

Board of Directors San Simeon Community Services District



REGULAR BOARD MEETING PACKET

Tuesday, October 12, 2021
Meeting Start Time 5:00 pm

Virtual Board Meeting via Zoom Webinar
Webinar Code: **873 0781 0050**

Prepared by:



AGENDA
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS REGULAR BOARD MEETING
Tuesday, October 12, 2021
5:00 pm

Pursuant to San Simeon CSD Resolution 21-433 and incompliance with AB 361 this meeting shall occur as a virtual teleconference using the Zoom app.

Internet Meeting Location – Via ZOOM

Join Zoom Webinar for Regular Board Session: Part One-
<https://us02web.zoom.us/j/87307810050>

Or One tap mobile:
US: +16699009128, 87307810050#

Or Telephone:
Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 9128

Webinar ID: 873 0781 0050

Join Zoom Meetings for Regular Board Session: Part Two-
<https://us02web.zoom.us/j/89334961643?pwd=NWx2V3lKaUdTTml2RmVVaGpBYk5hQT09>

Or One tap mobile:
US: +16699009128, 89334961643#, *972125#

Or Telephone:
Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 9128

Meeting ID: 893 3496 1643
Passcode: 972125

Time: October 12, 2021 5:00 PM Pacific Time

NOTE: On the day of the meeting, the virtual meeting room will be open beginning at 4:30 PM. If you are unable to access the meeting please contact Cortney Murguia at (805) 927-4778 prior to the 5:00 PM meeting start time and staff can assist you in accessing the meeting. Should you have any questions related to the information on this agenda or if you wish to submit public comment in the written format you can email Cortney Murguia at admin@sansimeoncsd.org. Members of the public can also contact the District office at (805) 927-4778 or (805) 400-7399 with any questions or concerns related to this agenda or accessing the meeting.

- 1. REGULAR SESSION: 5:00 PM - <https://us02web.zoom.us/j/87307810050>**
 - A. Roll Call**

2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Public Comment - Any member of the public may address the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda. Presentations are limited to three (3) minutes or less with additional time at the discretion of the Chair. Your comments should be directed to the Board as a whole and not directed to individual Board members. The Brown Act restricts the Board from taking formal action on matters not published on the agenda.

3. SPECIAL PRESENTATIONS AND REPORTS:

A. STAFF REPORTS:

- i. **Sheriff's Report** – Report for September.
- ii. **CHP Report** – Report for September.
- iii. **Superintendent's Report** – Summary of September activities.
- iv. **General Manager's Report** – Summary of September Activities.
- v. **District Financial Summary** – Summary of September Financials.
- vi. **District Counsel's Report** – Summary of September Activities.
- vii. **Board Member Report** – Summary of Internal Revenue (IRS) Director Compensation Item.

B. AD-HOC COMMITTEE REPORTS:

- i. **Status Update** – Disbursements Journal Review Committee.
- ii. **Status Update** – Policy & Procedures Committee.
- iii. **Status Update**– Update on District Ordinance 107 Parking on District Streets and draft Ordinance 122 Parking on District Streets.
- iv. **Status Update**– Budget Committee.
- v. **Status Update** – Water Committee.

Public Comment – This public comment period provides an opportunity for members of the public to address the Board on matters discussed during Agenda Item #3 Special Presentations and Reports. If a member of the public wishes to speak at this time, Public Comment is limited to three (3) minutes.

4. CONSENT AGENDA ITEMS:

Public Comment – This public comment period provides an opportunity for members of the public to address the Board on matters discussed during Agenda Item #4 Consent Agenda Items. If a member of the public wishes to speak at this time, Public Comment is limited to three (3) minutes.

- A. Review and approval of Minutes for the Regular Meeting on September 9, 2021.**
- B. Review and approval of Minutes for the Special Meeting on September 30, 2021.**
- C. Review and approval of Disbursements Journal.**

D. Approval of a transfer of funds in the amount of \$50,000 from the General checking account to the Money Market Account.

E. Review of authorization of powers to the Board under Resolution 21-433.

5. BUSINESS ACTION ITEMS:

Public Comment – Public comment will be allowed for each individual business item. Members of the public wishing to speak on business items may do so when recognized by the Presiding Officer. If a member of the public wishes to speak at this time, Public Comment is limited to three (3) minutes per person for each business item.

A. REVIEW AND APPROVAL OF DRAFT SOLID WASTE RULES AND REGULATIONS.

B. AUTHORIZATION FOR HARBOR OFFSHORE, INC. TO PROVIDE INSPECTION OF THE OCEAN OUTFALL NOT TO EXCEED THE AMOUNT OF \$13,000.00.

C. DIRECTION TO STAFF REGARDING CUSTOMER’S REQUESTS FOR CREDIT ON UTILITY BILLS.

D. CONSIDERATION OF APPROVAL OF CONTRACT AMENDMENT FOR MANAGEMENT SERVICES FOR GRACE ENVIRONMENTAL SERVICES.

E. AUTHORIZATION FOR DUDEK ENGINEERING TO COMPLETE THE COASTAL HAZARD RESPONSE PLAN (CHRP) PROPOSAL NOT TO EXCEED THE AMOUNT OF \$110,000.00.

F. DISCUSSION ON PROCEDURE TO FILL THE VACANCY ON THE SAN SIMEON COMMUNITY SERVICES DISTRICT CREATED BY THE RESIGNATION OF DIRECTOR WILLIAM MAURER; 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.

6. CLOSED SESSION: -

This public comment period provides an opportunity for members of the public to address the Board on Closed Session Agenda Items. Public Comment is limited to three (3) minutes.

The Board will adjourn to Closed Session to address the following items:

**A. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))
Name of case: Robert Hather v. San Simeon Community Services District**

MEMBERS OF THE PUBLIC: Please Join Us for the Remainder of the Meeting Here:

Part Two -

<https://us02web.zoom.us/j/89334961643?pwd=NWx2V3lKaUdTTmI2RmVVaGpBYk5hQT09>

Meeting ID: 893 3496 1643

Passcode: 972125

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

Report on Closed Session

7. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS – Requests from Board members to Staff to receive feedback, prepare information, and/or place an item on a future agenda(s).

8. ADJOURNMENT –

All staff reports or other written documentation, including any supplemental material distributed to a majority of the Board within 72 hours of a regular meeting, relating to each item of business on the agenda are available for public inspection during regular business hours in the District office, 111 Pico Avenue, San Simeon. If requested, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. To make a request for a disability-related modification or accommodation, contact the District Administrator at 805-927-4778 as soon as possible and at least 48 hours prior to the meeting date. This agenda was prepared and posted pursuant to Government Code Section 54954.2.

PAGE INTENTIONALLY LEFT BLANK

**3. A. ii. SUPERINTENDENT REPORT
Jerry Copeland
Facilities Update for September 2021**



SUPERINTENDENT'S REPORT

Item 3.A.ii

Prepared by: Jerry Copeland

1. Wastewater Treatment Plant

- All sampling, testing and reporting at the Wastewater Treatment Plant was performed as required by the RWQCB.
- The monthly report was submitted to the SWRCB.
- One load of sludge was hauled away.

2. Water Treatment and Distribution System

- All routine sampling, testing and reporting was performed as required by the State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW).
- The monthly report was submitted to the (SWRCB), (DDW).
- Routine maintenance was performed on the Reverse Osmosis Unit.
- Monthly water meter reading was performed.

3. District and Equipment Maintenance

- Staff continues with all the scheduled preventive maintenance for all the equipment at the facilities.

San Simeon Community Services District

Superintendent's Report

September 2021

MONTHLY DATA REPORT

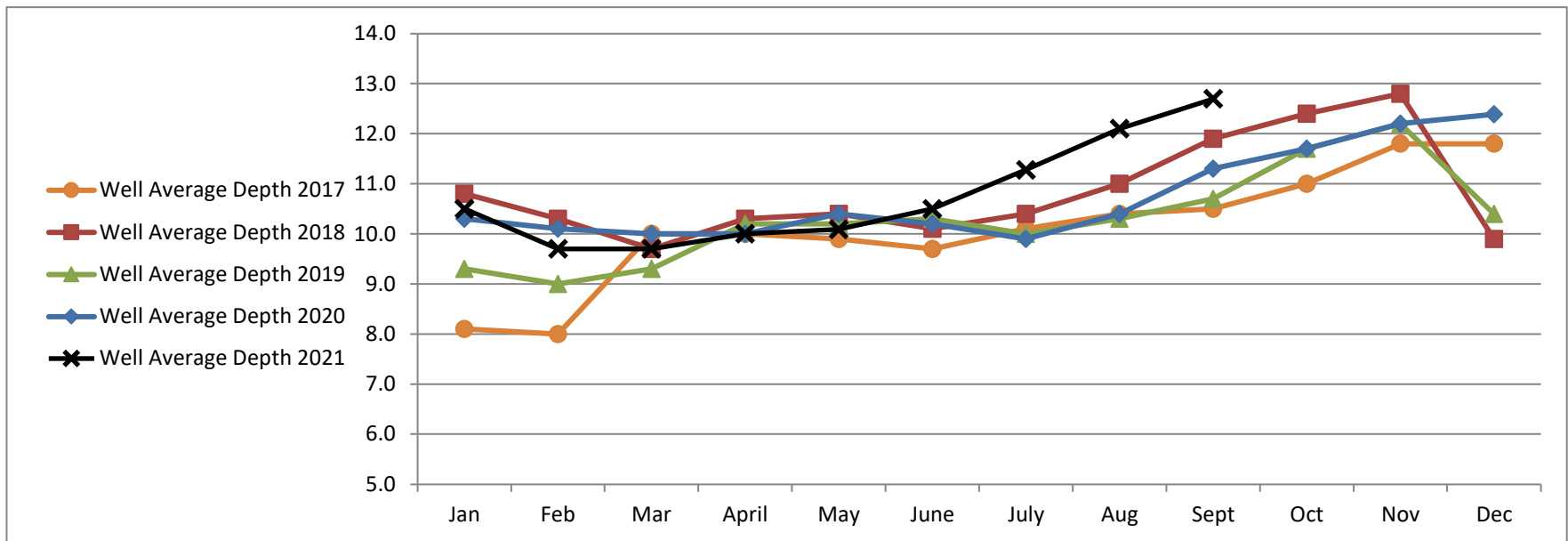
Date	Day	Wastewater Influent Daily Flow	Wastewater Effluent Daily Flow	Well 1 Total Daily Produced	Well 2 Total Daily Produced	Total Daily Water Produced	R.O. Daily Influent Flow	R.O. Daily Effluent Flow	R.O. Daily Brine Flow	Distribution Chloride	Chloride Wells 1 2	Recycled Water Distributed	Water Level Well 1	Water Level Well 2	Rainfall in Inches	State Flows
09/01/21	Wednesday	34,190	42,320	74,276	0	74,276	0	0	0	-	-	0	12.5	12.2	0.00	2,012
09/02/21	Thursday	37,759	42,310	42,337	0	42,337	0	0	0	-	-	0	12.5	12.2	0.00	2,304
09/03/21	Friday	47,627	55,030	65,450	1,421	66,871	0	0	0	-	-	0	12.5	12.2	0.00	2,256
09/04/21	Saturday	65,996	72,870	77,717	0	77,717	0	0	0	-	-	0	12.6	12.3	0.00	2,432
09/05/21	Sunday	76,141	81,690	85,272	0	85,272	0	0	0	-	-	0	12.6	12.3	0.00	5,039
09/06/21	Monday	67,482	72,470	85,048	0	85,048	0	0	0	-	-	0	12.7	12.5	0.00	3,557
09/07/21	Tuesday	55,545	66,990	75,772	0	75,772	0	0	0	-	-	0	12.6	12.3	0.00	3,066
09/08/21	Wednesday	55,869	53,750	60,962	0	60,962	0	0	0	-	-	0	12.8	12.6	0.00	1,968
09/09/21	Thursday	44,455	50,510	62,084	0	62,084	0	0	0	-	-	0	12.6	12.4	0.00	2,765
09/10/21	Friday	61,785	66,140	69,414	0	69,414	0	0	0	-	-	0	12.6	12.4	0.00	1,409
09/11/21	Saturday	69,749	74,080	78,016	0	78,016	0	0	0	-	-	0	12.8	12.4	0.00	1,977
09/12/21	Sunday	53,142	61,830	78,540	0	78,540	0	0	0	-	-	0	12.8	12.6	0.00	4,042
09/13/21	Monday	60,985	65,520	59,990	0	59,990	0	0	0	-	-	0	12.9	12.6	0.00	3,075
09/14/21	Tuesday	45,988	51,890	64,104	0	64,104	0	0	0	-	-	0	12.9	12.6	0.00	2,312
09/15/21	Wednesday	51,257	59,500	67,395	0	67,395	0	0	0	-	-	0	12.8	12.6	0.00	2,049
09/16/21	Thursday	49,184	50,540	65,375	0	65,375	0	0	0	-	-	0	12.8	12.6	0.00	2,071
09/17/21	Friday	54,886	65,200	76,820	0	76,820	0	0	0	-	-	0	12.8	12.5	0.00	2,073
09/18/21	Saturday	68,121	73,170	115,416	0	115,416	0	0	0	-	-	0	12.8	12.4	0.00	2,434
09/19/21	Sunday	70,907	73,180	29,396	0	29,396	0	0	0	-	-	0	-	-	0.00	4,431
09/20/21	Monday	60,291	61,690	74,650	0	74,650	0	0	0	-	-	0	12.8	12.7	0.00	1,618
09/21/21	Tuesday	48,839	55,710	72,706	0	72,706	0	0	0	-	-	0	12.9	12.6	0.00	1,895
09/22/21	Wednesday	47,839	51,890	63,954	0	63,954	0	0	0	-	-	0	12.8	12.5	0.00	1,977
09/23/21	Thursday	46,085	56,230	75,249	0	75,249	0	0	0	-	-	0	12.9	12.8	0.00	1,518
09/24/21	Friday	55,054	57,520	37,624	0	37,624	0	0	0	-	-	0	12.9	12.8	0.00	1,354
09/25/21	Saturday	72,026	76,330	119,830	0	119,830	0	0	0	-	-	0	12.9	12.8	0.00	2,731
09/26/21	Sunday	72,820	77,510	61,336	0	61,336	0	0	0	-	-	0	-	-	0.00	2,572
09/27/21	Monday	52,137	57,780	67,395	0	67,395	0	0	0	-	-	0	13.1	12.8	0.00	1,975
09/28/21	Tuesday	53,411	57,670	66,647	0	66,647	4,615	3,036	1,579	-	-	0	13.2	13.0	0.00	1,082
09/29/21	Wednesday	50,328	55,480	59,915	0	59,915	0	0	0	-	-	0	13.2	13.0	0.00	2,020
09/30/21	Thursday	45,528	50,380	66,273	0	66,273	0	0	0	-	-	0	13.2	13.1	0.00	1,839
TOTALS		1,675,426	1,837,180	2,098,963	1,421	2,100,384	4,615	3,036	1,579			0			0.00	71,853
Average		55,848	61,239	69,965	47	70,013	154	101	53	0	0	0	12.8	12.6	0.00	2,395
Minimum		34,190	42,310	29,396	0	29,396	0	0	0	0	0	0	12.5	12.2	0.00	1,082
Maximum		76,141	81,690	119,830	1,421	119,830	4,615	3,036	1,579	0	0	0	12.9	13.1	0.00	5,039

DATA SUMMARY SHEET

2021													
	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Total for 2021
Wastewater Influent	2,399,103	1,705,622	1,820,175	1,763,875	1,619,717	1,901,547	2,158,434	1,943,680	1,675,426				16,987,579
Wastewater Final Effluent (Month Cycle)	2,546,130	1,747,000	1,874,290	1,827,000	1,826,280	2,057,550	2,281,620	1,997,150	1,837,180				17,994,200
Adjusted Wastewater Influent (- State Flow)	2,148,485	1,645,420	1,765,245	1,705,967	1,552,211	1,825,611	2,078,540	1,854,274	1,603,573				16,179,326
Water Produced (month cycle)	1,851,150	1,682,402	1,907,250	2,114,147	2,080,786	2,385,297	2,699,083	2,171,145	2,100,384				18,991,645
Sewer Influent/Water Produced Ratio	1.30	1.05	0.95	0.83	0.78	0.80	0.80	0.90	0.80				N/A
Adjusted Sewer/Water Produced Ratio	1.16	0.95	0.93	0.81	0.75	0.77	0.77	0.85	0.76				N/A
Well 1 Water Production	90,358	3,590	101,952	972,774	1,010,847	1,793,480	2,693,847	2,169,948	2,098,963				10,935,760
Well 2 Water Production	1,760,792	1,678,811	1,805,298	1,141,373	1,069,939	591,818	5,236	1,197	1,421				8,055,885
Total Well Production	1,851,150	1,682,402	1,907,250	2,114,147	2,080,786	2,385,297	2,699,083	2,171,145	2,100,384				18,991,645
Water Well 1 Avg Depth to Water	10.6	9.9	9.8	10.1	10.2	10.6	11.5	12.3	12.8				N/A
Water Well 2 Avg Depth to Water	10.4	9.6	9.5	9.8	9.9	10.3	11.1	12.0	12.6				N/A
Average Depth to Water of Both Wells	10.5	9.7	9.7	10.0	10.1	10.5	11.3	12.1	12.7				N/A
Change in Average Depth to Water from 2020	+0.2	-0.4	-0.3	0.0	-0.2	+0.3	+1.4	+1.7	+1.4				N/A
Average Chloride mg/L at the Wells	352	169	77	41	31	30	30	30	30				N/A
State Wastewater Treated	250,618	60,202	125,914	57,908	67,506	75,936	79,894	89,406	71,853				879,237
State % of Total WW Flow	10%	4%	7%	3%	4%	4%	4%	5%	4%				N/A
Recycled Water Sold (Gallons)	0	0	0	0	0	0	0	0	0				0
Biosolids Removal (Gallons)	0	4,500	0	4,500	9,000	4,500	9,000	4,500	4,500				40,500
WW Permit Limitation Exceeded	0	0	0	0	0	0	0	0	0				0
RW Permit Limitation Exceeded	0	0	0	0	0	0	0	0	0				0
Constituent Exceeded	None	None	None	None	None	None	None	None	None				N/A
Sample Limit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A				N/A
Sample Result	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A				N/A
2020													
	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Total for 2020
Wastewater Influent	2,215,755	1,971,958	1,944,913	1,583,618	1,850,716	2,266,319	2,341,110	2,516,424	1,858,385	1,825,386	1,542,483	1,305,557	23,222,624
Wastewater Final Effluent (Month Cycle)	2,168,690	1,922,920	1,846,450	1,555,350	1,707,500	2,045,070	2,304,980	2,397,730	1,907,070	1,915,400	1,661,370	1,431,330	22,863,860
Adjusted Wastewater Influent(- State Flow) *	1,958,507	1,780,122	1,818,999	1,500,460	1,748,006	2,201,429	2,262,301	2,440,274	1,798,005	1,763,948	1,490,514	1,257,657	22,020,222
Water Produced (month cycle)	1,843,670	1,872,693	1,514,688	1,215,724	1,962,303	2,261,129	2,673,502	2,726,684	2,321,568	2,242,803	1,894,160	1,785,252	24,314,177
Sewer Influent/Water Produced Ratio	1.20	1.05	1.28	1.31	0.94	1.00	0.88	0.92	0.80	0.81	0.81	0.73	N/A
Adjusted Sewer/Water Ratio	0.94	0.95	1.20	1.24	0.89	0.91	0.85	0.90	0.78	0.79	0.79	0.71	N/A
Average Depth of Both Wells	10.3	10.1	10.0	10.0	10.4	10.2	9.9	10.4	11.3	12.2	12.8	12.5	N/A
Change in Average Depth to Water from 2019	+1.0	+1.1	+0.7	-0.2	+0.2	+0.1	+0.1	+0.1	+0.6	+0.5	+0.6	+1.1	N/A
Average Chloride mg/L at the Wells	32	32	32	-	-	-	-	-	-	<30	<30	55	N/A
State Wastewater Treated	257,248	191,836	125,914	83,158	102,710	64,890	78,809	76,150	60,380	61,438	51,969	47,900	1,202,402
State % of Total WW Flow	12%	10%	6%	5%	6%	3%	3%	3%	3%	3%	3%	4%	N/A
Recycled Water Sold (Gallons)	0	0	0	0	0	0	0	0	0	0	0	0	0
Biosolids Removal (Gallons)	4,500	9,000	9,000	0	4,500	4,500	9,000	0	4,500	4,500	4,500	4,500	58,500
WW Permit Limitation Exceeded	0	0	0	0	0	0	0	0	0	0	0	0	N/A
RW Permit Limitation Exceeded	0	0	0	0	0	0	0	0	0	0	0	0	N/A
Constituent Exceeded	None	None	None	None	None	None	None	None	None	None	None	None	N/A
Sample Limit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sample Result	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

San Simeon Community Services District Superintendent's Report September 2021

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Well Average Depth 2017	8.1	8.0	10.0	10.0	9.9	9.7	10.1	10.4	10.5	11.0	11.8	11.8
Well Average Depth 2018	10.8	10.3	9.7	10.3	10.4	10.1	10.4	11.0	11.9	12.4	12.8	9.9
Well Average Depth 2019	9.3	9.0	9.3	10.2	10.2	10.3	10.0	10.3	10.7	11.7	12.2	10.4
Well Average Depth 2020	10.3	10.1	10.0	10.0	10.4	10.2	9.9	10.4	11.3	11.7	12.2	12.4
Well Average Depth 2021	10.5	9.7	9.7	10.0	10.1	10.5	11.3	12.1	12.7			



**3. A. iii GENERAL MANAGER'S REPORT
Charles Grace
Update for September 2021**



GENERAL MANAGER'S REPORT

Item 3.A.iii

GES Staff Activity – Report on staff activities for the month of September 2021.

