

INTERIM GENERAL MANAGER
ADMINISTRATIVE RESET PROPOSAL
San Simeon Community Services District

MEMO

October 28, 2024

PERSONAL, From: Dr. Patrick Faverty, Consultant, as Interim General Manager, SSCSD

To: Board of Directors, SSCSD

I want to thank Director Le for providing me with feedback regarding my relationship with the Board. I have reviewed the concerns, and I'd like to offer my response.

In my experience in leadership positions and in teaching, I often referred to the "boiled frog" scenario. If you throw a frog into boiling water to get frog legs for supper, the frog jumps right out. However, if you put the frog in normal water and slowly turn up the heat, the frog is cooked before he knows it, and voila! Frog legs for supper!

I feel Like I am the boiled frog. From Acting to Interim to two extensions of the job of GM, I have slowly gotten "cooked" so to speak, over the last year as the administrative heat has gone up.

While I feel very successful in what has been accomplished, I'd like also to acknowledge how things might be improved. It is very obviously time for a RESET of the position of GM here.

My improvement plan has several parts. I'll present the internal parts first. Beginning December 1, 2024, I will RESET my relationship with the Board from an hourly consultant fee to a flat rate monthly contract with all employees working within that contract. This contract will include me, Kathy, and Ruth, with Office Hours 9:00 to 2:00 Monday – Thursday. I am adding Ruth to the team as Asst to the General Manager to address a number of items, including managing Board meeting technology, assisting us to keep our accounts current, assisting Kathy with customer service, writing our quarterly newsletter, providing services to our Spanish-speaking customers, and other items as necessary. All three of us will also liaise with the County, and their ultimate consultant, depending upon the requisite need.

Rates & Costs:

RESET of Contract for Administrative Personnel costs to \$15,000/month. The contract includes a monthly administrative fee of \$500.00 for vehicle use, mileage, petty cash, insurance, software fees, and other nominal operating expenses.

I would appreciate White-Brenner writing up a new agreement.

Now for the external RESET: There are several agencies that I have built relationships with that I will ultimately bring to the Board for consideration for particular projects. First, RCAC, <https://www.rcac.org/about-rcac/strategic-plan/>

This is an agency that provides funding and management support for rural communities in the Western U.S. They assist in finding and/or providing funding as well as oversight on project management.

Second, California Rural Water Assoc. <https://calruralwater.org/home/about-us/>

And through the CRWA, the Specialized Utilities Services Program, SUSP, <https://www.suspinc.org>. Each of these agencies will be able to assist as we proceed with the dissolution process, in consideration of rate studies and median household income surveys to provide appropriate data to the County.

And, finally the US Dept of Agriculture, Rural Development program. This USDA RD is the funder of the RO Building. While I am not suggesting another loan from them, their loan terms are exceptionally good at 40 years, but they also provide other support services, <https://www.rd.usda.gov/sites/default/files/usda-rd-wep-matrix-08282024.pdf>

A Communications RESET, A regular email letter from the GM to all members of the Board. However, there are some Brown Act issues to be addressed.

“The Brown Act provides that “[a] majority of the members of a legislative body shall not, outside a meeting ... use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.”

“An example of a serial meeting is when a chief executive officer (the hub) briefs a majority of members (the spokes) prior to a formal meeting and, in the process, information about the members’ respective views is revealed. Each of these scenarios violates the Brown Act.”

“A unilateral written communication to the legislative body, such as an informational or advisory memorandum, however, does not violate the Brown Act. Such a memo may be considered a public record.”

From a Guide to the Ralph M Brown Act 2024

Thus, the key to any Brown Act protection for any email I send the Board is that you may not collectively discuss any item outside of a meeting, and I will not include anything in the letter that is confidential (or could be a public record request). To that end, I will send regular communication to you again between meetings, not necessarily every week, but regularly.

And, of course, the final RESET has already begun with the formation of the reorg committee. Rebecca Campbell, the Assistant County Administrator, has told us she will be happy to sit in on (ZOOM) our monthly reorg meetings to keep the committee and, thus, the Board apprised of the dissolution process.

Again, I'd like to thank Director Le for sharing your feedback, and I hope this RESET can provide a stronger position for us to move forward.

I am asking Nubia to place this RESET process on the November 7 agenda for discussion and approval.