

Board of Directors San Simeon Community Services District



BOARD PACKET

**Thursday, February 11, 2020
Regular Meeting 6:00 pm**

Virtual Board Meeting via Zoom
Meeting Room: 927-053-7206
Password: 114376

Prepared by:



GRACE
ENVIRONMENTAL SERVICES

Board Meeting Brown Act Check Sheet

Does the agenda have the correct:

Meeting location

Meeting time

Is the agenda posted 72 hours prior to the Regular meeting

Posting 1 District Office

Posting 2 Post Office

Posting 3 Chamber of Commerce

Is the agenda on the website 72 hours prior to the Regular meeting

Has the Board Packet been distributed to the Board

At the time of Packet Distribution to the Board has the Packet Been:

Distributed to the individuals / entities on the Distribution List

Loaded on the Website

Budget Committee Meeting

Does the agenda have the correct:

Meeting location

Meeting time

Is the agenda posted 72 hours prior to the Regular meeting

Posting 1 District Office

Posting 2 Corner Store

Posting 3 Chamber of Commerce

Water Committee Meeting

Does the agenda have the correct:

Meeting location

Meeting time

Is the agenda posted 72 hours prior to the Regular meeting

Posting 1 District Office

Posting 2 Corner Store

Posting 3 Chamber of Commerce

AGENDA
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS REGULAR MEETING
Thursday, February 11, 2021
6:00 pm

Pursuant to Governor Gavin Newsom's Executive Order N-29-20 dated March 17, 2020 and the San Luis Obispo County Local Emergency Order and Regulation regarding COVID-19 dated March 18, 2020, this meeting shall occur as a virtual teleconference using the Zoom app. Members of the public cannot physically attend this meeting.

Internet Meeting Location

Join Zoom Meeting

<https://us02web.zoom.us/j/9270537206?pwd=RDNNcTErb2E1TmswRG51WGNEZVJLQT09>

Meeting ID: 927 053 7206

Password: 114376

One tap mobile

+1 669 900 9128, 9270537206# US (San Jose)

+1 346 248 7799, 9270537206# US (Houston)

Time: **February 11, 2021 6:00 PM Pacific Time**

NOTE: On the day of the meeting, the virtual meeting room will be open beginning at 5:30 PM. If you are unable to access the meeting please contact the District office at (805) 400-7399 prior to the 6:00 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 with any questions or concerns related to this agenda or accessing the meeting.

1. REGULAR SESSION: 6:00 PM

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 January.
- ii. **Superintendent's Report** – Summary of January activities.
- iii. **General Manager's Report** – Summary of January Activities.
- iv. **District Financial Summary** – Summary of January Financials.
- v. **District Counsel's Report** – Summary of January Activities.

B. PUBLIC COMMENTS ON SPECIAL PRESENTATIONS AND REPORTS:

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 - Members of the public wishing to speak on consent agenda 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.

A. Review and approval of Minutes for the Regular Meeting on January 14, 2021.

B. Review and approval of Disbursements Journal.

C. Review of authorization of powers to the General Manager awarded under Resolution 20-419.

D. Adoption of Resolution 21-430 regarding the Voter's Right Act.

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. Consideration of Review of Draft District Audit 2019-2020 presented Adam Guise from Moss, Levy & Hartzheim, LLP.

B. Consideration of updates to the policy & procedures manual.

C. Chair appointment of standing committee members per District policy # 13.00.02.

D. Direction to staff regarding the responses from the request for proposal related to the Coastal Hazard Response Plan (CHRP).

E. Authorization for District Staff to obtain Alpha Electric to install a new Blower Variable Feed Drive (VFD) not to exceed the amount of \$8,000.00.

F. Discussion and direction to staff repair or replacement of Waste Water Treatment Plant (WWTP) blower 5 motor.

G. Consideration of request from Robert Hather for an intent to serve letter 013-091-027.

6. 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).

7. 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.

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3. A. ii. SUPERINTENDENT REPORT
Jerry Copeland
Facilities Update for January 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.
- The Annual WWTP report and the Annual Outfall Inspection report were submitted to the SWRCB.

2. Water Treatment and Distribution System

- All routine sampling and testing was performed.
- The monthly report was submitted to the State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW).
- On January 12, 2021 chloride levels in the ground water reached the threshold mandated by the State DDW to begin Reverse Osmosis operations. The Reverse Osmosis Unit ran daily until January 26, 2021. On January 27, 2021 sufficient rainfall occurred to cause Pico Creek to flow which is the threshold mandated by the State DDW to begin HARMSCO Filter operations. The HARMSCO Filter operations are continuing daily through the rainy season.
- Routine maintenance was performed on the R.O. 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. We are recording all these activities.
- Paving repairs were performed throughout the District streets.

