

SPECIAL MEETING MINUTES
San Simeon Community Services
April 22, 2021 4:30 PM



Internet Meeting Location – via ZOOM

1. REGULAR SESSION @ 4:35 pm

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

2. PUBLIC COMMENT – moved to each individual item.

3. BUSINESS ACTION ITEMS –

A. Approval Hearst San Simeon Ranch, LLC Invoice # 1005 in the amount of \$17,193.15 for Hearst RO facility Encroachment review cost up to 2/28/21.

Public Comment - (2:07)

Julie Tacker commented.

Henry Krzciuk commented.

Michael Hanchett commented.

David Sansone commented.

(9:40) Vice-Chairperson Giacoletti commented that she thought the Board had agreed to pay the \$17,193.15 at the previous meeting. She went on to state that she thought that Grace Environmental Services should be responsible for this payment.

(10:40) Director Maurer stated that he also agreed with Mike Hanchett and that the invoice should be paid. He went on to ask Jeffrey Minnery (district counsel) if the District was on the hook for this payment or if there was an indemnity clause that required payment be made by the contractor. Jeffrey Minnery responded to this question stating that there was no contractual language that allowed any recourse against the consultants.

(13:35) Director Carson commented that he agreed that the money should be paid to the Hearst Corporation. He also suggested that MBS be used to conduct the survey.

(16:14) Vice-Chairperson commented and clarified that her previous statement should not have implied that there was any malfeasance on the part of Grace Environmental Services. The District could not afford to make this payment.

(17:00) A motion was made to approve the disbursements journal.

Motion: Chairperson Kellas
2nd: Director Carson
Vote: 4/1
Abstain: Giacoletti

Roll Call: Kellas: Yes Carson: Yes Maurer: Yes de la Rosa: Yes Giacoletti: Yes

B. Discussion regarding finalizing the sub-recipient agreement between District and San Luis Obispo County regarding the Local Coastal Plan (LCP) amendment. - (18:38)

Chairperson Kellas introduced this item.

Public Comment – (19:30)
Henry Krzciuk commented.
Julie Tacker commented.
Michael Hanchett commented.

(26:18) Director Maurer asked if an agreement had been made with the sub-recipient.
Chairperson Kellas provided

(27:00) A motion was made to finalize the sub-recipient agreement between the District and San Luis Obispo County.

Motion: Chairperson Kellas
2nd: Director Maurer
Vote: 5/0
Abstain:

Roll Call: Kellas: Yes Carson: Yes Maurer: Yes de la Rosa: Yes Giacoletti: Yes

4. CLOSED SESSION - The Board will adjourn to Closed Session pursuant to Government Code Section 54956.9 (d)(2) to consider the following:

A. Conference with District Legal Counsel regarding anticipated litigation. Number of cases: one (1)

Public Comment – (28:17)
Henry Krzciuk commented.
Julie Tacker commented.
Michael Hanchett commented.

(32:40) Closed Session was 1 hour and 35 minutes.

Director Maurer did not return to open session.

(34:50) Jeffrey Minnery stated that there was no reportable action but that direction was given to staff and legal counsel.

5. ADJOURNMENT @ 6:45 pm