Regular activities performed by District staff include:

Processing of utility payments, customer service duties, answering phone calls, mailing of the regular monthly utility bills. Prepared and distributed the agenda and Board packet for both a regular and special Board meeting.

GES Staff also attended to the following items:

- Responded to ten (10) public records requests.

Update on District Grants:

OPC Grant – No update.

LCP Grant – No update.

Prop 1 Grant – County Staff recommended to the RWMG and WRAC to advise the Board of Supervisors to remove San Simeon CSD's project from the Proposition 1, Round 1 IRWM Implementation Grant Agreement. The RWMG's motion to remove the grant failed but the WRAC motion to advise to remove the grant passed. It is anticipated that the item will move to the Board of Supervisor's November meeting.

Update on District Projects:

Update on CHRP – Part of the Business Action Items.

Rate Study/Finance Items – On September 14, 2021 the District received confirmation that the Technical Assistance request for a Rate Study had been approved and assigned to the RCAC. This effort saved the community approximately \$30,000 - \$45,000.00 for the cost of a rate study.

MBS Survey/Hearst Encroachment – MBS Survey performed a survey of the 111 Pico Avenue area. The results of this survey are attached.

Water Tank Project Update – No update.

Board Members Compensation – Included is an article from BBK, LLP regarding Board member compensation clarifying that the IRS classifies Board members as statutory employees.

Enc: MBS Survey Results
BBK LLP article on Board Compensation

MBS Survey



Michael B Stanton, PLS 5702
3559 S. Higuera Street
San Luis Obispo, Ca 93401

Ofc: 805.594.1960
Cell: 805.440.4215
Fax: 805.594.1966

September 22, 2021

Charlie Grace
San Simeon Community Services District
111 Pico Ave
San Simeon, CA 93452

RE: Boundary Survey for 111 Pico Ave., San Simeon
MBS No. 21-321

Dear Charlie:

I've completed the retracement survey for the San Simeon CSD's property at 111 Pico Ave in San Simeon. Unfortunately for the District, I concur with Clayton Bradshaw's conclusion that the RO water treatment building was partially constructed on land owned by Hearst Holdings, Inc. I have prepared a draft Record of Survey map that will be submitted and reviewed by the County Surveyor. We normally receive the County's comments and review within a few weeks of submittal. Once we receive comments back, we can schedule a time to set the monuments.

The deed that originally created this parcel was recorded in 1958 in Book 930 of Official Records at Page 32. At that time, the grantee was known as Rancho San Simeon Acres Service Corporation. This deed begins at the intersection of the northeasterly right-of-way line of the state highway and the northwest line of Pico Avenue as it existed in 1958. This was back when the state highway was only 80 feet wide and before the highway was widened to its current configuration. The original monument at the point of beginning was destroyed and currently lies within the travel lanes of the highway.

To re-establish the CSD property, I was able to establish the easterly corner from measurements that were made by Skip Touchon, LS in 2006, prior to construction of the RO water treatment building. Based on his measurements to other property monuments in the area, I was able to re-establish the easterly corner in its original position, which lands inside the current RO water treatment building. Sheet 1 of the Record of Survey shows the ties to his monuments found in 2006. Once this critical point was re-established, I was then able to run the deed courses backwards to establish the other corners of the property. The two back corners fall below the toe of bluff, in the flood plain. In 1954, a survey was performed along the toe of the bluff with 2"x2" wood stakes set, but none of these could be found due to thick vegetation in wet soil and possible prior flooding in that area.

The east corner of the main treatment building was found to be 12.81 feet onto Hearst Holding's property. There is an electrical panel on the east corner of the building which would protrude onto the Hearst property another 4 or 5 feet. Additionally, both the treatment building and the district office were built partially within area reserved for the Pico Avenue (County) right-of-way.

The design site plan by Phoenix Engineering clearly shows the building to be constructed over the property line by over 12 feet. I have included a sketch showing pink lines for the property lines superimposed over the original site plan. It appears that the building was moved about three feet

southeasterly from the position shown on the design plan, however this adjustment did not change the degree of encroachment. In the field, I can understand how the placement of the property lines could be deceiving, since the assumption would be that the fence is the property line; however, the property jogs about 25 feet southwesterly at the southeasterly right-of-way line of Pico Avenue. This jog in the property line is not fenced, and is not visibly apparent in the field. Phoenix engineering should have had their surveyor perform a boundary survey at the same time the topographic survey was performed (prior to design) to ensure that the building was placed correctly and that it met county setback requirements.

With regard to County Road No. 3, Roy Ogden of Ogden & Fricks, in his letter dated February 25, 2021, stated that abandonment of the road would allow the adjacent owner to claim half of the road. He referenced a case - *Safwenberg v. Marquez (1975) 50 CA 3d 301*. That case involved two lots within a subdivision (the Town of Carpinteria) filed in Book 2 of Maps at Page 7 of Santa Barbara County records, where the lots were straddling a public road that was ultimately abandoned by the City. In this case, the fee title to both of the lots straddling the road would extend up to the centerline of the street. When the agency abandons the easement, each adjacent owner can claim fee title up to the centerline. Civil Code Sections 831 and 1112 are generally applicable to situations where roads are abandoned within subdivisions.

That case (*Safwenberg v. Marquez*) is not relevant to County Road No. 3 in San Simeon. County Road No. 3 was granted from Lora Van Gorden to the County of San Luis Obispo in 1914 and at that time, Lora Van Gorden owned all of the underlying fee title to what was known as Lot A of the Partition of that Part of the San Simeon Rancho (Book B of Maps at page 108). So, when the road was abandoned in 1933, the underlying fee owner at the time (Piedmont Land & Cattle) claimed all of the underlying fee title.

I was able to find an original bearing tree called for in the original deed for the road (Book 101 deeds, page 45). The description calls for a 21" Blue Gum (a.k.a. Eucalyptus) in 1914, and today, it is now 72" in diameter. Based on the call from the bearing tree, and the bearings shown on the Porter Survey from 1949 (5 RS 21), I was able to determine the alignment of the original County Road No. 3. This alignment matched almost perfectly with the top and toe of slopes that are currently existing for the old road alignment. The original top and toe of slopes are shown with dashed lines on the Record of Survey. Since the closest portion of the road is over 60 feet from the closest corner of the CSD property, abandonment of this road does not affect the CSD property.

Feel free to call me if you would like to discuss this further.

Sincerely,



Michael B. Stanton, PLS

Enclosures:

- Draft Record of Survey, sheets, 1 and 2
- Deed to District 930 OR 32 (1958)
- Site Plan for RO building from Phoenix Engineering with property lines in pink
- Safwenberg v. Marquez (1975) 50 CA 3d 301* and Town of Carpinteria map
- Book B, Page 108 Van Gorden Tract showing county road No. 3

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS TAKEN FROM THE CENTERLINE OF AVONNE AVE BETWEEN FOUND MONUMENTS AS SHOWN, BEARING N 42° 18' 50" W PER R7.

DISTANCES ARE ON GRID. TO OBTAIN GROUND DISTANCES, MULTIPLY DISTANCES SHOWN BY A COMBINED SCALE FACTOR OF 1.00003312

ALL MEASURED BEARINGS SHOWN ON ON GRID TO OBTAIN GEODETIC BEARINGS, ROTATE BEARINGS SHOWN BY -1°47'12".

SEE 117 RS 17 FOR TIES TO INITIAL CAL TRANS CONTROL POINTS.

LEGEND

- SET 1" IRON PIPE WITH PLASTIC CAP "L.S. 5702"
- SET NAIL & TAG "L.S. 5702"
- FOUND MONUMENT AS NOTED
- M MEASURED
- R RECORD
- FND. FOUND
- S.P. SINGLE PROPORTION
- S.N.F. SEARCHED NOT FOUND
- INTX. BEARING BEARING INTERSECTION

REFERENCES

- R1 5 RS 21, PORTER 1949
- R2 6 RS 49, McLENNAN, 1952 (THE ARBUCKLE TRACT)
- R3 7 RS 34, McLENNAN, 1954
- R4 7 RS 35, McLENNAN, 1954
- R5 7 RS 58, McLENNAN, 1954
- R6 TOPOGRAPHIC MAP BY S. TOUCHON 2006 (JOB NO. 06148)
- R7 117 RS 17
- D1 930 OR 32 (CSD PROPERTY)
- D2 101 DEEDS 45 (CO ROAD NO. 3)
- D3 767 OR 490

N:\2021\21-321 Pico Ave - San Simeon CSD\C3D\21-321 Pico Ave San Simeon CSD 18x26 SHEET 1, Sep 20, 2021 3:25pm, MStanton

FND (EUCALYPTUS) 72" BLUE GUM 21" PER D1

S76°E 51.2'R1
S73°58'50"E 51.20'M

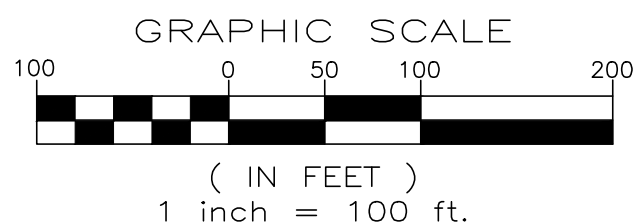
FND 1 IP OPEN PER R4&R6 SS No 2

S9°34'41"E 61.32'M TIE LINE ONLY
S60°00'E 174.50'R1
S57°56'44"E 214.19'M

S.N.F.

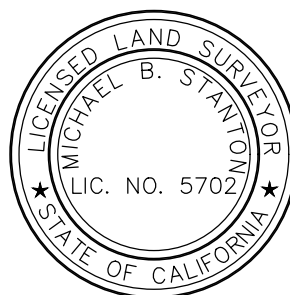
FND 1 1/4" IP S No. 6 PER R3&R4

ORIGINAL CONCRETE BRIDGE CIRCA 1916



SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT AT THE REQUEST OF SAN SIMEON COMMUNITY SERVICES DISTRICT IN SEPTEMBER OF 2021.



MICHAEL B. STANTON, L.S. 5702

COUNTY SURVEYOR'S STATEMENT

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE PROFESSIONAL LAND SURVEYOR'S ACT THIS

____ DAY OF _____, 20____.

EDWARD M. READING, L.S. 8081
COUNTY SURVEYOR



RECORDER'S STATEMENT

FILED THIS ____ DAY OF _____, 20____,
AT ____ M. IN BOOK ____ OF RECORDS OF SURVEYS AT PAGE ____
AT THE REQUEST OF MICHAEL B. STANTON.

DOCUMENT NUMBER: _____

FEE: _____

COUNTY RECORDER _____ BY: _____ DEPUTY

RECORD OF SURVEY

A PORTION OF THE RANCHO SAN SIMEON AS SHOWN ON THE MAP OF THE PARTITION OF THE IRA VAN GORDEN TRACT FILED IN BOOK B OF MAPS AT PAGE 108 IN THE COMMUNITY OF SAN SIMEON COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.



MICHAEL B. STANTON, PLS 5702
3559 SOUTH HIGUERA ST.
SAN LUIS OBISPO, CA 93401
805-594-1960

LEGEND

- SET 1" IRON PIPE PLASTIC CAP "L.S. 5702"
- SET NAIL & TAG "L.S. 5702"
- FOUND MONUMENT AS NOTED
- ▲ FOUND WELL MONUMENT AS NOTED
- M MEASURED
- R_ RECORD
- FND. FOUND
- S.P. SINGLE PROPORTION
- S.N.F. SEARCHED NOT FOUND
- INTX. BEARING BEARING INTERSECTION

REFERENCES

- R1 5 RS 21, PORTER 1949
- R2 6 RS 49, McLENNAN, 1952 (THE ARBUCKLE TRACT)
- R3 7 RS 34, McLENNAN, 1954
- R4 7 RS 35, McLENNAN, 1954
- R5 7 RS 58, McLENNAN, 1954
- R6 TOPOGRAPHIC MAP BY S. TOUCHON 2006 (JOB NO. 06148)
- R7 117 RS 17
- D1 930 OR 32 (CSD PROPERTY)
- D2 101 DEEDS 45 (CO ROAD NO. 3)
- D3 767 OR 490

METHODS AND REASONING:

THE POINT OF BEGINNING FOR 930 OR 32 BEGINS AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF THE STATE HIGHWAY WITH THE NORTHWESTERLY LINE OF PICO AVENUE AS IT EXISTED IN 1958. THIS MONUMENT HAS BEEN DESTROYED WITH THE WIDENING OF STATE HIGHWAY 1 AND CURRENTLY FALLS WITHIN THE TRAVEL LANES OF THE HIGHWAY.

I THEREFORE RE-ESTABLISHED THE MOST NORTHERLY CORNER OF PICO AVENUE AS SHOWN ON 6 RS 49 (R2) BY USING MEASURED TIE LINES FROM A UNRECORDED TOPOGRAPHIC MAP DATED 2006 BY SKIP TOUCHON, LS 4845. THE MONUMENT THAT SKIP TOUCHON LOCATED IN 2006 WAS DESTROYED BY CONSTRUCTION OF THE WATER TREATMENT BUILDING AFTER 2015. THIS RE-ESTABLISHED POSITION WAS HELD AS BEST EVIDENCE OF THE ORIGINAL DEED PER D1

THE FIRST CALL OF D1 CALLS FOR 767 OR 490 TO BE SENIOR, HOWEVER, AFTER A DILIGENT SEARCH, NONE OF THE 2"x2" WOOD STAKES SET PER R4 COULD BE FOUND IN THE FLOOD PLAIN, THEREFORE THE NORTHWEST LINE OF PICO AVE WAS HELD FOR THE BASIS OF DEED ANGLE AS BEST EVIDENCE OF THE INTENT OF 930 OR 32.

THE DEED COURSES WERE RUN BACKWARDS TO ESTABLISH COURSES 1, 2, AND 3 BY HOLDING RECORD DEED ANGLES AND RECORD DEED DISTANCES OFF OF THE NORTHWESTERLY LINE OF PICO AVE PER D1.

COURSE NUMBER 4 OF D1 MUST YIELD TO THE SENIOR DEED FROM 1914 PER 101 DEEDS 45. COURSE NUMBER FOUR WAS RUN DIRECTLY TO THE INTERSECTION OF THE CENTERLINE OF PICO AVE. WITH THE NORTHEAST BOUNDARY OF THE ARBUCKLE TRACE PER 6 RS 49.

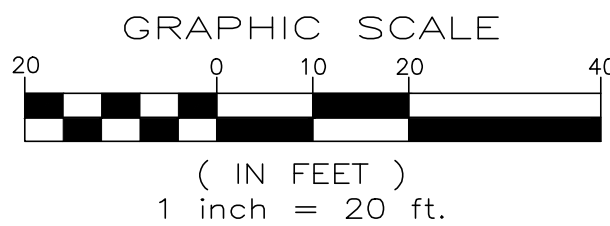
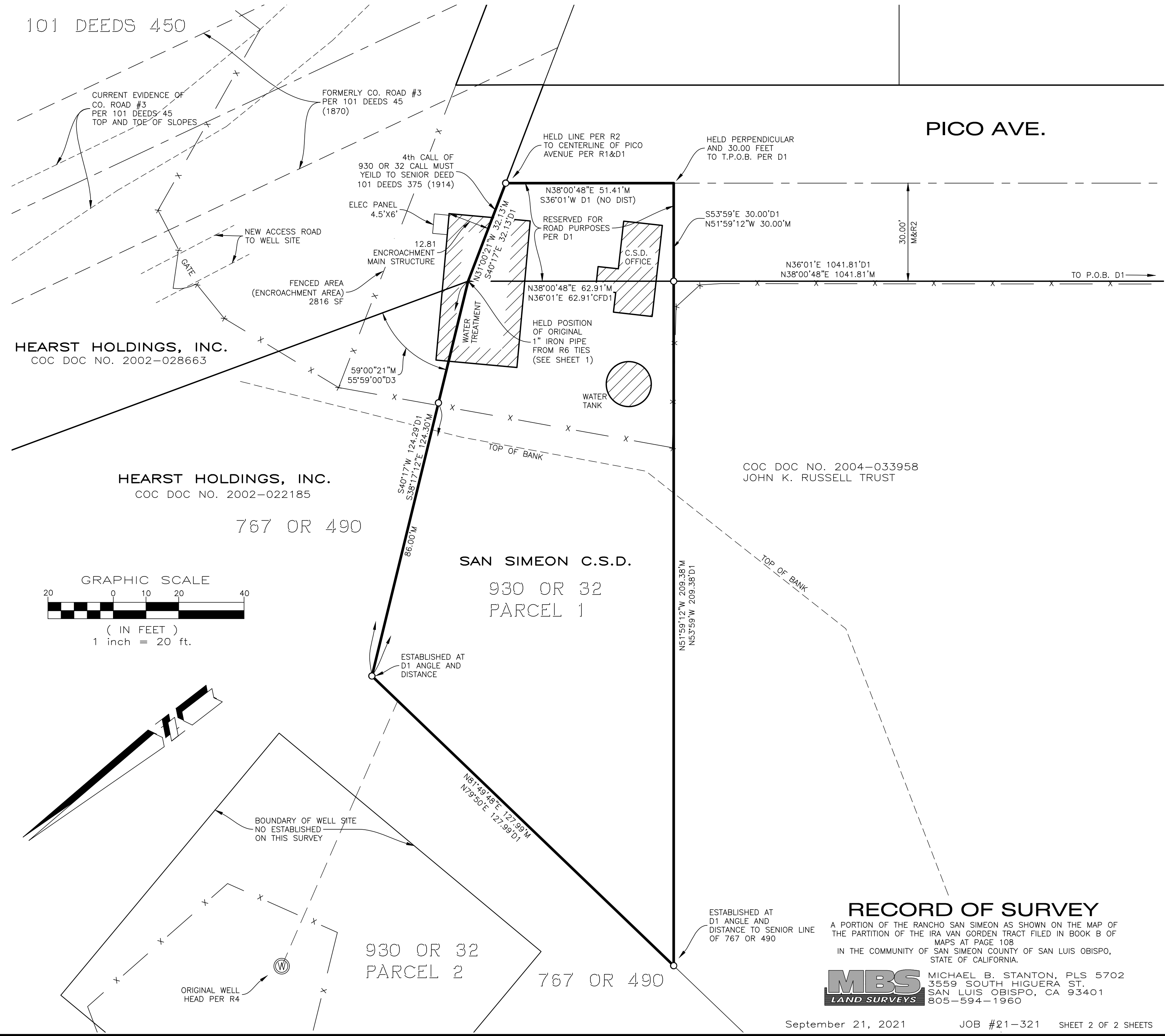
COURSE NUMBER 5 WAS RUN ALONG THE CENTERLINE OF PICO AVENUE TO A POINT WHICH WAS PERPENDICULAR AND 30.00 FEET FROM THE P.O.B. PER D1

THE LAST COURSE WAS RUN DIRECTLY TO THE P.O.B.