San Simeon Community Services District

Superintendent's Report

January 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		Recycled Water Distributed	Water Level Well 1	Water Level Well 2	Rainfall in Inches	State Flows
											1	2					
01/01/21	Friday	59,775	63,170	748	81,532	82,280	0	0	0	-	167	42	0	12.1	11.9	0.00	2,006
01/02/21	Saturday	80,400	84,410	82,355	673	83,028	0	0	0	-	215	64	0	12.2	11.9	0.00	2,978
01/03/21	Sunday	59,450	61,820	748	80,560	81,308	0	0	0	-	232	49	0	12.2	12.0	0.00	2,580
01/04/21	Monday	35,012	38,800	0	83,552	83,552	0	0	0	-	262	82	0	12.3	12.1	0.54	1,967
01/05/21	Tuesday	43,329	47,900	0	748	748	0	0	0	-	-	136	0	-	-	0.00	1,646
01/06/21	Wednesday	35,635	39,700	0	68,442	68,442	0	0	0	-	-	103	0	12.2	12.0	0.00	1,570
01/07/21	Thursday	38,104	44,710	0	71,883	71,883	0	0	0	-	-	103	0	12.3	12.1	0.00	2,226
01/08/21	Friday	46,938	44,130	748	66,572	67,320	0	0	0	-	-	153	0	12.4	12.2	0.00	2,077
01/09/21	Saturday	42,169	52,560	0	68,816	68,816	0	0	0	-	333	136	0	12.4	12.2	0.00	1,098
01/10/21	Sunday	32,804	38,890	748	17,802	18,550	0	0	0	-	-	215	0	12.3	12.0	0.00	2,529
01/11/21	Monday	47,737	51,340	748	68,068	68,816	0	0	0	-	356	273	0	-	-	0.00	2,188
01/12/21	Tuesday	51,636	56,610	898	56,025	56,923	52,685	45,935	10,002	190	532	292	0	11.1	10.8	0.00	1,091
01/13/21	Wednesday	48,653	53,490	748	58,194	58,942	59,505	51,777	11,234	139	573	356	0	11.0	10.8	0.00	1,347
01/14/21	Thursday	29,488	30,280	1,646	57,222	58,868	59,771	51,036	11,132	102	664	382	0	10.6	10.4	0.00	1,381
01/15/21	Friday	55,019	58,570	0	58,793	58,793	61,808	52,891	11,429	88	761	435	0	10.5	10.3	0.00	1,388
01/16/21	Saturday	73,667	73,650	0	57,895	57,895	62,172	51,357	11,562	82	-	407	0	10.6	10.4	0.00	1,647
01/17/21	Sunday	93,919	92,650	0	104,047	104,047	114,159	92,494	16,065	64	-	365	0	10.7	10.5	0.00	3,073
01/18/21	Monday	63,464	64,350	0	83,103	83,103	92,525	74,729	22,308	42	-	407	0	10.9	10.7	0.00	2,160
01/19/21	Tuesday	52,276	53,970	0	52,136	52,136	55,369	46,463	10,477	30	-	365	0	11.0	10.8	0.00	1,782
01/20/21	Wednesday	56,995	58,320	972	67,918	68,891	69,921	68,807	13,282	36	-	407	0	11.0	10.8	0.00	1,028
01/21/21	Thursday	51,111	53,340	0	66,871	66,871	68,827	62,010	13,215	42	667	465	0	11.2	10.9	0.10	1,183
01/22/21	Friday	47,756	50,030	0	53,781	53,781	53,988	57,022	9,962	73	-	453	0	11.3	11.0	0.15	1,255
01/23/21	Saturday	45,158	48,280	0	54,679	54,679	54,242	46,876	10,287	73	-	407	0	11.3	11.1	0.00	1,040
01/24/21	Sunday	56,608	57,490	0	55,876	55,876	53,453	52,506	10,100	82	-	355	0	11.4	11.1	0.12	2,461
01/25/21	Monday	42,431	50,070	0	58,269	58,269	62,987	52,279	11,844	73	-	365	0	11.4	11.2	0.03	1,270
01/26/21	Tuesday	147,751	148,640	0	32,239	32,239	33,449	29,111	6,568	73	-	313	0	11.4	11.1	0.24	1,434
01/27/21	Wednesday	379,265	394,210	0	65,076	65,076	0	0	0	0	-	273	0	10.5	10.1	7.08	15,426
01/28/21	Thursday	272,416	326,280	0	42,561	42,561	0	0	0	0	-	182	0	1.9	2.0	2.52	92,710
01/29/21	Friday	134,866	134,500	0	52,809	52,809	0	0	0	0	-	-	0	4.0	4.0	0.13	62,439
01/30/21	Saturday	100,601	98,170	0	0	0	0	0	0	0	-	-	0	7.8	7.5	0.00	21,716
01/31/21	Sunday	74,670	75,800	0	74,650	74,650	0	0	0	0	-	-	0	8.8	8.6	0.00	11,922
TOTALS		2,399,103	2,546,130	90,358	1,760,792	1,851,150	954,861	835,293	179,467				0			10.91	250,618
Average		77,390	82,133	2,915	56,800	59,715	30,802	26,945	5,789	59	433	271	0	10.6	10.4	0.35	8,084
Minimum		29,488	30,280	0	0	0	0	0	0	0	167	42	0	1.9	2.0	0.00	1,028
Maximum		379,265	394,210	82,355	104,047	104,047	114,159	92,494	22,308	190	761	465	0	12.4	12.2	7.08	92,710

DATA SUMMARY SHEET

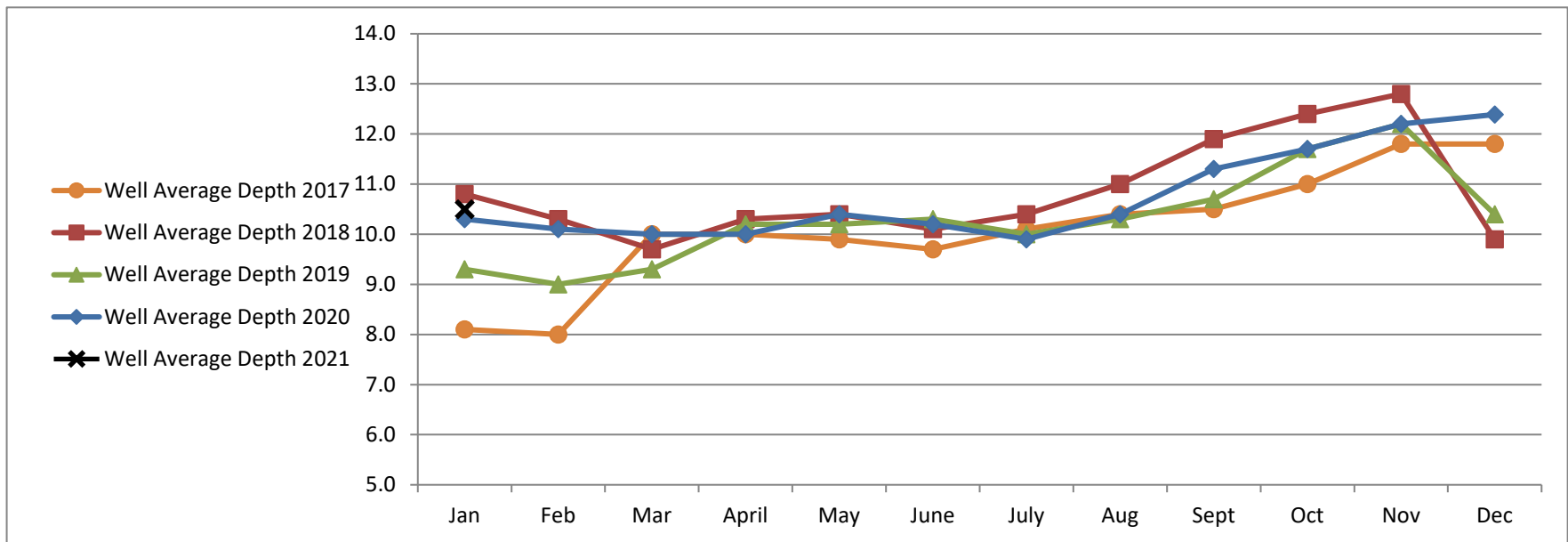
2021													
	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Total for 2020
Wastewater Influent	2,399,103												2,399,103
Wastewater Final Effluent (Month Cycle)	2,546,130												2,546,130
Adjusted Wastewater Influent (- State Flow)	2,148,485												2,148,485
Water Produced (month cycle)	1,851,150												1,851,150
Sewer Influent/Water Produced Ratio	1.30												N/A
Adusted Sewer/Water Produced Ratio	1.16												N/A
Well 1 Water Production	90,358												90,358
Well 2 Water Production	1,760,792												1,760,792
Total Well Production	1,851,150												1,851,150
Water Well 1 Avg Depth to Water	10.6												N/A
Water Well 2 Avg Depth to Water	10.4												N/A
Average Depth to Water of Both Wells	10.5												N/A
Change in Average Depth to Water from 2020	+0.2												N/A
Average Chloride mg/L at the Wells	352												N/A
State Wastewater Treated	250,618												250,618
State % of Total WW Flow	10%												N/A
Recycled Water Sold (Gallons)	0												0
Biosolids Removal (Gallons)	0												0
WW Permit Limitation Exceeded	0												0
RW Permit Limitation Exceeded	0												0
Constituent Exceeded	None												N/A
Sample Limit	N/A												N/A
Sample Result	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
Adusted 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 2018	+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	<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%	5.13%
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

