January activities.
- v. **District Financial Summary** – (14:05) Steve Orellana provided a summary of the January financials.
- vi. **District Counsel's Report** – None.
- vii. **Board Member Report** – Summary of January Activities.

**B. AD-HOC & STANDING COMMITTEE REPORTS: (15:00)**

- i. **Status Update Budget Committee** – Director de la Rosa provided information about the status of the Budget Committee, stating that there were only 2 people currently on the committee.

- ii. Status Update Water Committee – Director Kellas provided information about the status of the Water Committee, stating that they had not met because there was an insufficient number of committee members.
- iii. Status Update Camping Ordinance on District Streets – Director Donahue stated that there was no update on this matter.
- iv. Status Update Coastal Hazard Response Plan (CHRP) – Director Kellas provided an update on this matter. Director Kellas commented on the previous Board discussion about not building a new plan on residentially zoned property.

Public Comment – (17:50)

(18:20) Julie Tacker commented.

(21:30) Henry Krzciuk commented.

(24:38) April Dury commented.

(27:50) David Sansone commented.

(29:50) Vice-Chairperson Tiwana asked about the verbiage draft at the bottom of the revised District financials. There was discussion about this matter between legal counsel and GES staff. There was additional conversation about the financial reports.

#### **4. CONSENT AGENDA ITEMS: (36:15)**

**A. REVIEW AND APPROVAL OF MINUTES FOR THE SPECIAL MEETING ON JANUARY 17, 2023.**

**B. REVIEW AND APPROVAL OF MINUTES FOR THE SPECIAL MEETING ON JANUARY 24, 2023.**

**C. REVIEW AND APPROVAL OF DISBURSEMENTS JOURNAL.**

**D. ADOPTION OF RESOLUTION 23-464 AUTHORIZING SIGNATURES, INCLUDING FACSIMILE SIGNATURES, FOR BANKING SERVICES ON BEHALF OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT.**

Public Comment –  
None

(37:10) A motion was made to approve the consent agenda items 4A-4D.

Motion: Chairperson Diamond

2nd: Director Kellas

Vote: 5/0

Absent: None

Roll Call:

Diamond: Yes      Donahue: Yes      Tiwana: Yes      Kellas: Yes      de la Rosa: Yes

#### **5. BUSINESS ACTION ITEMS: (38:00)**

**A. DISCUSSION, REVIEW AND APPROVAL FOR THE GENERAL MANAGER TO ENTER INTO A CONTRACT WITH KATHY FRY FOR BOOKKEEPING SERVICES FOR THE PERIOD OF THREE YEARS. (38:40)**

(39:10) Director Donahue asked that the contract be limited to one year. There was further discussion between the Board and legal counsel about this matter.

Public Comment –

(43:35) Julie Tacker commented.

(46:03) Michael Hanchett commented.

(47:00) April Dury commented.

(49:40) David Sansone commented.

(52:25) A motion was made to approve the terms of the contract as approved in the email.

Motion: Director Kellas

2nd: Director de la Rosa

(54:50) There was further discussion between the Board about the limits and terms of the contract.

Vote: 5/0

Absent: None

Roll Call:

Diamond: Yes      Tiwana: Yes      Donahue: Yes      de la Rosa: Yes      Kellas: Yes

**B. DISCUSSION, REVIEW AND APPROVAL OF THE 2023 LIST OF GOALS AND PRIORITIES FOR THE SAN SIMEON COMMUNITY SERVICES DISTRICT. (1:00:37)**

Steve Orellana introduced the item.

(1:01:40) Director Donahue commented about having a comprehensive water and wastewater ordinance that addressed capacity fees and Stage 1 water restrictions, he also stated that the Akel Report needed to be revised, he stated that there needed to be an ordinance about the WWTP relocation being on a residentially zoned site, the LCP needed to be amended, and there needed to be a mutual aid agreement with Cambria CSD. There was conversation about the project list among the Board members. There was a discussion about goals for legal counsel including revision of the policy and procedures, and required Board member trainings.

Public Comment –

(1:18:40) Henry Krzciuk commented.

(1:20:55) A motion was made to direct the Directors to submit what they think the goals should (there was additional language as part of the motion).

Direction was further provided to send this list to the [admin@sansimeoncsd.org](mailto:admin@sansimeoncsd.org) email address.