NOTE:

THE 2"x2" STAKES THAT WERE SET BY McLENNAN IN 1954 PER 7 RS 35 ALONG THE BOUNDARY OF SENIOR DEED 767 OR 490 WERE SET WITHIN THE FLOOD PLANE OF PICO CREEK. A DILIGENT SEARCH WAS MADE FOR THESE MONUMENTS AND NONE WERE FOUND.

101 DEEDS 450



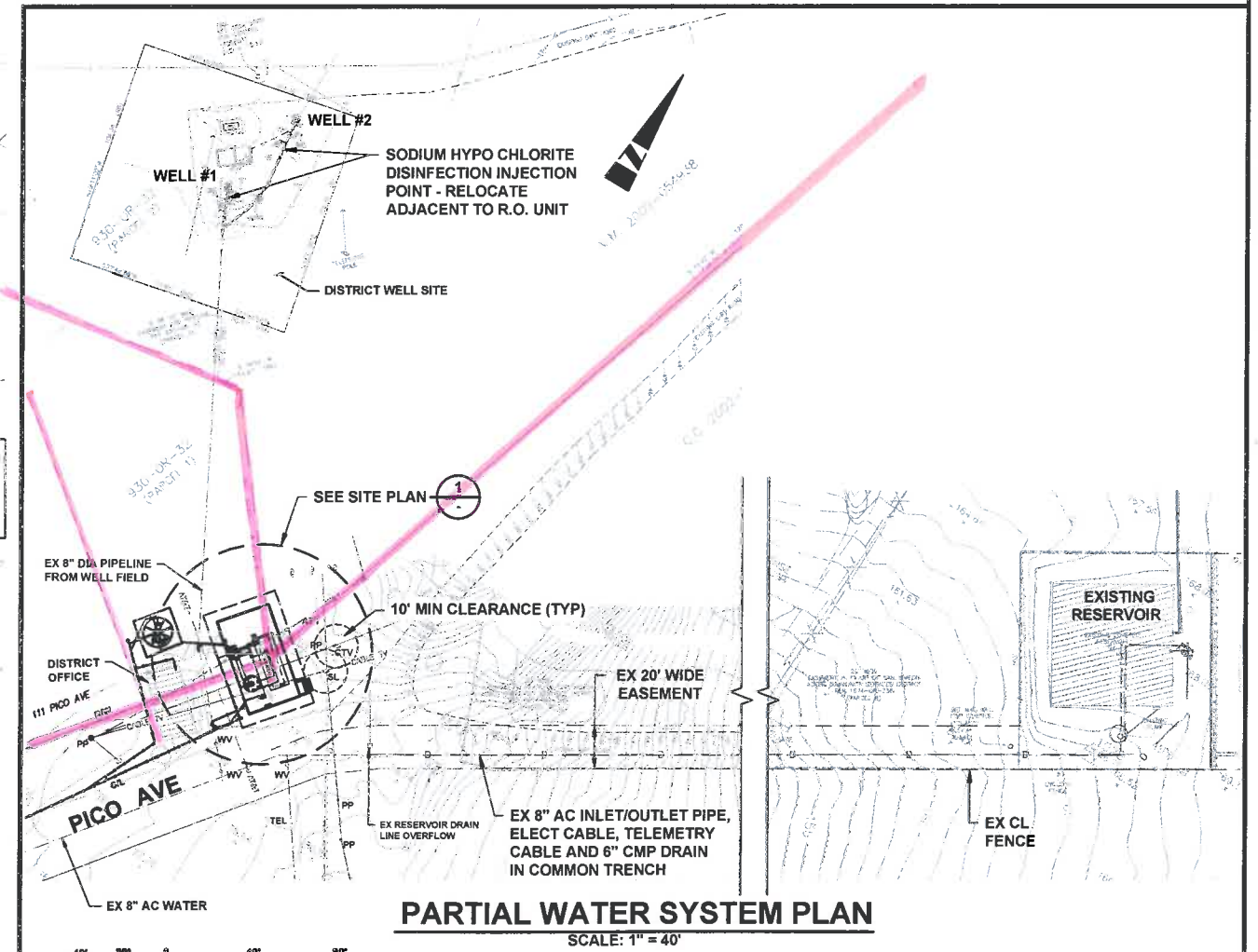
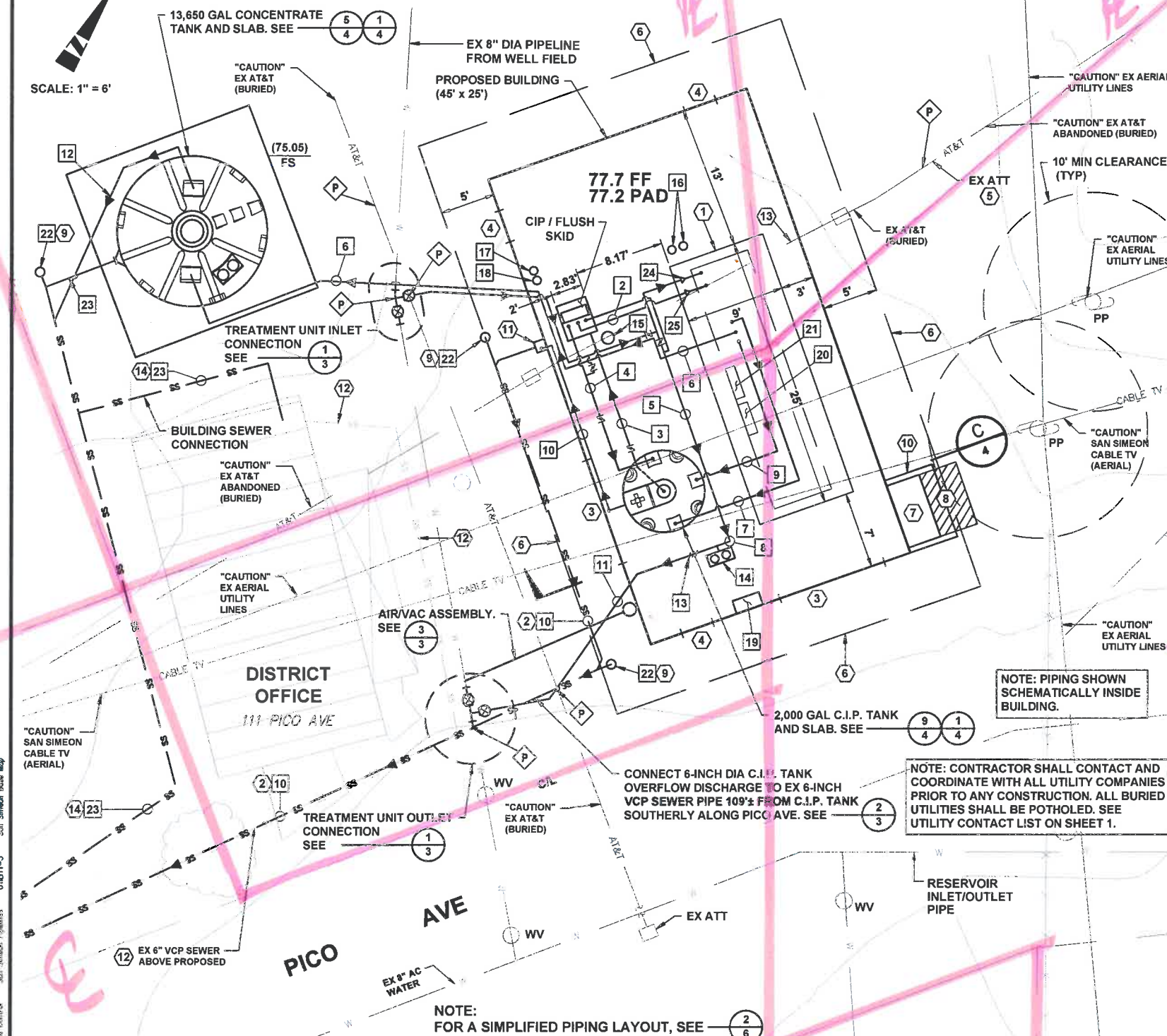
RECORD OF SURVEY
A PORTION OF THE RANCHO SAN SIMEON AS SHOWN ON THE MAP OF THE PARTITION OF THE IRA VAN GORDEN TRACT FILED IN BOOK B OF MAPS AT PAGE 108 IN THE COMMUNITY OF SAN SIMEON COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

MBS LAND SURVEYS
MICHAEL B. STANTON, PLS 5702
3559 SOUTH HIGUERA ST.
SAN LUIS OBISPO, CA 93401
805-594-1960

N:\2021\21-321 111 Pico Ave - San Simeon CSD\CSD\21-321 Pico Ave San Simeon CSD RS.dwg, 18X26 SHEET 2, Sep 21, 2021 7:02am, MStanton

PIPING AND EQUIPMENT TABLE

ID	DESCRIPTION	DIAMETER	MATERIAL
1	R.O. SKID INLET	8	SCH 80 PVC ABOVE GRADE / C900 PVC BELOW GRADE
2	CLEAN IN PLACE (C.I.P.) INLET	4	SCH 80 PVC ABOVE GRADE
3	C.I.P. SKID INLET FROM FLUSH TANK	6	SCH 80 PVC ABOVE GRADE
4	C.I.P. SKID/TANK RECIRCULATION	4	SCH 80 PVC ABOVE GRADE
5	C.I.P. TANK DISCHARGE	6	PVC SDR 35 BELOW GRADE
6	CONCENTRATE OUTLET TO TANK	2	SCH 80 PVC ABOVE GRADE
7	R.O. CONCENTRATE C.I.P. RETURN	4	SCH 80 PVC ABOVE GRADE
8	PERMEATE TO SYSTEM	8	SCH 80 PVC ABOVE GRADE / C900 PVC BELOW GRADE
9	PERMEATE OUTLET TO TANK	4	SCH 80 PVC ABOVE GRADE
10	C.I.P. TANK OVERFLOW	6	SCH 80 PVC ABOVE GRADE
11	BLEND WATER TO SYSTEM	8	SCH 80 PVC
12	CONCENTRATE TANK OVERFLOW	4	SCH 80 PVC
13	STATIC IN-LINE MIXER		
14	SODIUM HYPOCHLORITE PUMPS		
15	AIR COMPRESSOR		
16	ANTI SCALANT PUMPS		
17	CAUSTIC PUMP		
18	ACID PUMP		
19	SCADA CABINET		
20	RO CONTROL PANEL		
21	RO VFD CONTROL PANEL		
22	SEWER CLEANOUT (CO)		
23	SEWER LATERAL		
24	8" x 6" REDUCER		
25	4" x 8" REDUCER		



NOTE: PIPING SHOWN SCHEMATICALLY INSIDE BUILDING.

NOTE: CONTRACTOR SHALL CONTACT AND COORDINATE WITH ALL UTILITY COMPANIES PRIOR TO ANY CONSTRUCTION. ALL BURIED UTILITIES SHALL BE POTHOLED. SEE UTILITY CONTACT LIST ON SHEET 1.

NOTE: FOR A SIMPLIFIED PIPING LAYOUT, SEE 2/6

CONSTRUCTION NOTES

- 1 REVERSE OSMOSIS EQUIPMENT PAD. COORDINATE LOCATION WITH EQUIPMENT MANUFACTURER
- 2 INSTALL 6-INCH DIA SDR 35 PVC PIPE. SEE 5/3 1/6
- 3 12' x 10' ROLL UP DOOR
- 4 3' PEDESTRIAN DOOR
- 5 TO BE RELOCATED
- 6 LIMITS OF OVER EXCAVATION
- 7 PROPOSED ELECTRICAL SERVICE (SWITCHBOARD). SEE ELECTRICAL SHEETS
- 8 3.5' OF WORKING CLEARANCE REQUIRED IN FRONT OF SWITCHBOARD
- 9 CLEANOUT PER SAN LUIS OBISPO COUNTY DRAWING NO. S-2
- 10 CONCRETE SERVICE PAD. SEE 6/3
- 11 2' x 2' SQ. CONCRETE DRAINAGE BASIN
- 12 ABANDON IN PLACE
- 13 4" DIA SCH 40 PVC AT&T CONDUIT WITH PULL ROPE. INSTALL A 17"x 30" PULL BOX AT EACH END. PULL BOXES TO BE LOCATED 5' FROM BUILDING
- 14 INSTALL 4-INCH DIA SDR 35 PVC PIPE. SEE 5/3 1/6

LEGEND

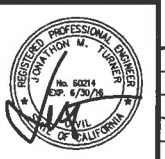
P POTHOLE LOCATION

RECORD DRAWING
THIS RECORD DRAWING APPLIES ONLY TO THOSE FACILITIES CONSTRUCTED UNDER THE CONTRACT IDENTIFIED IN THE TITLE BLOCK. THIS DRAWING HAS BEEN PREPARED ON THE BASIS OF THE INFORMATION FURNISHED BY THE CONTRACTOR.

SITE PLAN
SCALE: 1" = 6'

PARTIAL WATER SYSTEM PLAN
SCALE: 1" = 40'

PREPARED BY: PHOENIX CIVIL ENGINEERING, INC. 432 TELEPHONE ROAD SUITE 113 VENTURA, CA 93003 (805) 658-6800		SAN SIMONE COMMUNITY SERVICES DISTRICT POTABLE WATER WELL HEAD TREATMENT PROJECT	
REGISTERED PROFESSIONAL ENGINEER No. 62214 Exp. 6/30/20		6-30-16 8-17-15 DATE	
REVIEWED BY:		JOB NO.	
GENERAL MANAGER:		DATE:	
DESIGNED BY: JMT		CHECKED BY: JMT	
DRAWN BY: AJR/ADS		DATE:	
RECORD DRAWING		7-29-16	
DESCRIPTION		R.C.E. DATE	
SHEET 2 OF 9		DRAWING NO. C-1	



DWG: P:\Projects\2020\0401_180_SanSimone\CA\DWG\CONSTR\CONSTR\0401_Plan_POTABLE_WATER_WELL_HEAD.dwg
 DATE: Jul 29, 2016 1:12pm
 PLOT: 2016-07-29 1:12pm
 SAN SIMONE COMMUNITY SERVICES DISTRICT
 UTILITY-3

Article on Director Compensation

Public Agency Board Members' Worker Classification Matters for Tax Purposes

[focusonpublicbenefits.com/public-agency-board-members-worker-classification-matters-for-tax-purposes/](https://www.focusonpublicbenefits.com/public-agency-board-members-worker-classification-matters-for-tax-purposes/)

By Jeff Chang

July 22, 2019



By [Jeff Chang](#)

Due to the IRS' different treatment of private sector and public agency boards of directors, it comes as little surprise that many California special districts and public agencies continue to classify their board members as independent contractors and report their compensation on Form 1099-MISC — despite the fact that the IRS takes a contrary position.

Most tax accountants and attorneys accept that private or for-profit board directors are treated as independent contractors. However, because of their status as “public officials,” the IRS considers elected or appointed public agency board members as employees for tax withholding purposes. From there, the rules for public agency board members, as one might expect, get even more complicated.

For income and payroll tax withholding rules, the IRS treats public agency board members as “public officials” who are considered *statutory* employees (i.e., their income should be reported on a W-2 with income and payroll taxes withheld accordingly). However, for Social Security, Medicare and eligibility for tax-favored employee benefits (e.g., tax-free health insurance coverage or participation in an employer-sponsored 401(a) plan), the IRS relies on the common-law control test.

Although a number of California public agencies treat their board members as independent contractors for all tax purposes, a large number are now treating their board members as employees for all tax purposes after an aggressive push by the IRS to reclassify special district board members as employees for all tax purposes. The IRS has, on a number of occasions, issued private letter rulings (which can only be relied on by the requesting taxpayer) confirming its position that board members of a public agency are employees under the common-law control test. Given its position on the tax withholding and payroll tax issue, the IRS will likely challenge the classification of a special district board member as an independent contractor if it audits the agency's payroll. If audited, an agency could become liable for unpaid income taxes, payroll taxes, interest and penalties. While there are sound arguments for treating special district board members as independent contractors, the IRS is likely to challenge that position in the event of an audit.

We have also seen this "tax identity" problem arise because a number of special districts are providing tax-free health coverage to their board members while treating them as independent contractors for tax withholding purposes. As we've previously explained, only common-law employees of an employer are entitled to receive tax-free welfare benefits, such as health and life insurance coverage. An independent contractor, in most cases, will not be eligible to participate in another employer's group health plan.

If your public agency still issues a Form 1099-MISC to its board members, you should revisit this treatment with your legal counsel and make sure you have a sound basis for doing so — one that is consistent with other tax and benefit treatment.

Jeff Chang is a partner at Best Best & Krieger LLP. He has four decades of experience skillfully evaluating benefit and retirement plan compliance to achieve maximum outcomes for public agency clients throughout California. He can be reached at jeff.chang@bbklaw.com or (916) 329-3685.

3. A. iv. DISTRICT FINANCIALS
Cortney Murguia
September 30, 2021

SAN SIMEON COMMUNITY SERVICES DISTRICT



3.A.iv FINANCIAL SUMMARY

Billing September 30, 2021

August Billing Revenue	\$	83,194.97
September Billing Revenue	\$	87,072.91
 Past Due (60+ days)	 \$	 11,331.25

ENDING BANK BALANCES

September 30, 2021

PACIFIC PREMIER BANK:

Money Market Account Closing Balance August 31, 2021	\$	1,014,407.76
Interest for September	\$	30.02
Money Market Account Closing Balance September 30, 2021	\$	1,014,437.78
Reserve Fund		(250,000.00)
Wait-list Deposits		(80,098.60)
Customer Deposits		8,450.00
Available Funds	\$	692,789.18

General Checking Account September 30, 2021 **\$ 180,859.95**

LAIF Closing Balance September 30, 2021 **\$ 560.96**

Interest Money Market Account 2019 **\$ 22,529.11**

Interest Money Market Account 2020 **\$ 12,206.44**

Interest Money Market Account 2021 **\$ 1,024.95**

SAN SIMEON COMMUNITY SERVICES DISTRICT
Balance Sheet
As of September 30, 2021

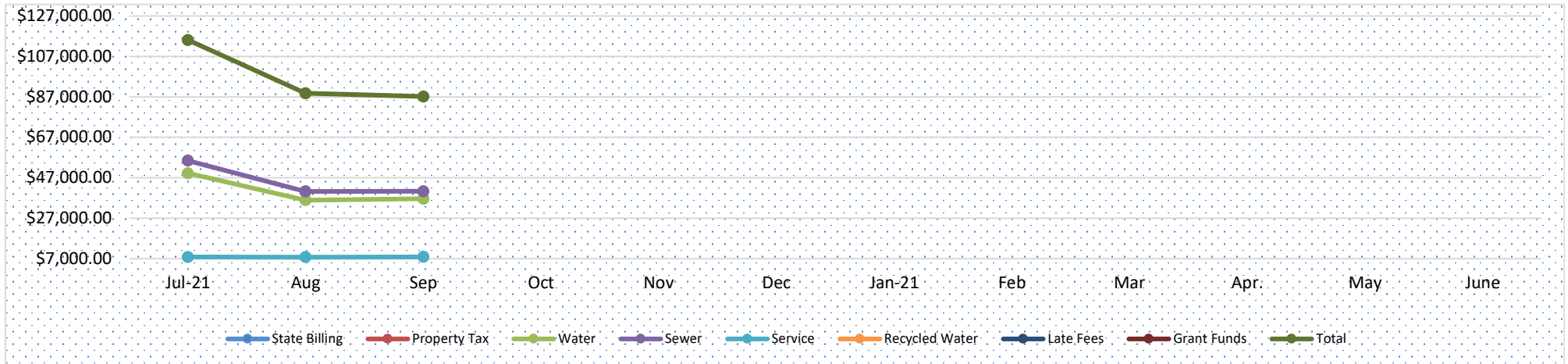
	Sep 30, 21
ASSETS	
Current Assets	
Checking/Savings	
1010 · Petty cash	150.00
1015 · Pac Prem Ckg-6603	180,468.65
1017 · Pacific Premier-Money Market	1,014,437.78
1050 · LAIF - non-restricted cash	560.96
Total Checking/Savings	1,195,617.39
Other Current Assets	
1200 · Accounts receivable	103,900.51
1220 · A/R - Hearst Castle	5,654.88
1300 · Prepaid insurance expense	8,845.06
Total Other Current Assets	118,400.45
Total Current Assets	1,314,017.84
Fixed Assets	
1400 · Fixed assets	
1420 · Building and structures	279,580.67
1500 · Equipment	12,689.93
1560 · Pipe bridge	29,497.00
1580 · Sewer plant	869,352.16
1600 · Water system	235,615.43
1620 · WWTP expansion	299,565.92
1630 · Tertiary Project	568,063.00
1640 · Wellhead Rehab Project	448,253.95
1650 · Walkway access projects	26,791.00
1660 · RO Unit	948,021.38
1680 · Generator	18,291.00
Total 1400 · Fixed assets	3,735,721.44
1450 · Construction in Progress	
1670 · Reservoir / Water Tanks	287,693.56
Total 1450 · Construction in Progress	287,693.56
1690 · Accumulated depreciation	(1,562,559.18)
Total Fixed Assets	2,460,855.82
TOTAL ASSETS	3,774,873.66
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2500 · Customer security deposits	8,500.00
2510 · Connect hookup wait list	80,098.60
Total Other Current Liabilities	88,598.60
Total Current Liabilities	88,598.60
Long Term Liabilities	
2520 · USDA Loan Principal Bal	434,352.02
Total Long Term Liabilities	434,352.02
Total Liabilities	522,950.62
Equity	
3200 · Fund balance	(118,856.46)
3201 · Net Investment in Capital Asset	2,065,680.00
3204 · Board Assigned for Water CIP	155,505.10
3205 · Board Assigned for WW CIP	155,784.69