January 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											



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



MANAGER'S REPORT

Item 3.A.iii

Staff Activity – Report on Staff activities for the month of January 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.

Staff also attended to the following items:

- Responded to ten (10) public records requests. Two requests are still being assembled and will require additional efforts.
 - Manually removed late fees from forty-seven (47) utility accounts.
 - Mailed the Jan/Feb newsletter to residents.
-

Update on District Grants:

OPC Grant – The OPC grant continues to be reviewed for options to move forward.

LCP Grant – The District will be working with the County on an official Agreement between the agencies now that the grant has been approved and the District is getting closer to kicking off the CHRP. The Agreement will highlight the roles of each agencies moving forward with the CHRP and the eventual LCP Amendment process, which was discussed in the grant application. Billings will begin upon CHRP kickoff.

Update on District Projects:

Disadvantaged Community Survey (MHI) – This item requires no Board action. The report was submitted to the State and staff is waiting for notification from SUSP to confirm that the State of California has approved the DAC status for the community of San Simeon.

LAFCO Solid Waste Power – Eleven total protest letters were validated by the County Clerk. Staff is waiting for LAFCO to issue the final decision on this matter. The total spent to obtain the power was \$12,000 and this cost will be recovered in the first year. Staff would like to thank the community members that supported the District in applying to obtain this power.

Water Tank Project Update – No update.

3. A. iv. DISTRICT FINANCIALS
Cortney Murguia
January 31, 2021

SAN SIMEON COMMUNITY SERVICES DISTRICT



3.A.iv FINANCIAL SUMMARY

Billing January 31, 2021

December Billing Revenue	\$	54,644.76
January Billing Revenue	\$	68,176.34
Past Due (60+ days)	\$	3,002.88

ENDING BANK BALANCES

January 31, 2021

PACIFIC PREMIER BANK:

Money Market Account Closing Balance December 31, 2020	\$	1,093,412.83
Interest for January	\$	185.75
Money Market Account Closing Balance January 31, 2021	\$	1,093,598.58
Reserve Fund		(250,000.00)
Wait-list Deposits		(70,836.00)
Customer Deposits		(9,250.00)
Available Funds	\$	<u>763,512.58</u>
General Checking Account January 31, 2021	\$	67,509.01
LAIF Closing Balance January 31, 2021	\$	559.01
Interest Money Market Account 2019	\$	22,529.11
Interest Money Market Account 2020	\$	12,206.44
Interest Money Market Account 2021	\$	185.75

SAN SIMEON COMMUNITY SERVICES DISTRICT

**Balance Sheet
As of January 31, 2021**

ASSETS

Checking/Savings

1010 · Petty cash	150.00
1015 · Pac Prem Ckg-6603	65,810.56
1017 · Pacific Premier-Money Market	1,093,598.58
1050 · LAIF - non-restricted cash	<u>559.89</u>

Total Checking/Savings 1,160,119.03

Other Current Assets

1200 · Accounts receivable	104,408.85
1300 · Prepaid expenses	<u>5,399.70</u>

Total Other Current Assets 109,808.55

Total Current Assets 1,269,927.58

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	869,343.61
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	944,121.38
1680 · Generator	<u>18,291.00</u>

Total 1400 · Fixed assets 3,731,812.89

1450 · Construction in Progress

1670 · Reservoir / Water Tanks	<u>285,995.56</u>
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Total 1450 · Construction in Progress 285,995.56

1690 · Accumulated depreciation (1,500,623.18)

Total Fixed Assets 2,517,185.27

TOTAL ASSETS 3,787,112.85

LIABILITIES & EQUITY

Other Current Liabilities

2100 · Payroll liabilities	(30.60)
2500 · Customer security deposits	8,900.00
2510 · Connect hookup wait list	70,944.00
2520 · USDA Loan	442,920.02

Total Liabilities 522,733.42

Equity

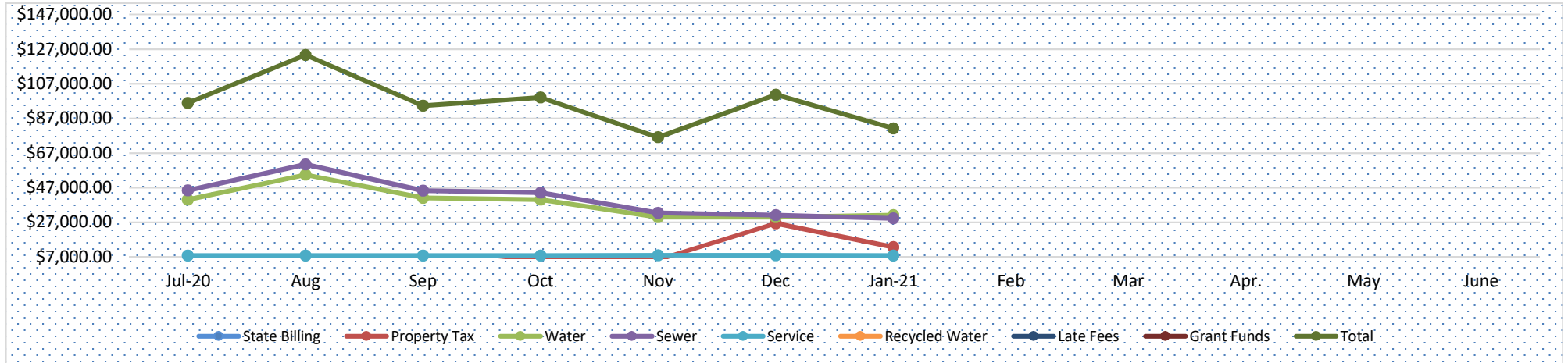
3200 · Fund balance	2,329,133.43
3201 · BOD designated - water improve	53,618.00
3202 · BOD designated-WW improvement	53,315.00
3203 · BOD designated-gen fund improve	15,065.00
3204 · BOD designated for reserves	250,000.00
3205 · BOD designated for customer dep	80,140.00
3206 · Unrestricted net equity	576,332.00
Net Income	<u>(93,224.00)</u>