Motion: Chairperson Diamond

2<sup>nd</sup>: Director Kellas

Vote: 5/0

Absent: None

Roll Call:

Diamond: Yes    Tiwana: Yes    Donahue: Yes    de la Rosa: Yes    Kellas: Yes

(1:23:40) Nubia Goldstein suggested that this information be submitted to GES Staff by March 1, 2023.

**C. DISCUSSION AND DIRECTION FROM THE BOARD OF DIRECTORS CONCERNING PREPARATION OF A REQUEST FOR PROPOSALS FOR GENERAL MANAGER AND OPERATIONAL SERVICES. (1:24:40)**

(1:25:00) Nubia Goldstein introduced the item. There was discussion among the Board members about the RFP process. Director Donahue suggested that the RFP be broken into 3 types of services: administration, management, and operations. Director Kellas provided background information about the existing contract.

Public Comment –

(1:36:10) Julie Tacker commented.

(1:38:52) Henry Krzciuk commented.

(1:45:30) Michael Hanchett commented.

(1:47:14) April Dury commented.

(1:48:50) Nubia Goldstein and the Board further discussed items for Direction to legal counsel as how to move forward. There was discussion about the cost to have California Rural Water Association prepare a request for information (RFI).

(2:00:14) A motion was made to direct legal counsel Goldstein to reach out to all agencies to get an estimation of a cost for an RFI for a General Manager.

Motion: Director Kellas

2<sup>nd</sup>: Director Donahue

Vote: 5/0

Absent: None

Roll Call:

Diamond: Yes    Tiwana: Yes    Donahue: Yes    de la Rosa: Yes    Kellas: Yes

**D. DISCUSSION REGARDING PURCHASING OF LAPTOPS FOR BOARD MEMBERS AND CYBERSECURITY POLICIES FOR THE DISTRICT. (2:01:35)**

Steve Orellana introduced the item.

(2:03:22) The Board further discussed this matter.

(2:07:05) A motion was made that we adopt this budget but endeavor to as really prudent people to keep it as low as possible with a budget you can live with but have freedom to purchase something and I strongly recommend that the District have its own mobile device account and that account is also supported by the Staff so that we can definitely keep our records in one place and accessible into the future because litigation has a long tail.

Motion: Vice-Chairperson Tiwana

2<sup>nd</sup>: None

(2:07:54) Director Donahue commented that he supported everything Vice-Chairperson Tiwana had stated. There was further discussion about this matter by the Board and the reduction of the suggested budget.

Public Comment –

(2:13:25) Michael Hanchett commented.

(2:15:00) There was further discussion about this matter between the Board and legal counsel. There was discussion about the potential motion language and the budget.

(2:25:35) A motion was made to provide an individual budget to the Directors in the amount of \$1500 as they need.

Motion: Chairperson Diamond

2<sup>nd</sup>: Director Kellas

Vote: 5/0

Absent: None

Roll Call:

Diamond: Yes      Tiwana: Yes      Donahue: Yes      de la Rosa: Yes      Kellas: Yes

(2:26:30) Chairperson Diamond moved to direct Staff to bring back information to the Board on a preferred phone carrier for everyone.

Motion: Chairperson Diamond

2<sup>nd</sup>: Director Donahue

Vote: 5/0

Absent: None

(2:26:50) Director Kellas asked for clarification on the motion. There was further discussion about this matter.

(2:30:38) The motion was repeated. Staff was directed to look into cell phone carriers for the Board members.

Roll Call:

Diamond: Yes      Tiwana: Yes      Donahue: Yes      de la Rosa: Yes      Kellas: Yes

(2:31:38) There was additional discussion about the IT component of this motion and hiring of an IT professional to run the hybrid meetings.

(2:33:58) A motion was made that we look locally for an IT person that can accommodate the needs of the District.

Motion: Director Kellas

2<sup>nd</sup>: Chairperson Diamond

Vote: 5/0

Absent: None

Roll Call:

Diamond: Yes      Tiwana: Yes      Donahue: Yes      de la Rosa: Yes      Kellas: Yes

**E. DISCUSSION, REVIEW AND APPROVAL OF STANDING COMMITTEE MEMBERS AND AD-HOC COMMITTEE MEMBERS PURSUANT TO DISTRICT POLICY 13.01. (2:34:48)**

There was discussion about the delaying item F and G. Chairperson Diamond introduced the item. Director Donahue volunteered for the Budget/Finance Committee and the Water Committee.