SAN SIMEON COMMUNITY SERVICES DISTRICT
Balance Sheet
As of September 30, 2021

	<u>Sep 30, 21</u>
3206 · Board Assigned for General CIP	43,295.03
3207 · BOD committed for Oper Reserves	250,000.00
3209 · Waitlist and Security Deposits	88,798.60
3210 · Unrestricted-Undesignatd Equity	598,548.56
3900 · Suspense	(8.77)
Net Income	13,176.29
Total Equity	<u>3,251,923.04</u>
TOTAL LIABILITIES & EQUITY	<u><u>3,774,873.66</u></u>

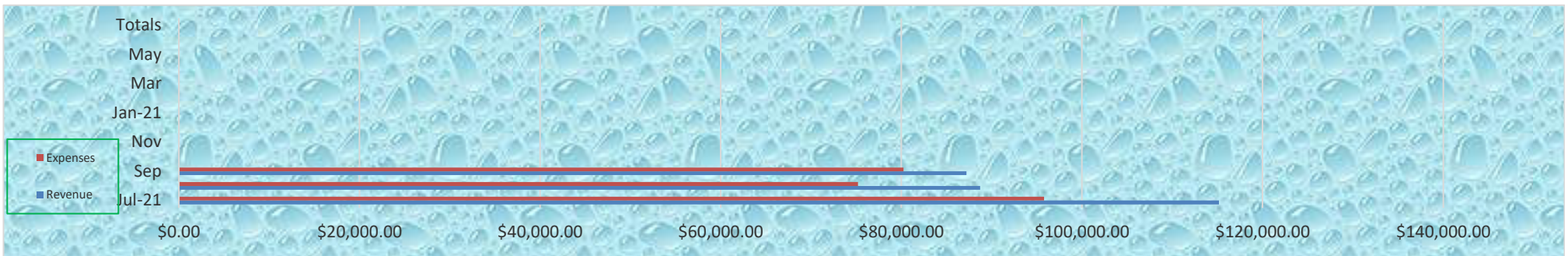
DISTRICT REVENUE FY 2021/2022

	Jul-21	Aug	Sep	Oct	Nov	Dec	Jan-21	Feb	Mar	Apr.	May	June	Totals
State Billing													\$0.00
Property Tax	\$115.78	\$1,381.14	\$10.01										\$1,506.93
Water	\$49,269.78	\$36,018.10	\$36,656.78										\$121,944.66
Sewer	\$55,516.22	\$40,331.83	\$40,336.81										\$136,184.86
Service	\$7,910.24	\$7,834.18	\$7,977.48										\$23,721.90
Recycled Water													\$0.00
Late Fees	\$2,349.85	\$3,168.75	\$2,222.38										\$7,740.98
Grant Funds	\$0.00	\$0.00	\$0.00										\$0.00
Total	\$115,161.87	\$88,734.00	\$87,203.46										\$291,099.33
Water Sold Cu Ft	357524	261467	253458										872449
Water Sold Acre ft	8.21	6.00	5.82										20.03



REVENUE VS EXPENSES

	Jul-21	Aug	Sep	Oct	Nov	Dec	Jan-21	Feb	Mar	Apr.	May	June	Totals
Revenue	\$115,161.87	\$88,734.00	\$87,203.46										
Expenses	\$95,803.89	\$75,209.49	\$80,233.53										
Balance	\$19,357.98	\$13,524.51	\$6,969.93										



SAN SIMEON COMMUNITY SERVICES HISTORICAL FISCAL REVIEW

FY 2018/2019

Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal Total
State Billing			\$26,723.91			\$20,971.00			\$19,858.71			\$19,390.52	\$86,944.14
Property Tax	\$1,288.59		\$169.19	\$7,205.82	\$8,542.19	\$33,187.58	\$1,319.32	\$4,888.55	\$2,227.01	\$22,928.34	\$3,062.24	\$1,057.02	\$85,875.85
Water	\$41,336.59	\$45,279.14	\$41,178.74	\$34,050.67	\$30,760.16	\$24,353.21	\$29,009.60	\$27,745.06	\$24,146.67	\$35,445.24	\$29,158.01	\$38,455.33	\$400,918.42
Sewer	\$47,258.33	\$53,156.35	\$47,379.43	\$39,628.31	\$35,491.84	\$28,149.21	\$34,169.78	\$32,181.86	\$27,850.19	\$41,666.62	\$33,854.74	\$44,856.07	\$465,642.73
Service	\$7,111.73	\$7,113.60	\$7,113.60	\$7,113.60	\$7,079.40	\$7,079.40	\$7,147.80	\$7,079.40	\$7,079.40	\$7,079.40	\$7,045.20	\$7,079.40	\$85,121.93
Late Fees	\$461.43	\$201.49	\$290.08	\$168.71	\$600.53	\$135.60	\$178.43	\$146.51	\$126.87	\$177.46	\$111.54	\$272.66	\$2,871.31
Grant Funds				\$11,367.00		\$18,753.05							
Revenue	\$97,456.67	\$105,750.58	\$122,854.95	\$88,167.11	\$82,474.12	\$113,876.00	\$71,824.93	\$72,041.38	\$81,288.85	\$107,297.06	\$73,231.73	\$111,111.00	\$1,127,374.38
Expense	\$81,495.91	\$74,250.58	\$102,279.81	\$104,990.12	\$111,554.79	\$92,037.25	\$94,850.91	\$94,625.06	\$71,744.58	\$105,016.25	\$89,244.32	\$98,066.81	\$1,120,156.39
Balance	\$15,960.76	\$31,500.00	\$20,575.14	(\$16,823.01)	(\$29,080.67)	\$21,838.75	(\$23,025.98)	(\$22,583.68)	\$9,544.27	\$2,280.81	(\$16,012.59)	\$13,044.19	\$7,217.99
Water Sold Cu Ft	334631	367360	332914	275609	243491	195107	236456	227602	197397	288979	236030	311046	3,246,622
Water Sold Acre f	7.68	8.43	7.64	6.33	5.59	4.48	5.43	5.23	4.53	6.63	5.42	7.14	74.53

FY 2019/2020

Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal Total
State Billing			\$25,528.71			\$22,455.35			\$15,776.54			\$7,016.19	\$70,776.79
Property Tax	\$1,218.61	\$2,752.21	\$3,126.48	\$5,305.64	\$6,019.52	\$23,503.23	\$13,612.60	\$5,282.91	\$2,659.00	\$15,436.18	\$9,385.45	\$916.22	\$89,218.05
Water	\$41,718.97	\$39,623.52	\$40,324.01	\$43,808.36	\$32,208.00	\$23,432.56	\$33,732.14	\$34,067.23	\$24,268.55	\$17,909.86	\$28,582.31	\$36,460.31	\$396,135.82
Sewer	\$48,137.21	\$45,503.27	\$45,161.69	\$48,244.57	\$34,916.02	\$26,527.95	\$39,321.56	\$39,368.21	\$27,637.52	\$19,243.28	\$29,934.22	\$37,683.06	\$441,678.56
Service	\$7,113.60	\$7,045.20	\$7,079.40	\$7,451.10	\$7,489.26	\$7,344.54	\$7,525.44	\$7,453.08	\$7,489.26	\$7,489.26	\$7,489.26	\$7,453.08	\$88,422.48
Recycled Water													\$0.00
Late Fees	\$1,957.04	\$2,399.24	\$1,407.87	\$468.45	\$316.84	\$1,136.41	\$237.28	\$307.96	\$2,793.44	\$5,540.71	\$4,647.78	\$3,802.45	\$25,015.47
Grant Funds			\$8,750.00	\$167,376.61						\$1,485.90		\$8,369.50	\$185,982.01
Revenue	\$100,145.43	\$97,323.44	\$122,628.16	\$105,278.12	\$80,949.64	\$104,400.04	\$94,429.02	\$86,479.39	\$80,624.31	\$65,619.29	\$80,039.02	\$93,331.31	\$1,111,247.17
Expense	\$90,205.84	\$67,705.50	\$94,401.58	\$97,595.50	\$87,822.01	\$86,173.97	\$85,716.44	\$75,643.11	\$62,582.54	\$73,942.83	\$90,232.61	\$79,762.52	\$991,784.45
Balance	\$9,939.59	\$29,617.94	\$28,226.58	\$7,682.62	(\$6,872.37)	\$18,226.07	\$8,712.58	\$10,836.28	\$18,041.77	(\$8,323.54)	(\$10,193.59)	\$13,568.79	\$119,462.72
Water Sold Cu Ft	336845	319458	323518	329822	242893	179311	260006	261505	185972	137196	217871	274085	3,068,482
Water Sold Acre f	7.73	7.33	7.43	7.57	5.58	4.12	5.97	6.00	4.27	3.15	5.00	6.29	70.44

FY 2020/2021

Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal Total
State Billing			\$4,898.26			\$4,898.26			\$9,978.14			\$5,654.87	\$25,429.53
Property Tax	\$2,336.92	\$751.11	\$11.88	\$6,945.71	\$5,461.44	\$26,458.17	\$12,827.64	\$1,063.98	\$5,505.65	\$8,582.80	\$15,086.53	\$2,262.87	\$87,294.70
Water	\$40,209.97	\$54,512.44	\$41,179.63	\$40,129.44	\$30,132.26	\$30,099.00	\$31,207.86	\$28,567.08	\$27,866.11	\$39,907.47	\$31,637.78	\$39,875.45	\$435,324.49
Sewer	\$45,546.00	\$60,488.59	\$45,320.14	\$44,227.62	\$32,486.93	\$31,269.68	\$29,285.81	\$31,276.88	\$30,546.56	\$44,784.48	\$34,717.31	\$44,261.59	\$474,211.59
Service	\$7,830.48	\$7,834.18	\$7,910.24	\$7,872.17	\$8,062.36	\$7,948.27	\$7,910.24	\$7,910.24	\$7,834.18	\$7,796.15	\$7,910.24	\$7,872.21	\$94,690.96
Recycled Water	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Late Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Grant Funds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Revenue	\$95,923.37	\$123,586.32	\$99,320.15	\$99,174.94	\$76,142.99	\$100,673.38	\$81,231.55	\$68,818.18	\$81,730.64	\$101,070.90	\$89,351.86	\$99,926.99	\$1,116,951.27
Expense	\$87,144.37	\$81,902.63	\$114,623.38	\$160,041.02	\$98,357.85	\$137,804.21	\$111,151.88	\$106,602.36	\$84,771.53	\$71,795.69	\$91,754.68	\$72,434.79	\$1,218,384.39
Balance	\$8,779.00	\$41,683.69	(\$15,303.23)	(\$60,866.08)	(\$22,214.86)	(\$37,130.83)	(\$29,920.33)	(\$37,784.18)	(\$3,040.89)	\$29,275.21	(\$2,372.82)	\$27,492.20	(\$101,403.12)
Water Sold Cu Ft	292033	387244	297886	291236	218802	217498	215864	209660	203888	291683	230285	288809	3,144,888
Water Sold Acre f	6.70	8.89	6.84	6.69	5.02	4.99	4.96	4.81	4.68	6.70	5.29	6.63	72.20

3. B. i. v. AD-HOC COMMITTEE REPORTS
List of committee members



ADHOC COMMITTEE REPORTS

List of Committee Members:

- i. **Status Update**– Disbursements Journal Review Committee members:
Vacancy and Vice-Chairperson Giacoletti.
- ii. **Status Update** – Policy & Procedures Committee members:
Chairperson Kellas and Director Carson.
- iii. **Status Update** – Parking on District Streets Committee members:
Director de la Rosa and Vice-Chairperson Giacoletti.
- iv. **Status Update** – Budget Committee members:
Michael Hanchett, Miguel Sandoval, Luz Hernandez, Vacancy (Committee Chairperson)
- v. **Status Update** – Water Committee members:
John Russell, Leroy Price, Michael Hanchett, Director Daniel de la Rosa

4. CONSENT AGENDA

- A. Review and approval of Minutes for the Regular Meeting on September 9, 2021.**

MINUTES
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS SPECIAL BOARD MEETING
Thursday, September 9, 2021
5:00 pm

Internet Meeting Location – Via ZOOM

1. REGULAR SESSION: 5:20 PM

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

2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Public Comment –

(55) Tim Mayer commented on the Reverse Osmosis building and asked that the contract for GES be made public. He also inquired about the amount of liability insurance that GES has.

(3:00) Karina Tiwana asked the Board to answer the question if Charles Grace is the General Manager for the San Simeon CSD. She also commented about the local beach and the amount of homeless people being a potential public health issue.

(6:15) Julie Tacker asked who the General Manager is. She also commented that the District website had been down most of the day and that the public was not able to access the Board meeting agenda. She also commented on the insurance claim that was filed with SDRMA. She asked if Charles Grace was the General Manager.

(10:08) Henry Krzciuk commented about who the San Simeon CSD General Manager is. He showed a video of the California Coastal Commission hearing.

(17:15) Michael Donahue stated the District should not have in-person Board meetings. He also asked who the General Manger of the District is.

(19:45) Vice-Chairperson Giacoletti commented on the amount of homeless persons in San Simeon. She also commented on environmental consequences.

(22:20) Director Carson commented on the Hearst Encroachment and the RO building asking that the District consider working with the Hearst Corporation to purchase the land.

(26:30) Michael Cruz commented (inaudible). He then reaffirmed the comments made by Karina Tiwana and Tim Mayer related to GES general liability insurance.

3. SPECIAL PRESENTATIONS AND REPORTS:

A. STAFF REPORTS:

- i. Sheriff's Report –** No report was given.
- ii. CHP Report –** No report was given.
- iii. Superintendent's Report –** (29:36) Jerry Copeland provided a summary of September activities.
- iv. General Manager's Report –** (31:09) Charlie Grace provided a summary of September activities. The call was disconnected.

- v. **District Financial Summary** – (31:50) Cortney Murguia provided a summary of September financials. (33:55) Cortney Murguia provided a partial General Manager’s report. (35:12) Charles Grace joined the meeting and finished providing the General Manager’s Report.
- vi. **District Counsel’s Report** – (36:50) Joshua George provided a summary of September activities.
- vii. **Board Member Report** – No report was given.

A. AD-HOC COMMITTEE REPORTS:

- i. Status Update Disbursements Journal Review Committee – (37:30) Director Maurer provided an update. Vice-Chairperson Giacoletti commented on the CALPERS payment on the disbursements journal.
- ii. Status Update Policy & Procedures Committee – (40:35) Chairperson Kellas provided an update.
- iii. Status Update parking on District streets – (40:46) Director de la Rosa provided an update.
- iv. Status Update Budget Committee – (42:10) Director Maurer provided an update.
- v. Status Update Water Committee – No update was provided.

Public Comment – Special Presentations and Reports

- (42:45) Julie Tacker commented.
- (46:00) Karina Tiwana commented.
- (49:00) Henry Krzciuk commented.
- (52:45) Michael Donahue commented.
- (53:50) Michael Hanchett commented.
- (54:58) Julie Tacker commented.

4. CONSENT AGENDA ITEMS:

Public Comment –

(56:00) There was no public comment.

A. Review and approval of Minutes for the Regular Meeting on August 12, 2021.

B. Review and approval of Minutes for the Special Meeting on August 20, 2021.

C. Review and approval of Disbursements Journal.

(56:35) Director Maurer asked why the invoices for legal services and environmental were not part of the disbursements journal.

Public Comment –

- (58:20) Julie Tacker commented.
- (1:02:00) Henry Krzciuk commented.

(1:07:00) A motion was made to approve the meeting minutes and the disbursements journal.

Motion: Chairperson Kellas

2nd: Director de la Rosa

Vote: 5/0

Absent: 0

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

5. BUSINESS ACTION ITEMS:

A. REVIEW AND APPROVAL OF DRAFT SOLID WASTE RULES AND REGULATIONS. (1:08:00)

Public Comment –

(1:08:25) Michael Hanchett commented.

(1:09:15) Henry Krzciuk commented.

(1:10:52) Julie Tacker commented.

(1:14:10) Vice-Chairperson Giacoletti stated that she thought this matter had already been approved. She asked for clarification about what the Board was voting on. There was additional discussion between the Chairperson and District Counsel Josh George.

(1:15:40) A motion was made to approve the rules and regulations to become a member agency of the San Luis Obispo County IWMA.

Motion: Chairperson Kellas

2nd: Director Carson

Vote: 2/3

Abstain: 3

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

*(1:16:40) This item was tabled until the next meeting.

B. AUTHORIZATION TO RESCHEDULE REGULAR MONTHLY BOARD MEETINGS.

(1:17:10)

(1:17:50) There was discussion between the Board members about moving the meetings to Tuesdays.

Public Comment –

(1:18:20) Michael Donahue commented.

(1:19:40) Julie Tacker commented.

(1:22:05) Henry Krzciuk commented.

(1:24:35) Vice-Chairperson Giacoletti commented that several members in the community had requested that the Board return to in-person meetings.

(1:25:20) A motion was made to reschedule the regular Board meetings to the 2nd Tuesday of the month at 5pm.

Motion: Chairperson Kellas

2nd: Vice-Chairperson Giacoletti

Vote: 5/0

Absent: 0

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

(1:26:00) The Board took a five (5) minute recess.

C. REVIEW AND RATIFICATION OF PROPOSAL FOR SURVEYING SERVICES WITH MBS LAND SURVEYS NOT TO EXCEED THE AMOUNT OF \$7,000.00. (1:26:40)

Chairperson Kellas introduced the item.

(1:28:25) Director de la Rosa asked if a survey had already been completed. Chairperson Kellas and Director de la Rosa discussed the difference between a chain of title and a boundary survey.

(1:30:50) Vice-Chairperson Giacoletti asked for a summary of the item.

(1:33:12) Director Carson commented that the District had received conflicting information about the ownership stating that he thought this work should be done.

(1:35:50) Director Maurer inquired about the timeline for completion of this survey.

Public Comment –

(1:37:40) Michael Donahue commented.

(1:39:40) Henry Krzciuk commented.

(1:42:55) Karina Tiwana commented.

(1:47:00) Julie Tacker commented.

(1:50:35) Michael Hanchett commented.

(1:52:58) Miguel Sandoval commented.

(1:53:30) David Sansone commented.

(1:57:15) Director Carson stated that he did not look at the Hearst Corporation as an adversary stating that he believed that they were a good neighbor.

(1:58:25) Director de la Rosa thanked David Sansone for providing technical clarity on this matter.

(1:59:00) A motion was made to approve accept the proposal not to exceed the amount of \$7,000.00.

Motion: Chairperson Kellas

2nd: Director Carson

Vote: 4/1

Abstain: 1

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

D. DIRECTION TO STAFF REGARDING CUSTOMER'S REQUESTS FOR CREDIT ON UTILITY BILLS. (1:59:55)

(2:00:00) Chairperson Kellas introduced the item. She and Josh George discussed if issuing credits to customers could be construed as a gift of public funds.