Total Equity 3,264,379.43

TOTAL LIABILITIES & EQUITY 3,787,112.85

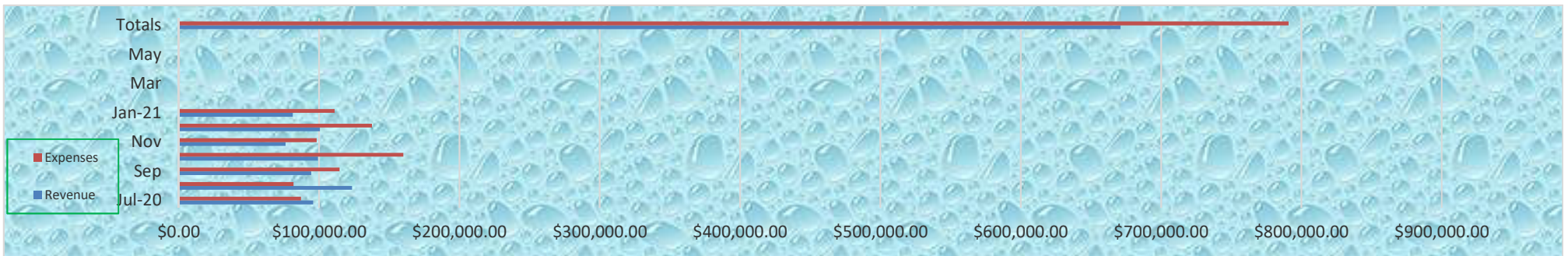
DISTRICT REVENUE FY 2020/2021

	Jul-20	Aug	Sep	Oct	Nov	Dec	Jan-21	Feb	Mar	Apr.	May	June	Totals
State Billing			\$4,898.26			\$4,898.26							\$9,796.52
Property Tax	\$2,336.92	\$751.11	\$11.88	\$6,945.71	\$5,461.44	\$26,458.17	\$12,827.64						\$54,792.87
Water	\$40,209.97	\$54,512.44	\$41,179.63	\$40,129.44	\$30,132.26	\$30,099.00	\$31,207.86						\$267,470.60
Sewer	\$45,546.00	\$60,488.59	\$45,320.14	\$44,227.62	\$32,486.93	\$31,269.68	\$29,285.81						\$288,624.77
Service	\$7,830.48	\$7,834.18	\$7,910.24	\$7,872.17	\$8,062.36	\$7,948.27	\$7,910.24						\$55,367.94
Recycled Water													\$0.00
Late Fees	\$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
Total	\$95,923.37	\$123,586.32	\$94,421.89	\$99,174.94	\$76,142.99	\$100,673.38	\$81,231.55						\$671,154.44
Water Sold Cu Ft	292033	387244	297886	291236	218802	217498	215864						1920563
Water Sold Acre ft	6.70	8.89	6.84	6.69	5.02	4.99	4.96						44.09



REVENUE VS EXPENSES

	Jul-20	Aug	Sep	Oct	Nov	Dec	Jan-21	Feb	Mar	Apr.	May	June	Totals
Revenue	\$95,923.37	\$123,586.32	\$94,421.89	\$99,174.94	\$76,142.99	\$100,673.38	\$81,231.55						\$671,154.44
Expenses	\$87,144.37	\$81,902.63	\$114,623.38	\$160,041.02	\$98,357.85	\$137,804.21	\$111,151.88						\$791,025.34
Balance	\$8,779.00	\$41,683.69	(\$20,201.49)	(\$60,866.08)	(\$22,214.86)	(\$37,130.83)	(\$29,920.33)						(\$119,870.90)



SAN SIMEON COMMUNITY SERVICES HISTORICAL FISCAL REVIEW

FY 2017/2018

Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal Total
State Billing			\$24,606.31			\$21,914.14			\$21,542.66			\$23,690.87	\$91,753.98
Property Tax	\$1,282.43		\$121.78	\$3,983.38	\$11,222.22	\$31,099.09	\$7,506.90	\$2,750.02	\$640.94	\$22,168.20	\$1,686.05	\$771.97	\$83,232.98
Water	\$34,880.43	\$36,192.33	\$31,137.52	\$27,999.25	\$26,930.07	\$19,762.53	\$22,551.64	\$25,457.70	\$16,741.07	\$28,408.76	\$27,795.23	\$36,075.95	\$333,932.48
Sewer	\$38,495.46	\$39,770.86	\$33,836.96	\$30,919.58	\$29,421.68	\$21,164.32	\$25,021.12	\$28,652.26	\$19,108.33	\$32,900.73	\$31,492.38	\$40,773.70	\$371,557.38
Service	\$6,820.12	\$6,950.95	\$6,821.63	\$6,659.98	\$6,886.29	\$6,886.29	\$6,789.30	\$6,853.96	\$6,724.64	\$6,724.64	\$6,724.64	\$6,724.64	\$81,567.08
Late Fees	\$628.24	\$379.06	\$292.61	\$241.85	\$221.14	\$159.01	\$113.69	\$197.92	\$487.09	\$284.43	\$202.63	\$179.47	\$3,387.14
Grant Funds	\$332,310.87						\$42,858.00						
Revenue	\$82,106.68	\$83,293.20	\$96,816.81	\$69,804.04	\$74,681.40	\$100,985.38	\$61,982.65	\$63,911.86	\$65,244.73	\$90,486.76	\$67,900.93	\$108,216.60	\$965,431.04
Expense	\$94,660.34	\$87,503.06	\$104,489.98	\$71,763.52	\$62,490.35	\$85,613.60	\$88,196.48	\$73,251.65	\$109,510.66	\$70,856.21	\$80,363.24	\$80,743.66	\$1,009,442.75
Balance	(\$12,553.66)	(\$4,209.86)	(\$7,673.17)	(\$1,959.48)	\$12,191.05	\$15,371.78	(\$26,213.83)	(\$9,339.79)	(\$44,265.93)	\$19,630.55	(\$12,462.31)	\$27,472.94	(\$44,011.71)
Water Sold Cu Ft	299369	310960	266284	241692	232942	169355	194345	217741	144425	244412	237414	308832	2,867,771
Water Sold Acre f	6.87	7.14	6.11	5.55	5.35	3.89	4.46	5.00	3.32	5.61	5.45	7.09	65.84

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

4. CONSENT AGENDA

- A. Review and approval of Minutes for the Regular Meeting on January 14, 2021.**

MINUTES
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS REGULAR MEETING
Thursday, January 14, 2021
3:00 pm

Internet Meeting Location - ZOOM

1. REGULAR SESSION @ 3:00 PM

- | | |
|--|--|
| A. Chairperson Kellas – Present
Director Carson – Present
Director Maurer – Present
Director de la Rosa – Present
Director Giacoletti - Present | General Manager, Charlie Grace
District Counsel, Jeff Minnery |
|--|--|

2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Public Comment –

Julie Tacker commented on the District office being closed.