Public Comment –

(2:40:07) Henry Krzciuk commented.

(2:41:15) Bob Hather commented.

Motion: Director Kellas

2<sup>nd</sup>: Chairperson Diamond

Vote: 5/0

Absent: None

Roll Call:

Diamond: Yes      Tiwana: Yes      Donahue: Yes      de la Rosa: Yes      Kellas: Yes

(2:42:22) Chairperson Diamond suggested appointment of the following persons to the Budget/Finance committee:

Director Donahue

Chairperson Diamond

Henry Krzciuk

Miguel Sandoval (if he agrees)

(2:43:14) A motion was made to approve these members to the budget/finance committee.

Motion: Chairperson Diamond

2<sup>nd</sup>: Director Donahue

(2:44:30) There was a revision of the committees. Chairperson Diamond was replaced Director de la Rosa. (Committee: Donahue, de la Rosa, Krzciuk, Sandoval)

(2:45:20) The original motion was modified to include Donahue, de la Rosa, Krzciuk, and Sandoval to be on the committee.

Vote: 3/2  
Absent: None

Roll Call:

Diamond: Yes    Tiwana: Yes    Donahue: Yes    de la Rosa: Abstain    Kellas: No

Director de la Rosa asked if he could vote for himself. Nubia Goldstein responded that he could. Director de la Rosa changed his vote to a Yes. Roll call was not re-taken.

(2:46:06) Chairperson Diamond suggested appointment of the following persons to the Water Committee:

Director de la Rosa  
Director Donahue  
Robert Hather  
Henry Krzciuk  
Albert Barreto  
Chuck Grash

(2:46:30) A motion was made to appoint these persons to the Water Committee.

Motion: Chairperson Diamond  
2<sup>nd</sup>: Director Donahue  
Vote: 4/1  
Absent: None

Roll Call:

Diamond: Yes    Tiwana: Yes    Donahue: Yes    de la Rosa: Yes    Kellas: No

(2:47:10) Chairperson Diamond suggested the formation of a policy and procedures ad-hoc committee.

(2:47:19) A motion was made to appoint Vice-Chairperson Tiwana and Chairperson Diamond to a policy and procedures Ad-Hoc committee.

Motion: Chairperson Diamond  
2<sup>nd</sup>: Director Donahue  
Vote: 5/0  
Absent: None

Roll Call:

Diamond: Yes      Tiwana: Yes      Donahue: Yes      de la Rosa: Yes      Kellas: No

Items 5.F., 5.G., and 6.A. were delayed until the March meeting.

**6. CLOSED SESSION: (2:48:15)**

Chairperson Diamond read the items.

Public Comment –

(2:50:40) Julie Tacker commented.

(2:52:45) Henry Krzciuk commented.

(2:54:20) Michael Hanchett commented.

(2:55:40) Director Donahue asked about agenda Item 5.E.

Public Comment Continued:

(2:56:40) April Dury commented.

**A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code § 54956.9: Two (2) Potential Cases

**B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

(Gov. Code, § 54957(b)(1))

Title: General Manager

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

**(2 Hours)**

**(2:57:41) Report on Closed Session:** Nubia Goldstein reported that on item 7.A. direction was provided to staff to and the Board has elected not to disclose additional information related to this item. She further stated that on Item 7.B. further direction was provided to staff.

(2:59:00) A motion was made to table items 5.F., 5.G., and 6.A. to a future meeting.

2<sup>nd</sup>: None

(2:59:23) There was further discussion about item 5.E. and ad-hoc committees.

(3:00:43) A motion was made to table items 5.E. (portion) 5.F., 5.G., and 6.A. to a future meeting.

Motion: Chairperson Diamond

2<sup>nd</sup>: Director Donahue

Vote: 5/0

Absent: None

Roll Call:

Diamond: Yes      Tiwana: Yes      Donahue: Yes      de la Rosa: Yes      Kellas: Yes



- 7. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS (3:01:20) –**  
Director Kellas requested discussion related to hiring of a finance person with a CSDA background. Director Donahue requested the management plan for the Stillwater Instream Flow Study be added to the agenda.
  
- 8. ADJOURNMENT @ 10:14 PM**