(2:04:30) Director Carson asked Josh George if District Counsel was aware of any of their existing clients having a utility billing credit policy.

Public Comment –

(2:06:20) Jerry Maclaughlin (Real Property Management - property manager for HOA) commented.

(2:09:00) Michael Donahue commented.

(2:10:50) Julie Tacker commented.

(2:13:10) Karina Tiwana commented.

(2:15:40) A motion was made to direct staff and the individual directors to research this matter further and provide potential solutions. (Item to be on the October Board meeting agenda)

Motion: Chairperson Kellas

2nd: Director Carson

Vote: 5/0

Absent: 0

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

6. CLOSED SESSION: (2:17:10)

Public Comment –

(2:17:50) Karina Tiwana commented.

(2:21:20) Henry Krzciuk commented.

(2:24:33) Julie Tacker commented.

(2:27:40) Michael Donahue commented.

(2:28:12) Michael Hanchett commented.

(2:30:10) April Dury commented.

(2:32:30) Director Carson stated that he was recusing himself from the Hather litigation matter. He asked Josh George (District Counsel) for further clarification on this item. Josh suggested that item 6B be discussed first in closed session.

The Board will adjourn to Closed Session to address the following items: (2:36:40)

A. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Government Code Section 54956.9(d)(1))

Name of case: Robert Hather v. San Simeon Community Services District

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Government Code Section 54957(b)(1))

Title: General Manager Services

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

Report on Closed Session (2:37:32)

Directors present: Kellas, Giacoletti, and de la Rosa (quorum)

7. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS –

Vice-Chairperson Giacoletti asked that the strength of the moratorium be added to the agenda.

8. ADJOURNMENT @ 9:14 PM

4. CONSENT AGENDA

B. Review and approval of Minutes for the Special Meeting on September 30, 2021

**SPECIAL MEETING MINUTES
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS SPECIAL BOARD MEETING
Thursday, September 30, 2021
5:00 pm**

Internet Meeting Location – Via ZOOM

1. REGULAR SESSION: 5:06 PM

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

2. BUSINESS ACTION ITEMS:

Public Comment –

(2:00) *There was discussion between the Board members and Jeff Minnery about the settings in Zoom webinar.

(9:00) Tina Dikason commented.

- A. ADOPTION OF RESOLUTION 21-433 RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR ISSUED ON MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT FOR THE PERIOD OF SEPTEMBER 30 TO OCTOBER 13 PURSUANT TO BROWN ACT PROVISIONS.**

Public Comment –

(12:05) Julie Tacker commented.

(13:40) Vice-Chairperson Giacoletti stated that she would like to see the Board return to in-person meetings.

(14:30) Henry Krzciuk commented.

(16:14) Karina Tiwana commented.

(17:35) April Dury commented.

(19:14) Christy commented.

(22:25) Michael Donahue commented.

(23:40) A motion was made to approve resolution 21-433.

Motion: Chairperson Kellas

2nd: Director Carson

Vote:4/0

Abstain: 0

Roll Call: Kellas: Yes

Giacoletti: Yes

Carson: Yes

de la Rosa: Yes

3. CLOSED SESSION: -

Public Comment –

- (25:03) Julie Tacker commented.
- (29:00) Karina Tiwana commented.
- (32:00) Tina Dikason commented.
- (33:55) Michael Donahue commented.
- (35:00) April Dury commented.
- (37:50) Michael Hanchett commented.
- (39:25) Paul Panchell commented.
- (40:05) Miguel Sandoval commented.

**A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957(b)(1))
Title: General Manager Services**

******RECONVENE TO OPEN SESSION****
Report on Closed Session**

(41:40) There was no reportable action.

4. ADJOURNMENT – 6:53 PM

DRAFT

4. CONSENT AGENDA

C. Approval of the disbursements journal

SAN SIMEON COMMUNITY SERVICES DISTRICT
Disbursements Journal
October 2021

Type	Date	Num	Name	Memo	Paid Amount
Additional Disbursements made in September 2021 not on prior report					
Bill Pmt -Check	09/09/2021	2486	SLOACTTC	LAFCO 2021-2022. Invoice dated 7/1/2021.	-3,139.81
Check	09/23/2021	Elec Pymt	USDA Loan Repayment	USDA loan payment - code all to 9020. Break out principal on 6/30/21.	-10,345.00
Total additional disbursements in September, 2021					-13,484.81
October, 2021 Disbursements					
Paycheck	10/12/2021	2293	GWEN KELLAS	Board Service September 2 through October 1, 2021.	-92.35
Paycheck	10/12/2021	2294	MARY P GIACOLETTI	Board Service September 2 through October 1, 2021.	-92.35
Paycheck	10/12/2021	2295	WILLIAM J CARSON	Board Service September 2 through October 1, 2021.	-92.35
Bill Pmt -Check	10/12/2021	2296	Kathleen Fry Bookkeeping Services	Bookkeeping services September 2021. Inv CSD-2021-09 dated 9/30/21.	-1,320.00
Bill Pmt -Check	10/12/2021	2297	Lori Mather Video Services	Video services for board meetings 9/28/21, 9/30/21, and 10/12/21. Invoice dated 10/1/21.	-750.00
Bill Pmt -Check	10/12/2021	2298	Moss, Levy & Hartzheim, LLP	Audit services for FYE 6/30/2020 not previously billed. Inv 28924 dated 9/10/2021.	-4,000.00
Bill Pmt -Check	10/12/2021	2299	New Times	Notice of Public Hearing Budget. Inv 329426 dated 8/31/21.	-108.00
Bill Pmt -Check	10/12/2021	2300	Oliveira Environmental Consulting LLC	Prof Svcs related to CHRP-Coastal hazard response plan, Pipe Bridge, and other CSD tasks. Svc Pe July 1 - August 2021	-5,117.50
Bill Pmt -Check	10/12/2021	2301	Simply Clear Marketing & Media	Monthly Website Service and Mgt fee service period Oct 21 - Nov 20, 2021. Inv 32089 dated 9/21...	-400.00
Bill Pmt -Check	10/12/2021	2302	SLO County - Environmental Health	Cross Connection direct cost and admin cost for facility id FA0004646. Inv 0132646 dated 9/21/21.	-140.70
Bill Pmt -Check	10/12/2021	2303	Grace Environmental Services	Operations Management	-56,231.95
Bill Pmt -Check	10/12/2021	2304	Adamski Moroski Madden Cumberland & Green	General legal services through 7/1/2021 - 8/31/2021. Inv 55395 dated 9/30/21.	-10,141.29
Check	10/25/2021	Elec Pymt	CalPERS Fiscal Svcs Div	Retiree Health monthly premium.	-351.72
Check	10/25/2021	Elec Pymt	CalPers Fiscal Svcs Divn	Monthly Unfunded Accrued Liability payment. Cust. ID # 7226734344.	-1,349.42
Liability Check	10/25/2021	Elec Pymt	United States Treasury (US Treasury)	Payroll tax payment for paychecks dated 10/12/2021.	-45.90
TOTAL October 2021 Disbursements					-80,233.53

4. CONSENT AGENDA

- D. Approval of the transfer of funds in the amount of \$50,000 from the General Checking account to the Money Market Account.**



CONSENT AGENDA ITEM STAFF REPORT

Item 4.D. Approval of a transfer of funds in the amount of \$50,000 from the General checking account to the Money Market Account.

Summary

On April 8, 2021 a transfer in the amount of \$50,000 was made from the Money Market account to the general checking account. Based on the current balance of the checking account GES staff is suggesting that the Board may wish to transfer \$50,000 from general checking to the money market account.

4. CONSENT AGENDA

- E. Review of the authorization of powers to the Board under Resolution 21-433.**



CONSENT AGENDA ITEM STAFF REPORT

Item 4.E. Review of authorization of powers to the Board under Resolution 21-433.

Summary

At a Special Meeting on September 30, 2021 the Board approved District Resolution 21-433. This resolution serves as a response to AB 361. AB 361 requires periodic review of the determination for a legislative body to continue to meet via teleconference. If a state of emergency remains active, then no later than 30 days after meeting via teleconference for the first time pursuant to AB 361, the body must make a subsequent finding that the body “has reconsidered the circumstances of the state of emergency” and determined that in-person meetings continue to pose a risk to public health.

Possible Options:

- 1) The Board may direct the meetings be held in person.
- 2) The Board may direct that the meetings remain being held via teleconference.

Enc: Resolution 21-433

RESOLUTION NO. 21-433

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR ISSUED ON MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT FOR THE PERIOD OF SEPTEMBER 30, 2021 TO OCTOBER 13, 2021 PURSUANT TO BROWN ACT PROVISIONS

Recitals

WHEREAS, the San Simeon Community Services District ("District") is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a District proclamation is made and the Board of Directors has declared there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, the State of Emergency declared by Governor Newsom on March 4, 2020, due to COVID-19, and the Proclamation of Local Emergency declared by the County of San Luis Obispo on March 13, 2020; and

WHEREAS, on September 1, 2021, the San Luis Obispo County Health Officer issued Order Number 6 requiring face coverings in all public indoor settings attributable to the rise in SARS-CoV-2 Delta Variant; and

WHEREAS, Consistent with the County Health Officer the Board of Directors does hereby find that the rise in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency exists and ratify the proclamation of state of emergency by the Governor of the State of California and the San Luis Obispo County Health Officer's Order Number 6; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative body of San Simeon Community Services District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to meetings as prescribed in paragraph (2) of subdivision (e) of section 54953.

WHEREAS, the Board of Directors will ensure that the public has access to meetings and the opportunity to participate in meetings in the interest of transparency and as required by AB 361.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the San Simeon Community Services District, as follows:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, and COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District.
3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.
4. Remote Teleconference Meetings. The General Manager and Staff are hereby authorized by the Board and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.
5. Effective Date of Resolution. This Resolution shall take effect on September 28, 2021 and shall be effective until the earlier of (i) October 13, 2021 or such time

the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

ADOPTED by the Board of Directors of the San Simeon Community Services District on September 30, 2021, by the following roll call votes:

AYES: Kellas, Giacoletti, Carson, de la Rosa

NOES: ~~0~~

ABSENT: ~~0~~

ABSTAINED: ~~0~~



President, Board of Directors of the
San Simeon Community Services District

APPROVED AS TO FORM:



Jeffrey A. Minnery, District Counsel

5. A. Business Items



BUSINESS ACTION ITEM STAFF REPORT

ITEM 5.A. REVIEW AND APPROVAL OF DRAFT SOLID WASTE RULES AND REGULATIONS TO BECOME A MEMBER AGENCY OF THE SAN LUIS OBISPO COUNTY INTEGRATED WASTE MANAGEMENT AUTHORITY.

Summary:

This item has been placed on the agenda at the request of the Board during the September 9, 2021 Board meeting.

On March 19, 2021, a LAFCO Certificate of Completion was recorded which officially activated the solid waste latent power to the San Simeon Community Services District (SSCSD). This power awards the SSCSD the authority to provide for the collection and disposal of garbage and refuse matter directly with Mission Country Disposal, the franchisee. Solid waste service for the community of San Simeon is currently provided by San Luis Obispo County through a franchise agreement with Mission Country Disposal. The District, through LAFCO, established solid waste power, primarily a move to keep franchise fees within the San Simeon community. Conditions of LAFCO approval regarding the solid waste power transition require the District to participate in the San Luis Obispo Integrated Waste Management Authority (IWMA) and all policies and ordinances of the IWMA.

To make the transition from the County of San Luis Obispo to the SSCSD for the direct oversight of solid waste services, the Board needs to adopt rules and regulations pertaining to the collection of solid waste within the district. Upon adoption of the rules and regulations, the SSCSD shall be the authorized local agency to provide solid waste services within the District's boundaries. Both conditions will become effective with the Board's support.

Attached to this staff report are:

- 1) **Draft Version of Solid Waste Rules and Regulations**– The R & R will be incorporated into an Ordinance which will be introduced at the next Board meeting. The Ordinance approving solid waste rules and regulations and membership in IWMA is required to be adopted by the SSCSD Board at a noticed public hearing.

The attached Solid Waste Code establishes rules and regulations to provide services to the community. Joining the SLO IWMA provides the District with the benefit of a regional authority to manage solid waste.

Possible Options:

- Review and comment on the proposed solid waste Rules and Regulations.
- Provide direction to GEs staff regarding this matter.
- Determine if the Board would like to move forward with joining the IWMA.

Enc: Draft Rules and Regulations

CHAPTER 6 – SOLID WASTE DEPARTMENT

<u>Section</u>		<u>Page</u>
6.000	<u>Title and purpose</u>	6-1
6.010	<u>Scope and applicability</u>	6-1
6.020	<u>Penalties; abatement</u>	6-2
6.100	<u>Definitions</u>	6-2
6.200	<u>Illegal collection</u>	6-4
6.300	<u>Classes of service</u>	6-4
6.310	<u>Service level</u>	6-4
6.320	<u>Charges for service</u>	6-5
6.330	<u>Time of collection</u>	6-5
6.400	<u>Diversion</u>	6-5
6.410	<u>Separation of recyclables and green waste</u>	6-5
6.500	<u>Storage of Putrescible Solid Waste</u>	6-5
6.510	<u>Accumulation of solid waste</u>	6-5
6.520	<u>Illegal dumping</u>	6-6
6.600	<u>Preparation and collection</u>	6-6
6.610	<u>Spilled garbage or refuse</u>	6-6
6.700	<u>Waste wheeler containers</u>	6-6
6.710	<u>Waste wheeler container maintenance</u>	6-7
6.720	<u>Waste wheeler container replacement and repair</u>	6-7
6.730	<u>Unreturned waste wheeler containers</u>	6-7
6.740	<u>Removal of non-standard containers</u>	6-7
6.750	<u>Tampering and unauthorized use of waste wheeler containers</u>	6-7
6.800	<u>Interruptions in Service</u>	6-7

6.000 - Title and Purpose

The health, welfare, and safety of the people of the District require that regulations and procedures be established that will provide for the separation, recovery, collection, removal, storage and disposition of solid waste including recyclables, that accumulate within the District. To assure the existence and continuance of a collection and disposal system that will benefit all citizens of the District, it is necessary that regulations and procedures be established as set forth in this Code. The provisions of this chapter are hereby adopted pursuant to the State Public Resources Code Section 40000 et seq.

6.010 – Scope and Applicability

The solid waste department’s service area comprises the area within the boundaries of the San Simeon Community Services District. The provisions of this Code shall apply to all owners of premises that purchase solid waste services from the Franchise hauler.

6.020 - Penalties: Abatement

Any person violating these regulations shall be guilty of an infraction which shall be punishable by: (a) a fine not exceeding one hundred dollars for the first violation; (b) a fine not exceeding two hundred dollars for a second violation within one year; (c) a fine not exceeding five hundred dollars for a third violation within one year of the second violation; (d) a fine not exceeding five hundred dollars for each subsequent violation of same ordinance within a year of the third violation. A person shall be guilty of a separate offense for each and every day during a portion of which any violation of these regulations is committed or continued by such person, and shall be punished accordingly.

In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of the regulations of the District shall be deemed to be a public nuisance and may be abated as such.

6.100 - Definitions

This section defines the terms and phrases as they are used in this chapter.

Bin. A semi-portable container from one (1) to eight (8) cubic yards capacity with a hinged lid and approved by the District for mechanical handling by the collection trucks.

Curbside (or curb). An area adjacent to the street and in a location serviceable by Automated Side Loader. In no case greater than 10 feet from the street or curb, nor directly on the traveled portion of any road.

Customer. Any individual, firm, company, partnership, association, organization, corporation, and includes every public agency subject to the provisions of this Code.

Developed Properties. Any real property within the District that is developed with a building or structure, that when used is capable of generating solid waste. Developed properties include but are not limited to residential properties, multi family properties and commercial properties.

District. The San Simeon Community Service District.

Diversion. The act of diverting a portion of the waste stream away from the landfill.

Franchise Agreement. An agreement with a Franchisee as defined in this Code.

Franchisee. The person or entity to whom the District shall have granted an exclusive franchise to collect, receive, carry, haul or transport solid waste, recyclable materials, and green waste materials within the District, and shall include the agents or employees of the Franchisee.

Garbage. Shall mean refuse.

Green waste. That portion of solid waste made up of organic yard and landscape debris including grass clippings, leaves, weeds, brush and branches. Inert materials such as dirt, gravel, rocks, and concrete are specifically excluded.

Hauler. A person, agent or employee of the Franchisee or any person, firm, corporation, or association or the agents or employees thereof licensed by contract or franchise to collect, transport, and dispose of refuse, garbage, rubbish, green waste, recyclable and other solid waste produced within the limits of the District under the terms set out in a contractual or franchise agreement.

Hazardous waste. All substances defined as hazardous waste, acutely hazardous waste, or extremely hazardous waste by the State of California in Health and Safety Code §25110.02, §25115, and §25117 or in future amendments to or recodifications of such statutes and all

substances identified and listed as Hazardous Waste by the U.S. Environmental Protection Agency (EPA), pursuant to the Federal Resource Conservation and Recovery Act (42 USC §6901 et seq.), all future amendments thereto, and all rules and regulations promulgated thereunder. Hazardous waste excludes minimal quantities of waste of a type and amount normally found in residential solid waste after implementation of programs for the safe collection, recycling, treatment and disposal of household hazardous waste in compliance with Sections 41500 and 41802 of the California Public Resources Code, as amended from time to time.

Recyclable material. All non-hazardous residential, commercial or industrial materials or by-products which have been approved for collection by the Intergraded Waste Management Board or the hauler and which are set aside, handled, packaged, or offered for collection in a manner different than solid waste, for the purpose of being reused or processed and then returned to the economy in the form of commodities. Recyclable materials include, but are not limited to, newspaper (including inserts, coupons, and store advertisements), mixed paper (including office paper, computer paper, magazines, junk mail, catalogs, brown paper bags, brown paper, paperboard, paper egg cartons, phone books, grocery bags, colored paper, construction paper, envelopes, legal pad backings, shoe boxes, cereal and other similar food boxes); chipboard; corrugated cardboard; paper milk cartons, glass containers (including brown, clear, and green glass bottles and jars); aluminum (including beverage containers, foil, food containers, small pieces of scrap metal); steel, tin or bi-metal cans; plastic containers, aseptic beverage boxes.

Recycling. The process of sorting, cleansing, treating, and reconstituting recyclable materials that would otherwise be disposed of at a disposal site and returning them to the economy in the form of raw materials for new, reused or reconstituted products.

Refuse. Shall mean Solid Waste, other than Recyclable Material and Green Waste.

Refuse container. Term used to describe all containers used for the collection of Solid Waste. Not limited to containing refuse. Examples include waste wheelers, bins, drop-boxes, and roll-off boxes.

Rubble. All debris from the construction, demolition, or alteration of buildings; earth, rocks or ashes, brick, mortar, concrete and similar material.

Roll-off boxes. Large refuse containers, commonly metal ten (10) to sixty (60) cubic yards, which are delivered and picked up by trucks using winches to load boxes onto rails.

Solid waste. All putrescible and non-putrescible solid and semi-solid wastes including garbage, recyclables, rubble, green waste, food waste and any unwanted or discarded materials resulting from domestic, institutional, commercial, industrial, agricultural and community operations and activities, but shall not include special waste or universal waste.

Special Waste. All waste which requires special handling including but not limited to flammable waste, liquid waste, sewage sludge, waste from a pollution control process, residue and debris from the cleanup of a spill or release of chemical substances, contaminated soil, residue, debris and articles from the cleanup of a site or facility formerly used for the generation, storage, treatment, reclamation or disposal of any other special wastes, dead animals, manure, waste water, explosive substances, radioactive materials, materials that have been exposed to highly infectious or contagious diseases, hazardous materials, or medical waste.

Universal Waste. Any waste matter which the State of California classifies as "universal waste," including but not limited to items and materials listed in 14 CCR 66261.9, as it may be amended, as well as any items listed below not classified by the State of California as "universal waste." Universal Waste includes, but is not limited to, the following:

- E-Waste. Batteries (except automobile batteries), thermostats, cathode ray tubes, aerosol cans, lamps with fluorescent tubes, high intensity discharge lamps, sodium vapor lamps, and other lamps with hazardous waste characteristics, mercury-containing items including light switches, pressure gauges, and thermometers.
- Appliances, devices, and other objects containing electronic components, including (but not limited to) computers, computer monitors, cellular telephones, copiers, fax machines, DVD players, VCR's, and televisions.
- Prescription and non-prescription drugs, not including controlled substances

Waste wheeler. A covered plastic container provided by Franchisee, varying in size and capacity equipped with wheels or casters. Such containers may be used for collection, storage and removal of solid waste.