Henry Krzciuk commented on the formal complaint that he made during the December Board meeting.

April Dury commented that the instructions on the agenda for phone in callers was incorrect.

3. SPECIAL PRESENTATIONS AND REPORTS:

A. STAFF REPORTS:

- i. Sheriff's Report** – There was no report given.
- ii. Superintendent's Report** – Jerry Copeland provided a summary of December activities.
- iii. General Manager's Report** – Charlie Grace provided a summary of December activities.
- iv. District Financial Summary** – Cortney Murguia provided a summary of the December financials.
- v. District Counsel's Report** – Jeff Minnery provided a summary of December Activities.

B. PUBLIC COMMENTS ON SPECIAL PRESENTATIONS AND REPORTS:

Public Comment – (11:44)

Julie Tacker commented.

Hank Krzciuk commented.

4. CLOSED SESSION:

Public Comment on Closed Session – (16:07)

Julie Tacker commented.

Henry Krzciuk commented.

A. Pursuant to Government Code §54956.9 (d)(2): Conference with District Legal Counsel regarding anticipated litigation. Number of cases: one (1) (19:07)

There was no reportable action.

5. CONSENT AGENDA ITEMS:

A. Review and approval of Minutes for the Regular Meeting on November 10, 2020.

B. Review and approval of Minutes for the Regular Meeting on December 9, 2020.

C. Review and approval of Disbursements Journal.

D. Approval of Resolution 21-428 updating signatures including facsimile signatures for Banking services on behalf of the SSCSD.

E. Review of authorization of powers to the General Manager awarded under Resolution 20-419.

Cortney Murguia asked for a correction in the first paragraph under public comments

Director Carson asked that on the December 9, 2020 meeting minutes his comment be updated from the word law to ordinance.

Director Maurer asked about the Phoenix invoice on the disbursements journal.

Chairperson Kellas recommended tabling 20-419.

Public Comment – (26:10)

April Dury commented.

Julie Tacker commented.

Henry Krzciuk commented.

A motion was made to approve the consent agenda items 4A-4D with the changes recommended by staff and the Board.

Motion: Chairperson Kellas

2nd: Director Maurer

Vote: 4/1

Abstain: Giacoletti

Roll Call:

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

6. BUSINESS ACTION ITEMS:

A. Election of Chairperson and Vice Chairperson for the 2021 Calendar year. (35:26)

Director de la Rosa nominated Gwen Kellas to be the Chairperson.

2nd: Director Carson

Public Comment – (36:19)

Julie Tacker commented.

Henry Krzciuk commented.

April Dury commented.

David Sansone commented.

Chairperson Kellas made a second motion for Mary Giacoletti to serve as the Vice-Chairperson.

Motion: Chairperson Kellas

2nd: Director de la Rosa

Vote: 5/0

Roll Call:

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

Michael Donahue commented.

B. Discussion regarding moving the start time of the regular Board meeting time from 3 pm to a different time. (42:11)

Chairperson Kellas introduced the item.

Director Maurer asked about how many residents were asking for the meeting time to be changed.

Director de la Rosa commented that he thought a change of the meeting time was a good idea.

Public Comment – (45:53)

Henry Krzciuk commented.

Julie Tacker commented.

April Dury commented.

Director Carson commented that he was trying to do what was best for the community.

Director Maurer agreed on the 6 PM start time

A motion was made to move the meeting start time to 6 PM for a three-month review period.

Motion: Chairperson

2nd: Director de la Rosa

Vote: 5/0

Roll Call:

Kellas: Yes

Carson: Yes

Maurer: Yes

de la Rosa: Yes

Giacoletti: Yes

C. Chair appointment of standing committee members per District policy # 4060.30. (57:45)

Gwen Kellas introduced the item. The two (2) committees are Budget and Water.

Current committee members or members of the public wanting to be on the water committee – (58:49)

Michael Hanchett asked to remain on the committees.
No changes.

Current committee members or members of the public wanting to be on the budget committee – (59:42)

Daniel de la Rosa asked to be replaced as a budget committee member.

Julie Tacker asked to be on both the water and budget committees.

April Dury asked to be on the budget committee. (1:03:10)

Chairperson Kellas named the committees: (1:04:15)

Water – Russell, Hanchette, Price, Tacker, and de la Rosa.

Budget – Fry, Hanchett, Tacker, Dury, and Maurer.

Chairperson Kellas made a motion to except the committee members as stated. There was no second.

Public Comment – (1:05:19)

Bob Hather commented.

Michael C. Hanchett commented on having committee members that were not residents and had no financial or quality of life interest in the community.

Jerry Copeland commented.

Cortney Murguia commented.

Michael R. Hanchett commented.

Director de la Rosa agreed with Michael C. Hanchett's comments.

This item was deferred until the February Board meeting.

D. Direction to staff regarding the responses from the request for proposal related to the Coastal Hazard Response Plan (CHRP). (51:03)

This item was tabled pending a request from San Luis Obispo County.

Public Comment – (52:28)

Julie Tacker commented.

Henry Krzciuk commented.

E. Discussion regarding designating a Board member to attend public meetings on behalf of the District. (1:10:24)

Chairperson Kellas introduced this item. She suggested that the schedule could rotate between Board members.

Director Carson and Director Maurer stated that they be in favor of this as long as the scheduled were to rotate.

Public Comment – (1:12:23)

Henry Krzciuk commented.

Julie Tacker commented.

A motion was made to the Board of Directors start attending meetings on a rotating schedule.

Motion: Chairperson Kellas
2nd: Director Carson
Vote: 5/0
Roll Call:

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

**F. Discussion regarding Prop 84 Grant and inquiry from the County of San Luis Obispo.
(1:15:41)**

Chairperson Kellas introduced the item. She suggested that this response be prepared by District Counsel.

Public Comment – (1:17:00)
Henry Krzciuk commented.
Julie Tacker commented.
Mike R. Hanchett commented.

A motion was made for District Counsel to prepare a response to the County's grant inquiry on behalf of the District.

Motion: Chairperson Kellas
2nd: Director Carson
Vote: 5/0
Roll Call:

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

**G. Consideration of request from Robert Hather for an intent to serve letter 013-091-027.
(1:25:55)**

Jeff Minnery introduced this item. He provided background related to Mr. Hather's request under the hardship provision of the Ordinance. He stated that staff was continuing to address the issues and review the impact on the Ordinance as a whole. He recommended that the Board should schedule a Special Meeting to address the moratorium.

Paavo Ogren spoke and suggested that a Special Meeting be held in February to address the complexity of the issues and the sequencing of the decisions. He also stated that the Water Master plan and the hydrology report by Cleath Harris needed to be reviewed with the Board and the public. There was also a need to review the difference between ministerial versus discretionary decisions under the California Environmental Quality Act (CEQA).

Public Comment – (1:32:53)

Julie Tacker commented.

Bob Hather Commented.

Director Carson commented that Bob Hather was following the process laid out in the Ordinance. He commented on his understanding of available water and that members of the public were trying to block the installation of the tanks. He stated that he felt the Board should consider Mr. Hather's request.

Director de la Rosa spoke and asked how [they] could allow someone to jump ahead of the other people on the waitlist who had been waiting for 30+ years and the need to justify equity for all people on the waitlist.

Director Carson and Director de la Rosa discussed the request and equitability of those on the waitlist.

2nd Public Comment – (1:43:53)

Mike R. Hanchett commented.

Jeffrey Stolberg commented.

Chairperson Kellas commented that she understood both arguments but they were too many unanswered questions for the Board to be able to issue an intent to serve.

Chairperson Kellas made a motion to have a special meeting in February.

Director Carson commented that an acre and half that was recently sold on Avonne Avenue for \$80,000.00. He stated that he felt guilty about this and that the owner had presented this land to the District as a possible site for the wastewater treatment plant.

Director Giacoletti spoke about the health and viability of the community and the issue of water usage.

Director de la Rosa stated the District should move forward cautiously which was why the Board had hired a consultant. He remarked that the Board should move slowly and not act half-hazardously.

Chairperson Kellas made a motion to continue this matter to the Regular meeting in February with a special meeting first.

Motion: Chairperson Kellas

2nd: Director de la Rosa

Vote: 4/1
Roll Call:

Kellas: Yes Carson: No Maurer: Yes de la Rosa: Yes Giacoletti: Yes

7. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS – None

8. ADJOURNMENT @ 5:54 PM

DRAFT

4. CONSENT AGENDA

- B. Review and approval of Disbursements Journal.**

SAN SIMEON COMMUNITY SERVICES DISTRICT

Disbursements Journal

February 2021

Type	Date	Num	Name	Memo	Paid Amount
Payments issued after January BOD Meeting					
Bill Pmt -Check	01/29/2021	2499	Mission Paving Inc.	Road Maintenance - Pico Ave and Avonne Ave	-29,800.00
Bill Pmt -Check	02/02/2021	2498	SWRCB--ELAP State Water Resource Control Board	Annual ELAP fee - Environmental Laboratory Accreditation Program for Cert #2880. WW Trmt Plant Facility Testing.	-4,310.00
February Disbursements					
Paycheck	02/10/2021	2167	GWEN KELLAS	Board Service January 2 through February 1, 2021.	-92.35
Paycheck	02/10/2021	2168	MARY P GIACOLETTI	Board Service January 2 through February 1, 2021.	-92.35
Paycheck	02/10/2021	2169	WILLIAM E MAURER	Board Service January 2 through February 1, 2021.	-92.35
Paycheck	02/10/2021	2170	WILLIAM J CARSON	Board Service January 2 through February 1, 2021.	-92.35
Bill Pmt -Check	02/10/2021	2171	Courtesy Inn / Kris Gupta	Sec Dep Ref Acct 19 02/01/2021.	-50.00
Bill Pmt -Check	02/10/2021	2172	Frank Engstrom / Jennifer Allen	Sec Dep Ref Acct 458 02/01/2021.	-50.00
Bill Pmt -Check	02/10/2021	2173	Sharon Shore	Sec Dep Ref Acct 399 02/01/2021.	-50.00
Bill Pmt -Check	02/10/2021	2174	Adamski Moroski Madden Cumberland & Green	General legal fees through 12/31/2020. Inv 52900 dated 01/26/2021.	-11,509.27
Bill Pmt -Check	02/10/2021	2175	Kathleen Fry Bookkeeping Services	Bookkeeping services Jan 2021. Inv CSD-2021-01 dated 1/31/2021.	-1,320.00
Bill Pmt -Check	02/10/2021	2176	Oliveira Environmental Consulting LLC	Prof Svcs related to Prop 1, LCP, OPC, other grant opportunities, and CSD tasks. 11/03/2020-02/03/2021. Inv OEC-2021-01 dated 2/3/2021.	-3,740.00
Bill Pmt -Check	02/10/2021	2177	Simply Clear Marketing & Media	Monthly Website Service and Mgt fee service period Feb 21 - Mar 20, 2021. Inv 31155 dated 1/20/2021	-400.00
Bill Pmt -Check	02/10/2021	2178	SWRCB--ELAP State Water Resource Ctrl Bd	Annual ELAP fee - Environmental Laboratory Accreditation Program for Certificate #2880. WW Trmt Plant Facility. Renews on 4/23/21. Inv #EA-AN-0419-2880 dated 2/2/2021.	-2,800.00
Bill Pmt -Check	02/10/2021	2179	Wood Environment & Infrastructure Solutions Inc.	On-Call Grant Support Services through 12/2020. Inv S49834322 dated 1/15/2021.	-825.00
Bill Pmt -Check	02/10/2021	2180	Grace Environmental Services	Operations Management, Electrical and Maintenance Fees Feb 2021 Inv # 1432 dated 2/1/2021.	-54,197.39
Check	02/25/2021	Elec Pymt	CalPERS Fiscal Services Division	Unfunded Accrued Liability only - prepayment for March 2021. Cust. ID # 7226734344.	-1,317.97
Check	02/25/2021	Elec Pymt	CalPERS Fiscal Services Division	Retiree Health monthly premium for March 2021.	-351.65
Liability Check	02/25/2021	Elec Pymt	United States Treasury (US Treasury)	Payroll tax payment for paychecks dated 02/01/2021.	-61.20
TOTAL					-111,151.88

4. CONSENT AGENDA

- C. Review of authorization of powers to the General Manager awarded under Resolution 20-419.**



CONSENT AGENDA ITEM STAFF REPORT

Item 4.C. Review of authorization of powers to the General Manager awarded under Resolution 20-419.

Summary:

On April 22, 2020, District Resolution 20-419 was adopted by the Board. A copy of this resolution is included with this staff report. Within this resolution item number six (6) requires that the authority vested in the General Manager by this resolution will be reviewed during each regularly scheduled Board meeting.