6.200 - Illegal Collection

It shall be a violation of this Code for any person not authorized by the District to collect or pick up or cause to be picked up any solid waste, including recyclables, except that any person may take their own solid waste to the landfill and their own recyclables to a recycling facility or may authorize a non-profit entity to do so on their behalf.

6.300 - Classes of Service

All solid waste services will be classified as follows:

- A. Curbside/residential.
- B. Commercial / bin.

6.310 – Service Level

The solid waste service level is controlled by the Franchise Agreement between the District and the hauler. The terms of the Franchise Agreement control the level of service. The minimum service level for all owners of premises that purchase solid waste services from the Franchise hauler is:

- A. Curbside Customers:

- (1) Garbage. Weekly service of one (1) waste wheeler. Waste wheelers are available in small, standard, and large capacities of approximately 32, 64, and 96 gallons, respectively.
- (2) Recycling. Weekly service of one standard-size waste wheeler container of recyclables. The recyclable collection shall include materials as defined in section 6.100.

- B. Green Waste: Weekly service of one standard-size waste wheeler container of green waste. The green waste collection shall include materials as defined in section 6.100.

- B. Commercial/Bin Customers:

- (1) Garbage. Size of bins and frequency of service shall be determined by the customer and the hauler, but in no case be less the weekly.
- (2) Recyclables and/or green waste service shall be provided to all bin customers as appropriate for the waste stream generated by each bin customer.

6.320 – Charges for Service

Rates and charges for refuse collection and disposal services are established upon transfer of the Solid Waste service from San Luis Obispo County and shall be amended from time to time pursuant to the terms of the Franchise Agreement between the District and the hauler. District property owners, residents, occupants and businesses desiring refuse collection and disposal services must make service and billing arrangements directly with the hauler.

6.330 – Collection of Delinquent Fees and Charges

Franchisee shall be responsible for collection of delinquent accounts as outlined in this Section.

6.340 - Time of Collection

Collection of curbside residential waste may occur only between the hours of six a.m. and six p.m., Monday through Saturday, including holidays. Collection of bin waste may occur only between the hours of six a.m. and six p.m. any day of the week, including holidays.

6.400 – Diversion

California State Law, Sections 41780 et seq. of the Public Resources Code requires cities, counties, and districts to divert 50% of all solid waste away from landfills through source reduction, recycling, and composting activities. The District fulfills this by recycling certain materials and composting green waste. The diversion program maintains the policy of mandated service for curbside customers with separate waste wheeler containers for garbage, recyclables and green waste.

6.410 – Separation of Recyclables and Green Waste

Recyclables and green waste from all residences, inclusive of multi-family dwellings, shall be kept separate from other solid waste, either delivered to a recycling facility or placed at the curbside or designated area, as defined in this Code. Recyclables and green waste placed at the curbside or street shall be placed in designated recyclable or greenwaste waste wheeler containers for collection on collection day.

Businesses, industries and institutions located within the District shall separate recyclables and green waste from all other solid waste in accordance with this Code and shall have clearly marked containers designated for the collection and pick-up of recyclables and green waste.

6.500 - Storage of Putrescible Solid Waste

No person shall fail or neglect to provide and maintain a standard waste wheeler container for receiving and holding, without leakage or escape of odors, all putrescible solid waste which is produced, created, or accumulated upon premises occupied or maintained by that person and all such persons shall deposit all such putrescible solid waste in such a standard container. For sanitary purposes, putrescible solid waste shall be bagged or wrapped so as to prevent leakage and odors when placed in waste wheeler containers or other approved receptacle.

6.510 – Accumulation of Solid Waste

No person shall keep, accumulate or permit to be kept or accumulated any solid waste upon any lot or parcel of land, or on upon any public or private place, street, lane, alley or drive, unless the same shall be in a standard container (as defined in Section 6.700) or other approved receptacle and even then for no more than one (1) month.

6.520 - Illegal Dumping

All solid waste must be separated, collected and disposed of as outlined in this Code and as follows.

- A. It shall be unlawful for any person to deposit, dump or leave solid waste on private property or in any privately owned or maintained disposal container other than their own, without the consent of the owner.
- B. It shall be unlawful to dispose of any solid waste on one's own property, except for yard and food waste which may be composted for use as a soil amendment. All solid waste, except for yard and food waste which will be composted for soil amendment, shall be deposited in a waste container designated for collection and disposal as outlined in this ordinance and the regulations adopted by the District.
- C. It shall be unlawful to deposit, dump or leave any solid waste of any kind on land or easements of the public, including but not limited to parks, highways or other municipally or state owned lands, except in designated disposal containers. Further, it shall be unlawful to deposit in a municipally owned or maintained disposal container any solid waste other than that created or originated in any public buildings/grounds/highways or on the person of anyone using said public buildings/grounds/highways.
- D. Any and all of the above actions shall constitute a violation of this ordinance and are punishable by the penalties set forth herein.

6.600 – Preparation and Collection

For the convenience of the public, the protection of the hauler and efficient handling, all owners of premises that purchase solid waste services from the Franchise hauler shall place all refuse in waste wheeler containers or bins unless otherwise provided for in this Code. Each bag, box or bundle will be counted as one standard container. It shall be kept free of all liquids and further prepared in the following manner:

- A. Garbage is to be wrapped with paper or plastic bag and placed in either a standard waste wheeler container or bins with lids maintained in the closed position.
- B. Animal or Human excrement and all types of disposable diapers must be wrapped securely in paper, plastic bag or placed in a covered box.
- C. Shrubbery and brush trimmings with branches not over six (6”) inches in diameter shall be cut to a length suitable to be placed in a greenwaste container with lids able to fully close.
- D. Household ashes must be thoroughly cold before being sealed into a disposable container or bag and placed in the garbage refuse container for disposal.

6.610 – Spilled Solid Waste

It shall be the responsibility of the person occupying or maintaining the property upon which any solid waste is spilled or scattered from any refuse container set out for collection that breaks, is blown over, or damaged by animals, etc. to pick up all such garbage and refuse and provide sanitary and adequate storage until collection can be made.

6.700 - Waste Wheeler Containers

Each owner, tenant, occupant or person in charge of a building, structure or other developed property in the District that purchase solid waste services from the Franchise hauler shall maintain a sufficient number of clean waste wheeler containers to hold all solid waste created, generated, provided, or accumulated on the subject lot or premises. Any person discarding solid waste in the District shall discard the solid waste in a refuse container. The District's Franchisee shall supply each single family dwelling unit with a small, standard, or large waste wheeler container for garbage. In addition, each single family dwelling unit will receive from Franchisee a standard-size waste wheeler container for all commingled recyclable materials except green waste and a

standard-size waste wheeler container for green waste. If requested by customer, Franchisee shall provide to the customer either a small or large green waste wheeler container instead of a standard-size waste wheeler container.

Heavy duty plastic bags may be used during special community clean-up days or at other times as approved by the District for solid waste disposal but shall not exceed a gross weight of thirty pounds. Plastic bags shall not be filled with sharp objects which might injure or otherwise harm the solid waste collector when transferring same to the refuse truck for collection.

6.710 - Waste Wheeler Container Maintenance

All waste wheelers shall be owned and maintained by the Franchisee. It shall be unlawful and a violation of this Code for any owner, tenant, occupant or person in charge of a developed property to negligently damage any waste wheeler. When not being filled or emptied, all waste wheeler containers shall be kept tightly closed, and it is unlawful for any person not authorized to do so, to open such containers to collect or to scatter the refuse stored therein.

6.720 - Waste Wheeler Container Replacement and Repair

Any waste wheeler that is damaged due to normal use shall be repaired or replaced at Franchisee's sole discretion at no charge to the customer after notice of the damaged container from the waste customer.

6.730 - Unreturned Waste Wheeler Containers

All waste wheelers are owned and maintained by the Franchisee and are considered solid waste disposal equipment of the Franchisee. Only the Franchisee is authorized to remove waste wheelers from properties. It shall be unlawful and a violation of this Code for any owner, tenant, occupant or person in charge of a developed property to remove any waste wheeler container from the property. The owner of a property shall be held solely responsible for any waste wheeler containers that are not returned to the Franchisee at the time of the property ownership transfer or change in residents of a rental property. The owner of developed property shall be responsible and liable for paying the cost of unreturned waste wheeler containers.

6.740 - Removal of Non-Standard Container

Containers other than standard waste wheeler containers as defined in this Code will be removed with their contents at the time of collection unless prominently labeled "Do Not Take" in large letters.

6.750 - Tampering and Unauthorized Use of Waste Wheeler Containers

No person, other than the owner or authorized user of any waste wheeler container, or his agents, employee, tenants, guests or invitees, the hauler or other agents authorized by the District, shall use or discard solid waste into any refuse container in the District, tamper or meddle with any refuse container or the contents of any refuse container in the District, or remove or take any contents (including but not limited to recyclable materials) from any refuse container in the District.

6.800 - Interruptions in Service

The District shall not be liable for damage which may result from any interruption in solid waste service. The District shall not be liable for interruption, or insufficiency, or for any loss or damage occasioned thereby if caused by accident, acts of God, fire, strikes, riots, war or any other cause not within its control.

5. B. Business Items



BUSINESS ACTION ITEM STAFF REPORT

ITEM 5.B. AUTHORIZATION FOR HARBOR OFFSHORE, INC. TO PROVIDE INSPECTION OF THE OCEAN OUTFALL NOT TO EXCEED THE AMOUNT OF \$13,000.00.

Summary:

The wastewater treatment plant (WWTP) ocean outfall must be inspected on an annual basis. Section 19.00 of the Policy and Procedures manual requires that:

B. Solicitation of Three Written Bids or Requests for Proposals for Expenditures Exceeding \$10,000 but Not Exceeding \$50,000

When any expenditure is expected to exceed \$10,000, but not exceed \$50,000, the General Manager, or said designee, shall solicit a minimum of three (3) vendors or contractors to submit written bids or proposals. Written entries documenting that three written proposals were solicited shall be noted by the General Manager in the project file. There may be special circumstances, however, when fewer than three (3) vendors are available to submit a proposal or fewer than three (3) vendors submit proposals. In such cases, the General Manager shall justify the reason(s) three vendors could not be solicited with written documentation retained in the project file.

GES staff contacted four vendors to obtain quotes. Ballard Diving did not respond. MDS Diving was unavailable to perform the services prior to yearend 2021. Two vendors Tidal Marine Construction, Inc. and Harbor Offshore, Inc. provided proposals.

Summary:

Harbor Offshore: \$11,586

Tidal Marine Construction: \$12,940

Enc: Harbor Offshore, Inc.
Tidal Marine Construction, Inc.



A Proposal Prepared For:

Ocean Outfall Inspection

San Simeon Community Services District

Bid Date: 9/29/2021

Prepared by:
Lauren Collins
Operations Manager
707-389-0678 Mobile



CA Contractor's License #: 742617, Class A
DIR Registration #: 1000030945

CONFIDENTIAL NOTICE:

This proposal contains proprietary and confidential information Harbor Offshore, Inc. and shall not be used, disclosed or reproduced, in whole or in part, for any purpose other than to evaluate this proposal, without the prior written consent of Harbor Offshore.

Harbor Offshore, Inc.

📍 4411 Dupont Court, Suite 130
Ventura, CA 93003

📞 (805) 639-2205

🌐 www.harboroffshoreinc.com

September 29, 2021

Charles Grace
San Simeon Community Services District
111 Pico Avenue
San Simeon, CA 93452
(805) 927-4778
cgrace@graceenviro.com

RE: Ocean Outfall Inspection

Dear Charles Grace,

Harbor Offshore Inc. (HOI) appreciates the opportunity to submit our proposal for the **Ocean Outfall Inspection**. HOI personnel will comply with all local, state and federal rules and regulations pertaining to commercial diving.

HOI looks forward to working with you on this project. Should additional information be required, or if I may be of further assistance, please do not hesitate to contact me.

Respectfully Submitted,



Lauren Collins
Operations Manager
Diving and Marine Construction
Harbor Offshore Inc.
Mobile: 707-389-0678
Email: lcollins@harboroffshoreinc.com



TABLE OF CONTENTS

1. COMPANY INTRODUCTION	4
1.1. Company Overview	4
1.2. Qualifications.....	4
1.3. Experience	4
1.4. Safety	5
2. SCOPE OF WORK	6
2.1. Outfall Inspection.....	6
2.1.1. Includes the following:	6
2.1.2. Excludes the following:	6
3. PRICING SUMMARY	6

1. COMPANY INTRODUCTION

1.1. Company Overview

Harbor Offshore, Inc. (HOI) has a plethora of industry-leading professionals that maintain a broad expertise and a scope-specific experience that will ensure proper planning, efficient management and lead to the greatest value for our clients. Our team members selected for the project have many years of successful past performance on very similar projects which gives us the confidence that we will provide a high quality deliverable, safely and on time.



Figure 1: HOI Diver Inspecting Rincon Island Piles

Established in 1997, HOI has been actively engaged in the commercial diving and marine construction industry supporting the US Army Corps of Engineers, the US Navy, Bureau of Reclamation and commercial waterfront entities throughout the United States and abroad. HOI maintains five (5) offices located throughout the United States, including Ventura, CA; Kona, HI; Seattle, WA; Spokane, WA; and Benicia, CA.

Geographically, HOI core theater of operations include the states of California, Washington, Oregon, Idaho, Montana, Nevada, Utah, Arizona, New Mexico, Colorado, and Hawaii. In addition to our regional operating theater, HOI has extended its outreach worldwide, providing professional services in Greece, France, Peru, Saudi Arabia, Kuwait, Iraq, Yemen, Japan, Guam (territory), Spain, and Canada.

1.2. Qualifications

HOI has the staffing in place to execute contracts immediately upon award. Our team is highly experienced in the precise disciplines required to be immediately productive in a very cost effective way. HOI will provide management of the project from contract award to the completion of closeout documents. Our management structure and approach goes hand in hand with our safety, quality assurance and quality control protocols and procedures. We believe that an experienced onsite Project Manager and an experienced offsite Technical Advisor/Manager are absolutely paramount on projects such as these. These are crucial elements to ensure all work is performed safely, efficiently and effectively. Currently, HOI employs, on average, 30-50 union commercial divers/dive supervisors throughout the western United States.



Figure 2: HOI core theater of operations

1.3. Experience

HOI performs rehabilitation of waterfronts, ports and piers. Our team has performed thousands of repairs, cathodic improvements, and installations of waterfront structures both locally and worldwide. We are a certified DENSO and Fox Industries installer for pile rehabilitation. HOI can provide turnkey solutions for projects that involve cleaning, wrapping, jacketing, and/or injection of cementitious grout on existing piling.

These services include:

- Outfall Inspection, Repair and Construction
- Potable Water Reservoir/Tank Inspections
- Potable Water Reservoir/Tank Cleanings and Repairs
- Pier Inspection and Repairs
- Bridge Demolition
- Sheet Wall Cut Offs
- Diamond wire saw cutting and core drilling
- Piling Repair – Wood, Steel, Concrete
- Water Jetting and Dredging
- Debris Removal
- Cathodic Protection Engineering Services
- Anodes / Cathodic Protection
- Anode Manufacturing
- Underwater Painting and Coatings
- Marine Crane Services
- Scour Investigations
- Bathymetric Surveys
- Non-Destructive Testing
 - ✓ Ultrasonic Inspections
 - ✓ Magnetic Particle Inspections
 - ✓ Underwater Sediment Sampling
- Shoreline Erosion
- Soil Retention and Stabilization
- Submarine Cable Installations and Support



1.4. Safety

HOI is a long-time member of the Association of Diving Contractors (ADCI) and has a 3-year Experience Modification Rating (EMR) less than the industry standard of 1.0. All HOI diving operations are performed in accordance with the ADCI consensus standards for commercial diving and underwater operations, U.S. Navy (USN) Dive Manual Rev. 7a, CalOSHA CCR T8, Group 26, Article 152 and OSHA 29 CFR Part 1910, Subpart T.

HARBOR OFFSHORE, INC.	
Experience Modification Rate (EMR)	
Year:	Rating:
2019	0.8363
2018	0.9392
2017	0.8785

2. SCOPE OF WORK

2.1. Outfall Inspection

2.1.1. Includes the following:

2.1.1.1. Diving and safety submittals

2.1.1.2. Mobilization of a 3-man ADCI certified dive team, underwater high-definition video with audio and dive support vessel to the outfall location

2.1.1.3. Detailed visual inspection of the entire length of the outfall pipeline including diffusers, blanking flange, anodes, bell and spigots and anchor clamps for overall condition, carefully noting any anomalies located (if any)

2.1.1.4. Detailed inspection report of inspection findings including repair recommendations, still photos and a flash drive containing the dive video

2.1.2. Excludes the following:

2.1.2.1. Delays caused by others

3. PRICING SUMMARY

HARBOR OFFSHORE - PRICING SUMMARY			
Description	Unit Price	Units	Subtotal
Mobilization/Demobilization	\$ 1,485.51	1.00	\$ 1,486.00
Outfall Inspection	\$ 10,099.71	1.00	\$ 10,100.00
	Extended Total=		\$ 11,586.00

General Notes:

- All rates reflect 8-hour shifts, Monday – Friday.
- Third Party costs will be billed at cost plus 15% unless mentioned above.
- San Simeon Community Services District to provide sufficient access to and from the work site.
- Payment/Performance Bonding available upon request.
- Pricing does not include any permits or engineering.



Charles Grace
San Simeon Community Services District

9/14/21

Tidal Marine Construction Inc. appreciates the opportunity to provide a **Lump Sum** quote to provide services for the following services.

Subject: Ocean Outfall, San Simeon, CA

Scope of Work:

- 1, Inspect diffuser section of outfall for any defects.
- 2, Inspect up stream portion of pipeline exposed above seabed.
- 3, All inspections will be conducted with divers complete with video and real time audio.

- All operations are in accordance with OSHA, U.S. Coast Guard, ADCI Consensus Standards and Tidal Marine Construction Inc. Diving Procedures and Safe Practices Manual.
- Tidal Marine Construction Inc. will provide floating platform to perform the work.

Labor and Equipment \$ 10,440.00

Materials Included

Mobilization / Demobilization \$ 2,500.00

Please feel free to contact me for any questions or comments.

Steve Ackart

A handwritten signature in black ink, appearing to be 'S. Ackart', written over a horizontal line.

Tidal Marine Construction Inc.

5. C. Business Items



BUSINESS ACTION ITEM STAFF REPORT

ITEM 5.C. DIRECTION TO STAFF REGARDING CUSTOMER'S REQUESTS FOR CREDIT ON UTILITY BILLS.

Summary:

This item was placed on the September Board meeting agenda at the request of the utility customers. Two customers are requesting credits to their utility accounts. These requests are attached to this report. GES Staff is looking to the Board to provide direction regarding this matter. After a preliminary investigation it has been determined that the bills are not a result of billing error or a malfunctioning water meter.

At the September meeting GES staff and the Board were asked to review the policies of other agencies to determine what the current practice is within San Luis Obispo County. Staff contacted three local agencies to obtain copies of their current policies. The Oceano CSD, Heritage Ranch CSD, and Los Osos CSD.

Discussion:

San Simeon CSD Current Policy (2000 series) is as follows:

Disputed Bills: Whenever the correctness of any bill for water service is questioned, the District will cause an investigation to be made, including, if requested, a meter test in accordance with this ordinance.

Bills reflecting clerical or meter errors shall be adjusted, taking into consideration the volume of business, season demand, any other factors that may assist in determining an equitable charge.

Oceano CSD

Staff reviewed the adjustment policy for the Oceano CSD. Their policy is as follows:

6.08.030 Disputed Bills

1. Whenever the correctness of any bill for water service is questioned, the District will cause an investigation to be made, including, a meter test in accordance with this title.
2. Bills reflecting clerical or meter errors shall be adjusted, taking into consideration the volume of business, seasonal demand, and any other factors that may assist in determining equitable charge.

6.08.040 Billing Adjustments

1. Whenever a bill reflects high usage compared to the previous comparable seasonal billing period, the owner can request a billing adjustment. The owner must produce evidence of a break or malfunction that was not reasonably detectable. The owner must also produce evidence the break or malfunction has been repaired.
2. High usage is defined as water use for a billing period which is in excess of one and one-half times the "normal seasonal bimonthly use" as solely determined by the District.
3. Once the District determines there is no evidence that the excess use of water was due to the willful act or the negligence of the consumer or the consumer's agent(s), the District General Manager will credit the consumer's account for one-half the difference between the dollar amount of the normal bill (calculated as normal seasonal bimonthly use at current commodity rates) and the dollar amount of the disputed bill. In the event the District General Manager does not authorize the credit, the owner may appeal that decision to the Board of Directors. The appeal must be in writing and explain why the customer disagrees with the decision of the General Manager.
4. Consumers requesting a bill adjustment must allow District staff to complete a residential water use survey before any bill adjustment is given. The District General Manager may grant exemptions to this requirement should staff be unavailable to perform the survey in a timely manner.
5. Consideration of an adjustment pursuant to this policy shall be allowed only once in any consecutive 24 month period. The Board of Directors may make exceptions to the frequency of adjustments and the amounts of the adjustments for "Acts of God" such as earthquakes and floods."

Staff reviewed the adjustment policy for the Heritage Ranch CSD. Their policy is as follows:

Heritage Ranch

3.270 - Disputed Bills

To dispute a bill, a customer must contact the District and provide in writing all available evidence. Should the customer not pay the disputed bill by the due date, the District will notify the customer in writing:

- A. *That in lieu of paying the disputed bill he/she may deposit with the District the amount claimed due in cash or check made payable to the Heritage Ranch Community Services District.*

- B. *That upon receipt of a deposit, the General Manager will investigate the matter, advise the customer of his/her findings, and dispose of the deposit in accordance therewith.*
- C. *That service will not be discontinued pending the outcome of the General Manager's investigation provided that subsequent bills are paid or deposited with the District.*
- D. *That failure of the customer to make such deposits within ten days after the date of notification will warrant discontinuance of his service without further notice in accordance with Section 3.820 below.*

Los Osos

Staff reviewed the adjustment policy for the Los Osos CSD. Their application for adjustment is attached for the Boards review.

Recommendations:

Provide direction to GES staff and Legal Counsel regarding this matter.

Enc: Request from - 9148 Balboa Avenue - \$3250.09, 9229 Balboa Avenue - \$ 856.80
Los Osos CSD – Application for billing adjustment



LEAK ADJUSTMENT CREDIT APPLICATION

Date of Application: _____ Account No. _____

President
Christine M. Womack

Name: _____

Service Address: _____

Vice President
Matthew D. Fourcroy

Phone No.: _____ Email: _____

Directors
Charles L. Cesena
Troy C. Gatchell
Marshall E. Ochylski

Type of Leak: _____ Service Line _____ Other _____

Date of leak discovery: _____

General Manager
Ron Munds

Date of leak repair: _____

District Accountant
Robert Stilts, CPA

Description:

Unit Chief
Eddy Moore

Battalion Chief
Paul Provence

Mailing Address:
P.O. Box 6064
Los Osos, CA 93412

Evidence of repair: (please attach copies of receipts and/or invoices)

Offices:
2122 9th Street, Suite 110
Los Osos, CA 93402

Signature of Customer:

Phone: 805/528-9370
FAX: 805/528-9377

www.losososcsd.org

GM Approval Signature: _____ Date _____

Los Osos Community Services District Utility Billing Adjustment Policy and Procedures

I. DEFINITIONS

As used in this policy, the following terms shall have the meanings specified below:

- a. "Customer" means the person or entity under whose name a water account is created and/or who is ultimately responsible for payment of all charges incurred on the account per Title 2 of the District Code.
- b. "Water service line leak" means water loss from the water service line, the existence of which is known or unknown to the property owner or tenant (customer), beginning at the meter coupling on the customer's downstream side of the meter to the customer's home or business.
- c. "Non-water service line leak" means all water loss, other than from a water service line leak, due to deterioration of pipes, fittings, or equipment, the existence of which is known or unknown to the property owner or tenant (customer), and said loss emanates from the coupling / pipe fitting / appurtenance (example: toilet, irrigation valve) / junction on the customer's side of the water meter serving the customer's property.
- d. "Committee" means the Utility Billing Adjustment Committee
- e. "District" means Los Osos Community Services District

II. BACKGROUND

The Board of Directors through Resolution 2020-03 created the Utility Billing Adjustment Committee and gave the Committee the authority to resolve customer billing concerns, including the reduction of any amounts billed, as the Committee deems appropriate. The Committee is composed of Utilities Services Manager, Administrative Services Manager and the General Manager. The Committee has the authority to establish the policies necessary for performing its duties. The policies established by the Committee will be reviewed from time to time by the Board of Directors and, updated and approved accordingly.

III. PURPOSE

The purpose of this document is to establish a written policy for extending billing adjustments to water customers in the Los Osos Community Services District's water service area. The policy includes the requirements to request an adjustment and billing adjustment that will be granted if all the requirements are met.

IV. POLICY

A. Water and Non-Water Service Line Leaks

Customers are responsible for the service and fittings attached to the Water Utility system beginning at the meter coupling on the customer's downstream side of the meter. Any leaks in the line/pipe, which are the responsibility of the customer, must be maintained and repaired by the customer solely and at his/her expense per the District's Code, 2.02.13.

The customer's water service line, including the fittings on the customer's side of the meter, are to be maintained in a state of repair sufficient to allow the removal and replacement of the meter for maintenance. No adjustment or credits will be given for leaks which develop because of changing or maintaining the water meter, unless it can be shown that the Utility was negligent in performing the meter change or maintenance.

The customer is responsible for monitoring higher than expected usage as reflected on the customer's bill.

1. Customer Adjustment Request Requirements for Water Service Line Leaks:

The Committee, or a designee of the Committee is delegated the responsibility for adjusting water billings, may adjust the water usage portion (excluding service charges) on a customer’s bill for a water service line leak when all the following requirements are met:

- a. **WITHIN 60 DAYS OF BILL ISSUANCE:** Customer shall notify District, in writing, of water loss and repair of a water service line leak within 60 days from the bill issuance date for the period in which the loss occurred.
- b. **ONE ADJUSTMENT EVERY 24 MONTHS:** The customer has not received a water service line leak billing adjustment in the past 24 months. The 24-month period begins the first month of the billing period following the last billing period for which a leak billing adjustment was received.
- c. **PAYMENT OF BILL:** The District shall not extend the due date of a water bill because of the customer submitting a request for an adjustment of a bill for a water service line leak. Customer shall pay at least the uncontested portion of the bill to prevent discontinuation of service as determined by the Committee or their designee.
- d. **NO NEGLIGENT ACTS:** There must be evidence that excessive use of water was not due to the customer, his/her agents, or tenants’ willful or neglectful acts.
- e. **LEAK MUST BE REPAIRED OR RESOLVED:** If the excess usage is due to a water service line leak, the District must be satisfied that the problem that resulted in a request for a billing adjustment has been properly repaired or resolved.
- f. **EVIDENCE OF REPAIR OR RESOLUTION:** The District shall require repair bills or other appropriate documentation substantiating the repair of the water service line leak prior to approving a claim for adjustment. The written request shall be accompanied by either a plumber or landscaper’s invoice including a description of the repair work performed or a letter from the customer certifying:
 - a. The name, address, and telephone number of the person discovering the leak;
 - b. The date the leak was discovered;
 - c. The nature and location of the leak;
 - d. The date the leak was repaired;
 - e. The name, address, and telephone number of the person repairing the leak.

2. Water Service Line Leaks Billing Adjustments

The Committee or their designee has been delegated the authority to initiate the utility bill adjustment if all of the above requirements are met for a water service line leak. Each billing adjustment will be submitted to General Manager for review and final approval. The following requirements will be applied:

- a. **50% HIGHER THAN NORMAL:** Customers water, because of a service line leak, must be at least 50% higher than the average or normal water use as determined by the Committee to qualify for a billing adjustment.
- b. **ALL EXCESS USAGE BILLED AT TIER 1 RATE:** If the committee or their designee grants a water line leak adjustment, all the amount of excess usage (above the normal/average bill) due to the leak will be billed at the Tier 1 rate.

Example: Water Service Line Leak Adjustment			
	Water Use	Water Charges	Total Bill w/ Base Fee
Normal/Average Bill	10 units	\$68.75*	\$138.75
High Water Bill	30 units	\$276.25	\$346.25
Leak Adjustment @ Tier 1 rate of \$6.00/unit	20 units (30 units – 10 units)	\$120.00**	
Adjusted Water Bill		\$188.75	\$258.75

Example adjusted Water Bill Calculation: \$68.75* + \$120.00** + \$70.00 (base fee) = \$258.75

3. Non-water Service Line Leaks or Unexplained High Water Usage Billing Adjustment

Customers can apply for one non-water service line leak (i.e. high bill due to leak other than a water service line leak) or “unexplained” usage billing adjustment to the Committee once every 48 months. The usage must be at least 100% higher than usage compared to the average usage.

water use as determined by the Committee to qualify for a high bill or unexplained water usage billing adjustment. The billing adjustment will be calculated similarly as described under Section IV.A.2 above.

B. Waiving Restore Fees

The Utility Billing Adjustment Committee will not waive restore fees assessed when a customer's water is properly shut off for non-payment. The restore fee is intended to recover the cost to the District for Utility Billing preparing the shut off and water operations turning the water off and then back on so, because the District staff work has already been completed, the fee will not be waived.

C. Variance Procedures

Variances will be granted, on a case-by-case basis, at the discretion of the Committee. The following conditions are among those that may be given consideration in the variance process:

- Granting a water service line leak adjustment more often than once every 24 months;
- Granting a non-water service line leak or unexplained water usage adjustment more often than once every 48 months;
- Granting a credit for more than one billing periods;
- Granting a credit that exceeds the standard billing adjustment;
- Granting a billing adjustment not addressed in the Billing Adjustment Policies and Procedures.

The customer must request a variance in person, during a meeting with the Committee.

D. Committee Decisions are Final

With the Committee having been granted the authority to resolve utility billing concerns, their decision is final.

RE: Proposed Waiver of Charges, Account #194

Jerry M - RPM [REDACTED]

Mon 6/28/2021 3:27 PM

To: San Simeon CSD <admin@sansimeoncsd.org>

San Simeon Community Services District
111 Pico Avenue
San Simeon CA 93452

RE: Proposed Waiver of Charges, Account [REDACTED]

We are requesting a waiver of charges regarding the water bill for the Casa Del Playa Homeowners Association, 9229 Balboa Ave, San Simeon, CA 93452.

We have documented evidence there have been no leaks at the above-stated address and we are requesting a waiver of charges and credit of good faith monies sent heretofore.

We first noticed an increase in our water bill and contacted you immediately, at which time you sent someone to our property to check for leaks and none were found. In a previous similar situation with SSCSD, we were notified by you when our water bill increased and worked with you to mitigate the situation in a timely manner. It appears this time we were not notified from you, we notified you first. We are asking for some form of credit towards this bill

Sincerely,
Casa Del Playa Homeowners Association
C/O Jerry McLaughlin
Real Property Management Central Coast

[REDACTED]
[REDACTED]
[REDACTED] Web site
[REDACTED]
[REDACTED]
[REDACTED]

This e-mail is proprietary and intended solely for the use to whom they are addressed.

July 9, 2021

San Simeon Community Services District
111 Pico Avenue
San Simeon, CA 93452

To: Cortney Murguia, SSCSD Board, Billing Department

Regarding: 9148 Balboa Avenue, San Simeon, CA/Account [REDACTED] Joyce & Tony Orefice

This letter is in regard to the above address & the Billing Statements received 5/26/2021 & 6/26/2021. Both these statements are not correct.

This property has been vacant & not occupied during the above billing statements. Water & sewer bills from the start of the Vacant Property were \$38.03, in 2020, with the continued monthly charge of 38.03 starting Jan. 2021. My husband & I have been to the property multiple times per months while vacant to check on the property, and never did we find any toilets, faucets, or running water issues. Upon receiving the May statement, I contacted & spoke with Courtney Murguia and contacted our property manager Stephanie Rowles to please address & resolve the May statement from the SSCSD because it was incorrect. Stephanie had a plumber to the property to check for water leaks & he did not find leaks, and Stephanie spoke with Cortney Murguia, regarding the May 26, 2021 statement.

Enclosed please find a check in the amount of \$38.03 for the billing statement service dated 4/27/2021 through 5/26/2021. This is the amount we have been paying since the service was put into our name. I am requesting that this error please be corrected by crediting the amount of \$856.80, closing our account #465, as the property has now been rented. These billing statements have been a very stressful experience for my husband and I for the last several months. The property has been vacant during the billing periods as stated above. I believe there has been some kind of an error, possibly due to the water meter, water meter reading device, a mixed calculation with account numbers versus meter numbers that has caused this incorrect high billing amount.

With this letter is a copy of the SSCSD letter dated Jan. 6, 2021. Upon receiving this letter, at the Balboa property, not our home address, I called Courtney Murguia on Jan. 14, 2021 to give her our correct home address in [REDACTED] for billing. The \$50 deposit amount was waived by Courtney. Also enclosed are copies of Billing Statements we have been paying & a copy of the new tenants, [REDACTED], Billing Statement they received for services from 5/26/2021 - 6/24/2021, Acct. [REDACTED]. Please review their statement.

Thank You for your assistance on the above matter & I look forward to a quick conclusion. My contact number is [REDACTED] E-mail address [REDACTED]

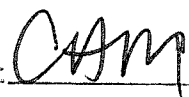
Sincerely,



Joyce Orefice

RECEIVED

JUL 12 2021

BY: 

5. D. Business Items



BUSINESS ACTION ITEM STAFF REPORT

ITEM 5.D. CONSIDERATION OF APPROVAL OF CONTRACT AMENDMENT FOR MANAGEMENT SERVICES FOR GRACE ENVIRONMENTAL SERVICES.

Summary:

District Counsel is currently reviewing the contract amendment. These materials will be distributed once they are available.

5. E. Business Items



BUSINESS ACTION ITEM STAFF REPORT

ITEM 5.E. AUTHORIZATION FOR DUDEK ENGINEERING TO COMPLETE THE COASTAL HAZARD RESPONSE PLAN (CHRP) PROPOSAL NOT TO EXCEED THE AMOUNT OF \$110,000.00.

Summary:

At a special meeting of the Board held on February 25, 2021 two potential candidates for the Coastal Hazards Response Plan (CHRP) were interviewed. Dudek Engineering was awarded the contract to complete the CHRP. Dudek, in coordination with Oliveira Environmental Consulting, has been working to prepare a cost proposal for the community. This document has been included as an attachment.

The CHRP must be completed by February 1, 2022. This is a requirement from the Coastal Development Permit for the riprap located at the Waste Water Treatment Plant (WWTP). A LCP grant has been obtained for cost to complete the CHRP. The LCP grant is a combined effort with the County of San Luis Obispo. The SSCSD portion of the grant is \$80,000.

Enc: Dudek Engineering Proposal for the CHRP

September 30, 2021

2201059

Sent via Email

Charles Grace, General Manager
San Simeon Community Services District
District Office
111 Pico Avenue
San Simeon, California 93452

Subject: Proposal for a Coastal Hazards Response Plan, Alternative Analysis, and Coastal Planning for the San Simeon Community Services District

Dear Mr. Grace:

Thank you for selecting Dudek to provide coastal environmental services for the preparation of a Coastal Hazards Response Plan (CHRP) (Task 1), Alternative Analysis (Task 2), and Coastal Planning (Task 3) for the San Simeon Community Services District (SSCSD). Project Management time is also included (Task 4). Based on conversation with Mr. Grace, Chair Gwen Kellas, and Mr. Jeff Oliveira over the last several months, we understand the scope of work and the limited budget of \$100,000 for preparation of the CHRP, Alternative Analysis, and Coastal Planning necessary to meet the special conditions of California Coastal Commission (CCC) CDP No. 3-19-0020. Please note that Dudek originally estimated the work to exceed \$200,000; however, we have prepared a proposal that we feel will result in the preparation of a CHRP and an Alternative Analysis along with close coordination with the CCC that will satisfy the CDP's requirements. Lastly, two optional tasks have also been identified: grant funding and a created wetland based WWTP alternative. These tasks are beyond the allotted budget and, therefore, are included as an attachment.

Per the request of the SSCSD, Dudek has refined the scope of work and associated cost as described below:

1 Scope of Work

Phase I: CHRP Outline and Agency Coordination

Task 1: Pre-Submittal Coordination with CCC and Relevant Agencies

Coordination with relevant agency staff is an important component to gain support for the CHRP and the preferred alternative or site, as well as to demonstrate that the SSCSD is making significant and diligent progress towards meeting the terms of the CDP. While this project will be completed before the formal check-in with CCC Executive Director in July 2024 (Special Condition No. 2 "Duration of Authorization"), coordination with CCC staff as part of the CHRP process will build the SSCSD's record for progress and ensure that by the time of the formal check-in, the CCC Executive Director will be able to determine that significant and diligent progress is being made towards CDP

Mr. Charles Grace

Subject: Proposal for a Coastal Hazards Response Plan for the SSCSD

compliance, and the SSCSD’s remaining five-year authorization will continue until at least 2029. Addressing CCC’s comments early in the process will ultimately lead to successful review and acceptance by CCC, streamlining the CDP condition compliance process. It will also be essential to coordinate with staff from San Luis Obispo County to ensure their support for the proposed relocation site. It is possible that the new WWTP will be incompatible with the existing land use or zoning designation of the relocation site, in which case an LCP Amendment will be required. Coordinating with the County early in the CHRP development process will give them more time and information with which to prepare a potential LCP Amendment. Similarly, coordination with California State Parks will likely be necessary, depending on the relocation site alternatives.

Based on our understanding of the key coastal issues and processing regulations, Dudek coastal planners will coordinate with CCC, County, and Regional Water Quality Control Board (RWQCB) to ensure that the CHRP satisfies the requirements of CDP No. 3-19-0020. Dudek coastal planners will prepare for and attend up to three (3) meetings with the SSCSD and agency staff members to discuss the CHRP outline, including the alternatives it evaluates and their consistency with applicable Coastal Act/LCP policies. This will provide an opportunity for agency staff to provide direction and feedback on the alternatives, as well as identify any potential coastal resource issues or concerns well in advance of the formal submittal of the CHRP. Dudek will coordinate with the technical consultants and SSCSD to respond to agency staff comments and questions on the CHRP outline and will provide strategic counseling regarding how best to address agency feedback in the document. This coordination prior to preparation and formal submittal of the CHRP will streamline CCC review and minimize any comments or requested changes after formal submittal.

Deliverables

- Preparation of meeting agendas, presentations, and written materials for up to three (3) meetings with agency staff and attendance at meetings (either in-person or virtually due to COVID-19). Agencies staff includes: CCC, County, and RWQCB.
- Meeting minutes from agency meetings.

Cost for Task 1\$10,170.00

Task 2: CHRP Outline

Dudek will prepare a preliminary outline of the CHRP and a written description of the analysis approach for discussion with the relevant agencies, as mentioned in Task 1. Reviewing the overall plan and methodology for the CHRP with agency stakeholders before the bulk of the analysis is done will help ensure that the finished product is acceptable to each agency and fulfills the requirements of CDP 3-19-0020. This will also help to focus the project team’s efforts and thereby conserve the overall project budget by avoiding time and effort wasted on alternatives or analyses that are not necessary for agency buy-in.

Deliverable

Dudek will complete a comprehensive outline of the CHRP including all sections specified in CDP 3-19-0020.

Cost for Task 2\$10,020.00

Phase I Total.....\$20,190.00

Phase II: Development of the CHRP

At the conclusion of Phase I, the Dudek team will coordinate with SSCSD to review the scope and budget of the Phase II tasks and adjust as needed prior to commencing further work on the CHRP.

Task 3: Coastal Hazards Analysis

Historic coastal hazards have been well documented in the CCC staff report and prior project studies. However, these studies provide only limited information regarding future coastal hazards that account for the best available sea level rise projections provided by OPC (2018).