Enc: Resolution 20-419

RESOLUTION NO. 20-419

**RESOLUTION OF THE SAN SIMEON COMMUNITY SERVICES
DISTRICT TO TEMPORARILY AUTHORIZE INCREASED
AUTHORITY OF THE GENERAL MANAGER AND TEMPORARY
RELIEF FOR NONPAYMENT OF WATER/SEWER BILLS**

Recitals

WHEREAS, on March 4, 2020, the Governor of the State of California declared a State of Emergency to exist in California as a result of the threat of Novel Coronavirus 2019 (“COVID-19”); and

WHEREAS, on March 12, 2020, the Governor issued Executive Order N-25-20 in further response to the spread of COVID-19, mandating compliance with state and local public health officials as pertains to measures to control the spread of COVID-19; and

WHEREAS, on March 13, 2020, the San Luis Obispo County Health Officer declared a public health emergency and the County Emergency Services Director also proclaimed a local emergency due to the COVID-19 pandemic; and

WHEREAS, on March 14, 2020, the San Luis Obispo County Public Health Department announced the first confirmed case of COVID-19 in San Luis Obispo County, and additional cases have since been confirmed; and

WHEREAS, the health, safety and welfare of San Simeon Community Services District (“District”) residents, businesses, visitors and staff are of utmost importance to the Board of Directors (“Board”), and additional future measures may be needed to protect the community; and

WHEREAS, preparing for, responding to, mitigating, and recovering from the spread of COVID-19 may require the District to divert resources from normal day-to-day operations and it may impose extraordinary requirements on and expenses to the District; and

WHEREAS, the District General Manager (“General Manager”) currently has spending authority up to \$5,000.00, without prior Board approval in addition to limited authority related to personnel matters; and

WHEREAS, in the absence of Board action, strict compliance with certain District rules and ordinances could prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of COVID-19; and

WHEREAS, after consideration of all the facts reasonably available for review at the present time, the Board of Directors finds it in the best interest of the District to authorize the increase in General Manager spending authority to \$10,000, and up to \$15,000 upon authorization

from the President of the Board, and approves all acts necessary and appropriate to ensure the operation of the District.

WHEREAS, the Board understands that the closures of schools and other businesses due to COVID-19 is causing or may cause a financial hardship for many of its ratepayers and therefore will suspend discontinuation of services and make other accommodations for ratepayers experiencing a hardship during this emergency.

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

1. The Board of Directors authorizes an increase in the General Manager's spending authority to \$10,000, and up to \$15,000 upon authorization from the President of the Board.
2. The Board of Directors orders that the process to discontinue water or sewer service for nonpayment shall be suspended. Ratepayers experiencing a financial hardship should contact the District office.
3. The Board of Directors orders that all late fees for nonpayment of water or sewer service shall be waived. Ratepayers experiencing a financial hardship should contact the District office.
4. The Board of Directors orders that for ratepayers experiencing a financial hardship due to COVID-19, the General Manager is authorized to work with the ratepayer on an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges.
5. The General Manager may take all actions necessary, proper, and appropriate in his/her reasonable discretion to ensure the operation of the District, the safety of employees, and the safety of the public, including, but not limited to reasonable deviations from Board adopted Ordinances, Resolutions, Policies, and Procedures.
6. The authority vested in the General Manager by this resolution will be reviewed during each regularly scheduled Board meeting and otherwise terminate upon a declaration by the Governor that the State of Emergency has ended and the County Health Officer that the Public Health Emergency has ended and the County Emergency Services Director that the Local Emergency has ended.

ADOPTED by the Board of Directors of the San Simeon Community Services District on April 22, 2020, by the following roll call votes:

AYES: Carson, Kellas, Maurer

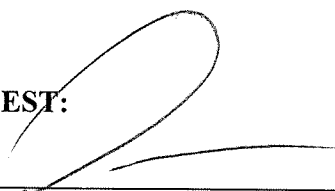
NOES: Russell
ABSENT: \emptyset
ABSTAINED: \emptyset

The foregoing Resolution is hereby adopted this 22 day of April, 2020.



Gwen Kellas, acting Chairperson of the
Board of Directors

ATTEST:



Charles Grace, General Manager and
Secretary for the Board of Directors

**APPROVED AS TO FORM
AND LEGAL EFFECT:**



Natalie F. Laacke, District Counsel

4. CONSENT AGENDA

**D. Adoption of Resolution 21-430 Regarding
the Voter's Right Act.**



CONSENT AGENDA ITEM STAFF REPORT

Item 4.D. Adoption of Resolution 21-430 regarding the Voter's Right Act.

Summary:

As part of the District's diligence in conducting its business consistent with laws and regulations that promote well governed communities, the District is committed to remaining in compliance with the California Voting Rights Act (CVRA).

The San Simeon Community Services District (District) currently elects its Board through an at-large electoral system in which each Board member may reside anywhere within the District's boundaries, is elected by the entire electorate, and the candidates with the most votes fill the open seats. This electoral system is known as the "multi-seat plurality electoral system."

The CVRA allows for legal challenges alleging that an at-large system has resulted in racially polarized voting within a jurisdiction and seeking a court order that a jurisdiction convert to a by-district election system. A by-district based electoral system is one in which a jurisdiction is divided into separate geographic districts, each with one representative who resides in the district and is elected only by the voters residing within the district. In a by-district system, voters within each district may vote for only one candidate. "Racially polarized voting" under the CVRA means voting in which there is a difference between the choice of candidates or other electoral choices that are preferred by voters in a protected class and in the choice of candidates and electoral choices preferred by voters in the 'rest of the electorate', and in which the candidates preferred by 'the rest of the electorate' defeat the candidates preferred by the protected class voters.

Moving to a by-district election system is the 'safe harbor' under the California Voting Rights Act that prevents a CVRA lawsuit alleging the dilution of protected class voting strength. As a result, staff and legal counsel examined the various alternative approaches considering recent legal decisions and what would best protect the District from lawsuits under the CVRA. While alternative election systems may enhance a District's defense in a CVRA lawsuit, none currently provides a safe harbor from being sued under the CVRA except for moving the District to by-district elections.