This task includes a coastal hazard analysis to evaluate future coastal hazards at the potential alternative WWTP sites. We assume up to 4 alternative sites will be considered that are generally located within 0.5 miles (alongshore) from the existing WWTP. This will define the primary hazards of concern (shoreline erosion, coastal flooding or bluff erosion) and the likelihood of these hazards impacting the potential sites for several SLR scenarios.

Coastal hazards will be evaluated for a range of sea level rise (SLR) scenarios representative of the range in projections over the next 50 years. For budgeting purposes, we plan to evaluate up to 3 SLR scenarios using hazard data published by the USGS as part of their Coastal Storm Modeling Program. Coastal hazard data will be compiled on an ArcGIS platform to develop maps that depict both hazards and potential WWTP sites.

Per feedback from the SSCSD, this task excludes any additional analysis of existing or future coastal hazards at the existing WWTP site.

Deliverable

The results of this analysis will be drafted as an individual section to be included in the Draft Coastal Hazards Response Plan. The budget assumes two rounds of SSCSD reviews . Review comments will be addressed in a revised draft of the coastal hazards section of the CHRP.

Cost for Task 3\$14,950.00

Task 4: Alternatives Analysis

In their approval of CDP No. 3-19-0020, the CCC main concern was that the existing WWTP is located in a low-lying area adjacent to the beach and a low bluff adjacent to Arroyo del Padre Juan Creek. Therefore, the WWTP is subject

Mr. Charles Grace

Subject: *Proposal for a Coastal Hazards Response Plan for the SSCSD*

to coastal hazards from ocean and creek flooding, and it is anticipated that these hazards will be exacerbated with SLR. Therefore, as part of CCC's approval, CDP No. 3-19-0020 requires that SSCSD prepare a CHRP that identifies a new, inland location for the WWTP that is not subject to the significant coastal hazards threatening the existing WWTP. Consistent with CCC's SLR Policy Guidance (2018) and Coastal Act policies, this relocation will ensure that critical infrastructure is located out of harm's way and will ensure that SSCSD can continue to provide essential services in a manner that does not lead to significant adverse coastal resource impacts (e.g., on shoreline resources when armoring and other hazard responses are considered), and will ensure that public dollars are invested wisely in an era of SLR.

Dudek and GHD's coastal and WWTP engineers and scientists will support the alternatives analysis by analyzing potential alternatives under consideration including sites considered for relocation of standard WWTP infrastructure. The alternatives analysis will identify a preferred inland site or sites for District wastewater treatment functions, including evaluating alternative wastewater treatment options in lieu of building a new inland WWTP (including the construction of an inland package plant or plants, the possibility of combining services with other nearby existing WWTPs, and similar alternatives), and shall provide details regarding the mechanisms, costs, funding options, and timing for potential relocation and for full restoration of the existing WWTP site. Expected costs to purchase land for a relocated plant, to decommission the existing plant and to restore the site, to upgrade any relocated wastewater treatment functions to include water recycling (including addressing the potential for joint satellite facilities and/or collaborations with nearby communities and wastewater service providers for water recycling) must be included. The Response Plan shall provide a detailed evaluation of whether the use of the WWTP outfall can be eliminated and the outfall removed as part of moving wastewater functions to a more inland location. Any costs associated with new and/or upgraded outfall pipelines, pumps, and/or lift stations deemed necessary (including rerouting of sewer pipes to a relocated plant, etc.) shall also be included. The Response Plan shall include a timeline of potential major relocation events, including expected timeframes for land acquisition, planning, permitting, design, construction and eventual operation of a relocated plant or alternative wastewater treatment solutions that avoid the significant coastal hazards that threaten the existing WWTP as identified in the Commission-adopted findings for CDP 3-19-0020.

At the request of SSCSD, Dudek can include an alternative location and design for the relocated WWTP within California State Parks property. The proposed design calls for the creation of wetlands to naturally pretreat wastewater and provide wildlife habitat and potential fishing opportunities before entering secondary and tertiary treatments at the WWTP facility. At the very least, this task would require coordination with State Parks as well as engineering and environmental analysis of the site, once selected, and transfer of WWTP to the site including lift station(s) and piping as well as discharge connection and location.

The alternatives analysis will also include a description of the regulatory constraints and permitting pathways for each potential relocation site. Dudek coastal planners will work closely with the technical engineers and wastewater experts preparing the CHRP and provide advice and recommendations regarding Coastal Act/LCP consistency, as well as consistency with CDP No. 3-19-0020, throughout the project. Depending on where an alternative for relocation of the WWTP is located, it is likely that the San Luis Obispo County's LCP will serve as the standard of review. Dudek coastal planners will first identify the standard of review for the proposed project alternatives (either Coastal Act or San Luis Obispo County LCP) and then prepare a Coastal Act/LCP consistency analysis for the proposed project alternatives which will be included as a section of the alternatives analysis in the CHRP. The

Mr. Charles Grace

Subject: Proposal for a Coastal Hazards Response Plan for the SSCSD

analysis will identify any coastal resource concerns and/or policy constraints for a particular alternative. In addition, this consistency analysis will inform CCC coordination and help SSCSD staff and the Project Team determine the preferred project alternative.

In addition, Dudek coastal planners will leverage their extensive working knowledge of CCC regulatory requirements and procedures to prepare an assessment of the required permitting pathways for the preferred project alternative, including identification of whether an LCP amendment will be required. A project alternative would require an LCP amendment if a WWTP is not an allowed use on a particular inland site and could involve either the County of San Luis Obispo’s Coastal Zone Land Use Ordinance, the North Coast Plan Area, or both. It is assumed that if an LCP amendment is required, it will be initiated and conducted by County staff and is not part of this scope. This permitting pathway analysis will support the preparation of a conceptual timeline for potential major relocation events to be included in the Report.

Together, the consistency analysis and the permitting pathway evaluation will help SSCSD determine which project alternative meets the goals of the project, is consistent with Coastal Act/LCP requirements, and utilizes the most efficient process.

Deliverables

The results of this alternatives analysis will be drafted as an individual section to be included in the Draft Coastal Hazards Response Plan. The budget assumes two rounds of review will be provided by SSCSD. Review comments will be addressed in a revised draft of the coastal hazards section of the CHRP.

Cost for Task 4 \$46,900.00

Phase II Total \$61,850.00

Phase III: Submittal of the CHRP

Task 5: CCC Condition Compliance

It is assumed that SSCSD will package the final CHRP and submit it to the CCC Central Coast District Office. Following CCC staff’s review of the condition compliance submittal, Dudek coastal planners will review any requests for additional information and will prepare for and attend up to two (2) meeting with the SSCSD and CCC staff to discuss official acceptance of the CHRP by the Executive Director.

Given the level of uncertainty that exists in matters involving the CCC, including unanticipated data needs and technical study following review of submittal materials and the level of support required to respond to additional requests for information, additional work authorization may be required and would be subject to separate scope and fees.

Deliverables

- Coordination with CCC staff to facilitate acceptance of the CHRP, which may include up to two (2) meetings with the team present. On-going coordination by the project manager and deputy project manager is covered under Task 6. .

Cost for Task 5 \$9,960.00

Task 6: Project and Task Management

Project management time will primarily cover team coordination, internal and team meetings, deliverable, QA/QC, budget review, and invoices.

Cost for Task 6 \$8,000.00

Phase III Total..... \$17,960.00

2 General Project Assumptions

- Deliverables will be provided in electronic format, either via a shared file server or via email. It is assumed that SSCSD will address document reproduction and distribution.
- Dudek's schedule are based on receipt of ArcGIS/CAD files sufficient for coastal hazard modeling and environmental review.
- An agreed upon site with boundaries for the future proposed WWTP will be required by April 30, 2022, for Dudek to include State Lands property into the alternative analysis. An agreement of some sort (e.g., MOU or deed) would be required between State Parks and the SSCSD for the CCC to consider any future proposed WWTP on State Parks land to be valid. Inclusion of sites not agreed upon in a public document would present legal issues.
- SSCSD will provide the following services:
 - Provide record drawings, previous studies, video, and field records
 - Review comment on the Dudek team's recommendations
 - Provide supervised access to the sites
 - Provide SSCSD facilities for hosting meetings

3 Cost Estimate and Invoicing

The total cost estimate for the scope of work described in this proposal is **\$100,000.00**. This estimate represents our best approximation of labor and ODC's we expect to be required, based upon our experience with similar projects. Monthly invoicing for approved Tasks will be on a time and material basis. Should the actual effort required to complete the tasks be less than anticipated, the amount billed will be less than the total fee. Conversely, you will be notified should the actual effort to complete the proposed tasks be greater than anticipated.

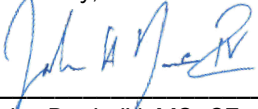
Mr. Charles Grace

Subject: *Proposal for a Coastal Hazards Response Plan for the SSCSD*

4 Authorization

It is our understanding that authorization will be provided by the client prior to the initiation of any work effort covered under this proposal. If you have any questions or wish to discuss, please contact me at 805.252.7996 or jdavis@dudek.com.

Sincerely,



John Davis IV, MS, CE
Project Manager / Senior Coastal Ecologist

Att: *Optional Task*
Cost Spreadsheet
Dudek 2021 Standard Schedule of Charges

cc: *Gwen Kellas, SSCSD*
Jeff Oliveira, Oliveira Environmental Consulting, LLC

Optional Tasks

Grant Opportunities

SSCSD needs, Dudek will conduct thorough grant research prior to identifying a course for funding. This research entails discussions with the funding agencies, as well as SSCSD staff. Moreover, Dudek will work to identify project aspects, project partners, and funding streams that may be new to the SSCSD. Once a project and a grant funding source has been identified, Dudek’s key priorities in completing any application are to maximize the competitiveness of the application. We will do this by working with the SSCSD to ensure project description alignment with funding opportunities and develop work plans, associated budgets, and schedules that position the SSCSD for successful completion of the any identified projects. Specifically, Dudek will ensure that the grant application fully satisfies the evaluation criteria used to score the application by conducting an audit of the scoring rubric, building an outline of salient project features around the rubric, and then having a team member score the application. Dudek will also attend any funding workshops in preparation for application development and submittal and reach out to the funding agency as necessary and appropriate to get clarification on elements of a grant submittal.

Estimated Cost for Grant Opportunities \$5,000.00

San Simeon Community Service District
P2201059 (Coastal Hazards Response Plan)
 DUDEK FEE ESTIMATE

9/30/2021

<i>Project Team Role:</i>		Specialist I	Senior Specialist IV	Senior Specialist IV	Principal Engineer III	Senior Engineer (GHD)	TOTAL DUDEK HOURS	DUDEK LABOR COSTS	OTHER DIRECT COSTS	TOTAL FEE
<i>Team Member:</i>		Carolyn Groves	John Davis IV	Jane Gray	Mike Metts	Aaron Holloway				
<i>Billable Rate:</i>		\$130.00	\$230.00	\$230.00	\$275.00	\$230.00 ¹				
Phase I	CHRP Outline and Agency Coordination									
1	Pre-Submittal Coordination with Agencies	24	10	10		10	54	\$10,020.00	\$150.00	\$10,170.00
2	CHRP Outline	24	10	10		10	54	\$10,020.00		\$10,020.00
Subtotal Phase I		48	20	20	0	20	108	\$20,040.00		\$20,190.00
Phase II	Development of CHRP									
3	Coastal Hazard Analysis					65	65	\$14,950.00		\$14,950.00
4	Alternatives Analysis	50	40	40	80		210	\$46,900.00		\$46,900.00
Subtotal Phase II		50	40	40	80	65	275	\$61,850.00		\$61,850.00
Phase III	Submittal of the CHRP									
5	CCC Condition Compliance	20	16	16			52	\$9,960.00		\$9,960.00
6	Project Management	12	16	12			40	\$8,000.00		\$8,000.00
Subtotal Phase III		32	32	28	0	0	92	\$17,960.00		\$17,960.00
Total Hours		130	92	88	80	85	475			
Total		\$16,900.00	\$21,160.00	\$20,240.00	\$22,000.00	\$19,550.00		\$99,850.00	\$0.00	\$100,000.00

¹Subcontractors are charged at 1.15 times the direct cost. This markup is included in the hourly rate for Aaron Holloway.

DUDEK

Board Packet October 12, 2021 2021 STANDARD SCHEDULE OF CHARGES

ENGINEERING SERVICES

Project Director.....	\$295.00/hr
Principal Engineer III.....	\$275.00/hr
Principal Engineer II.....	\$265.00/hr
Principal Engineer I.....	\$255.00/hr
Program Manager.....	\$240.00/hr
Senior Project Manager.....	\$240.00/hr
Project Manager.....	\$235.00/hr
Senior Engineer III.....	\$230.00/hr
Senior Engineer II.....	\$220.00/hr
Senior Engineer I.....	\$210.00/hr
Project Engineer IV/Technician IV.....	\$200.00/hr
Project Engineer III/Technician III.....	\$190.00/hr
Project Engineer II/Technician II.....	\$175.00/hr
Project Engineer I/Technician I.....	\$160.00/hr
Senior Designer.....	\$180.00/hr
Designer.....	\$170.00/hr
Assistant Designer.....	\$165.00/hr
CADD Operator III.....	\$160.00/hr
CADD Operator II.....	\$150.00/hr
CADD Operator I.....	\$135.00/hr
CADD Drafter.....	\$125.00/hr
CADD Technician.....	\$115.00/hr
Project Coordinator.....	\$140.00/hr
Engineering Assistant.....	\$120.00/hr

ENVIRONMENTAL SERVICES

Project Director.....	\$245.00/hr
Senior Specialist IV.....	\$230.00/hr
Senior Specialist III.....	\$220.00/hr
Senior Specialist II.....	\$200.00/hr
Senior Specialist I.....	\$190.00/hr
Specialist V.....	\$180.00/hr
Specialist IV.....	\$170.00/hr
Specialist III.....	\$160.00/hr
Specialist II.....	\$145.00/hr
Specialist I.....	\$130.00/hr
Analyst V.....	\$120.00/hr
Analyst IV.....	\$110.00/hr
Analyst III.....	\$100.00/hr
Analyst II.....	\$90.00/hr
Analyst I.....	\$80.00/hr
Technician V.....	\$100.00/hr
Technician IV.....	\$90.00/hr
Technician III.....	\$80.00/hr
Technician II.....	\$70.00/hr
Technician I.....	\$60.00/hr
Compliance Monitor.....	\$95.00/hr

MAPPING AND SURVEYING SERVICES

Application Developer II.....	\$190.00/hr
Application Developer I.....	\$150.00/hr
GIS Analyst V.....	\$200.00/hr
GIS Analyst IV.....	\$160.00/hr
GIS Analyst III.....	\$140.00/hr
GIS Analyst II.....	\$125.00/hr
GIS Analyst I.....	\$110.00/hr
UAS Pilot.....	\$110.00/hr
Survey Lead.....	\$180.00/hr
Survey Manager.....	\$130.00/hr
Survey Crew Chief.....	\$110.00/hr
Survey Rod Person.....	\$90.00/hr
Survey Mapping Technician.....	\$90.00/hr

CONSTRUCTION MANAGEMENT SERVICES

Principal/Manager.....	\$195.00/hr
Senior Construction Manager.....	\$180.00/hr
Senior Project Manager.....	\$165.00/hr
Construction Manager.....	\$155.00/hr
Project Manager.....	\$145.00/hr
Resident Engineer.....	\$145.00/hr
Construction Engineer.....	\$140.00/hr
On-site Owner's Representative.....	\$140.00/hr
Construction Inspector III.....	\$130.00/hr
Construction Inspector II.....	\$120.00/hr
Construction Inspector I.....	\$110.00/hr
Prevailing Wage Inspector.....	\$135.00/hr

HYDROGEOLOGY/HAZWASTE SERVICES

Project Director.....	\$285.00/hr
Principal Hydrogeologist/Engineer II.....	\$265.00/hr
Principal Hydrogeologist/Engineer I.....	\$250.00/hr
Sr. Hydrogeologist IV/Engineer IV.....	\$235.00/hr
Sr. Hydrogeologist III/Engineer III.....	\$220.00/hr
Sr. Hydrogeologist II/Engineer II.....	\$205.00/hr
Sr. Hydrogeologist I/Engineer I.....	\$190.00/hr
Hydrogeologist VI/Engineer VI.....	\$180.00/hr
Hydrogeologist V/Engineer V.....	\$170.00/hr
Hydrogeologist IV/Engineer IV.....	\$160.00/hr
Hydrogeologist III/Engineer III.....	\$150.00/hr
Hydrogeologist II/Engineer II.....	\$140.00/hr
Hydrogeologist I/Engineer I.....	\$130.00/hr
Technician.....	\$100.00/hr

DISTRICT MANAGEMENT & OPERATIONS

District General Manager.....	\$195.00/hr
District Engineer.....	\$185.00/hr
Operations Manager.....	\$160.00/hr
District Secretary/Accountant.....	\$120.00/hr
Collections System Manager.....	\$135.00/hr
Grade V Operator.....	\$125.00/hr
Grade IV Operator.....	\$110.00/hr
Grade III Operator.....	\$100.00/hr
Grade II Operator.....	\$75.00/hr
Grade I Operator.....	\$70.00/hr
Operator in Training.....	\$65.00/hr
Collection Maintenance Worker.....	\$75.00/hr

CREATIVE SERVICES

3D Graphic Artist.....	\$180.00/hr
Creative Services IV.....	\$160.00/hr
Creative Services III.....	\$145.00/hr
Creative Services II.....	\$130.00/hr
Creative Services I.....	\$115.00/hr

PUBLICATIONS SERVICES

Technical Editor III.....	\$145.00/hr
Technical Editor II.....	\$130.00/hr
Technical Editor I.....	\$115.00/hr
Publications Specialist III.....	\$105.00/hr
Publications Specialist II.....	\$95.00/hr
Publications Specialist I.....	\$85.00/hr
Clerical Administration.....	\$90.00/hr

Forensic Engineering – Court appearances, depositions, and interrogatories as expert witness will be billed at 2.00 times normal rates.

Emergency and Holidays – Minimum charge of two hours will be billed at 1.75 times the normal rate.

Material and Outside Services – Subcontractors, rental of special equipment, special reproductions and blueprinting, outside data processing and computer services, etc., are charged at 1.15 times the direct cost.

Travel Expenses – Mileage at current IRS allowable rates. Per diem where overnight stay is involved is charged at cost

Invoices, Late Charges – All fees will be billed to Client monthly and shall be due and payable upon receipt. Invoices are delinquent if not paid within 30 days from the date of the invoice. Client agrees to pay a monthly late charge equal to 1% per month of the outstanding balance until paid in full.

Annual Increases – Unless identified otherwise, these standard rates will increase 3% annually.

The rates listed above assume prevailing wage rates does not apply. If this assumption is incorrect Dudek reserves the right to adjust its rates accordingly.

5. F. Business Items



BUSINESS ACTION ITEM STAFF REPORT

ITEM 5.F. DISCUSSION ON PROCEDURE TO FILL THE VACANCY ON THE SAN SIMEON COMMUNITY SERVICES DISTRICT CREATED BY THE RESIGNATION OF DIRECTOR WILLIAM MAURER; 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.

Summary:

With the resignation of William Maurer, the Board will need to decide to either hold elections or appoint a new director. As in previous similar situations, holding an election for the replacement of one Board member would be a costly procedure for the District.

The Board may choose to follow the appointment process to fill the vacant director position, and direct GES Staff to post notice of the vacancy. The notice of vacancy can also be mailed to members of the public who reside in San Simeon. The new Board member would be sworn in at the next Board meeting or a special meeting could be scheduled to allow more time.

Enc: Resignation letter from William Maurer



Cortney Murguia <cmurguia@graceenviro.com>

Resignation

William Maurer <wmaurer@sansimeoncsd.org>

Wed, Sep 29, 2021 at 8:10 AM

To: Gwen Kellas <gkellas@sansimeoncsd.org>, Cortney Murguia <cmurguia@graceenviro.com>, Charles Grace <cgrace@graceenviro.com>

Cc: Daniel De la Rosa <dellarosa@sansimeoncsd.org>, "mpowergiacoletti@gmail.com" <mpowergiacoletti@gmail.com>, William Carson <wcarson@sansimeoncsd.org>

September 29, 2021

Due to increasing family commitments and the tremendous needs of the district, I hereby resign my position as Board Member of the San Simeon Community Service District, effective immediately.

Sincerely,

William E. Maurer

Get [Outlook for Android](#)