Recommendation:

It is recommended that your Board:

1. Adopt a Resolution to Transition to By-District Elections Beginning With the 2022 Election
2. Authorize the General Manager to contract with a Demographer to begin drawing District maps

Enc: Resolution 21-430 Declaring Intention to Transition to District-Based Elections

RESOLUTION NO. 21-430

**A RESOLUTION OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT
DECLARING ITS INTENTION TO TRANSITION FROM
AT-LARGE TO DISTRICT-BASED ELECTIONS BY NOVEMBER 2022**

RECITALS

WHEREAS, the Board of Directors of the San Simeon Community Services District (the "District") is currently elected in at-large elections, in which each District member is elected by the registered voters of the entire District; and

WHEREAS, the California Elections Code section 10650 permits the governing body of a special district to adopt a resolution that requires members of the governing body to be elected using district-based elections, without being required to submit the resolution to the voters for approval; and

WHEREAS, the California Voting Rights Act ("CVRA") prohibits any political subdivision from using any at-large method of election that "impairs the ability of a protected class to elect candidates of its choice or influence the outcome of an election, as a result of the dilution or the abridgement of the rights of voters who are members of the protected class...." (Elections Code section 14027); and

WHEREAS, the CVRA provides for a prospective plaintiff to allege "racially polarized voting" in a jurisdiction with an at-large voting system and to seek change that would result in the jurisdiction utilizing a district-based voting system; and

WHEREAS, the District denies that its at-large voting system violates the CVRA or any other provision of law and asserts that it is legal in all respects; and

WHEREAS, the District has nevertheless determined due to the high cost of litigation, including the potential payment of a plaintiff's attorneys' fees, that the public interest is better served by initiating a process for transition to a district-based election system in order to avoid the costs associated with defending a potential lawsuit under the CVRA; and

WHEREAS, the District desires to declare its intention to adopt a resolution transitioning from at-large to district-based elections for its November 2022 election, establish specific steps it will undertake to facilitate this transition, and establish an estimated timeframe for doing so.

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

1. The above recitals are true and correct and incorporated herein by this reference.

2. Before the November 2022 regular election, the District will consider adoption of an ordinance and/or resolution to institute a district-based election system as authorized under Elections Code section 10650.
3. Prior to considering an ordinance and/or resolution to institute a district-based election system, the District will take the following actions pursuant to Elections Code section 10010:
 - a. Hire a qualified consultant to provide demographic services and assist in the preparation of proposed district maps;
 - b. Conduct public outreach, including to non-English speaking communities, to explain the districting process and to encourage public participation;
 - c. Before drawing a draft map or maps of the proposed division boundaries, hold at least two public hearings at which the public is invited to provide input regarding the composition of the districts and to consider district boundaries;
 - d. After drawing a draft map or maps, publish the draft map(s) and the potential sequence of the district elections and hold at least two public hearings at which the public is invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections; and
 - e. Hold a public hearing at which the District will consider the adoption of an ordinance establishing district-based elections, including a district boundary map and the sequence of the district elections.
4. This resolution will take effect upon its adoption and wherein the District declares that the change in method of election is being made in furtherance of the purposes of the California Voting Rights Act.
5. The General Manager is hereby authorized to enter into a professional services contract as necessary with a consultant qualified to provide demographic services to the District.

ADOPTED by the Board of Directors of the San Simeon Community Services District on _____, by the following roll call vote:

AYES:
NOES:
ABTAIN:
ABSENT:

The foregoing Resolution is hereby adopted this 11th day of January 2021.

Gwen Kellas, Chairperson
Board of Directors

ATTEST:

Charles Grace
Secretary/General Manager

Jeffrey Minnery
District Counsel

DRAFT

5. A. Business Items



CONSENT AGENDA ITEM STAFF REPORT

Item 5.A. Consideration of Review of Draft District Audit 2019-2020 presented Adam Guise from Moss, Levy & Hartzheim, LLP.

Summary:

Adam Guise will be presenting a draft version of the District audit for FY 2019/2020.

Recommendation:

Staff is asking for the Board's feedback on this document.

Enc: Draft version of the 19/20 FY audit

SAN SIMEON COMMUNITY SERVICES DISTRICT

FINANCIAL STATEMENTS

June 30, 2020

SAN SIMEON COMMUNITY SERVICES DISTRICT
TABLE OF CONTENTS
June 30, 2020

INTRODUCTORY SECTION

Organization..... 1

FINANCIAL SECTION

Independent Auditors' Report..... 2

BASIC FINANCIAL STATEMENTS

Statement of Net Position – Proprietary Fund..... 4
Statement of Revenues, Expenses, and Changes in Net Position – Proprietary Fund..... 5
Statement of Cash Flows – Proprietary Fund..... 6
Notes to Basic Financial Statements 7

SUPPLEMENTARY INFORMATION

Schedule of Revenues and Expenses by Function for the Fiscal Year Ended June 30, 2020..... 15
Schedule of Revenues and Expenses by Function for the Fiscal Year Ended June 30, 2019..... 16

INTRODUCTORY SECTION

SAN SIMEON COMMUNITY SERVICES DISTRICT
ORGANIZATION
June 30, 2020

Board of Directors

<u>Name</u>	<u>Office</u>	<u>Term Expires</u>
Gwen Kellas	Chairperson	2022
John Russell	Vice-Chairperson	2022
Daniel de la Rosa	Director	2020
William Carson	Director	2020
Bill Maurer	Director	2020

FINANCIAL SECTION

INDEPENDENT AUDITORS' REPORT

To the Board of Directors
San Simeon Community Services District
San Simeon, CA

Report on the Financial Statements

We have audited the accompanying basic financial statements of San Simeon Community Services District (District) as of and for the fiscal year ended June 30, 2020, and the related notes to the basic financial statements, as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the San Simeon Community Services District, as of June 30, 2020, and the changes in financial position and cash flows thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Management has omitted management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial

statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Other Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the District's basic financial statements. The introductory section and the schedules of revenues, expenses, and changes in net position by function on pages 15 and 16 are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The schedules of revenues, expenses, and changes in net position by function is the responsibility of management and were derived from and related directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basis financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedules of revenues, expenses, and changes in net position by function are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated January 28, 2021, on our consideration of the San Simeon Community Services District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control over financial reporting and compliance.

Report on Summarized Comparative Information

We have previously audited the District's basic financial statements as of and for the fiscal year ended June 30, 2019, and our report dated March 11, 2020, expressed an unmodified opinion on those audited financial statements. In our opinion, the summarized comparative information presented herein as of and for the fiscal year ended June 30, 2019, is consistent, in all material respects, with the audited financial statements from which it has been derived.

Moss, Kelly & Halgren LLP

Santa Maria, California
January 28, 2021

SAN SIMEON COMMUNITY SERVICES DISTRICT
STATEMENT OF NET POSITION - PROPRIETARY FUND

June 30, 2020

with Comparative Totals for June 30, 2019

	<u>2020</u>	<u>2019</u>
ASSETS		
Current Assets:		
Petty cash	\$ 150	\$ 150
Cash and investments	1,248,894	1,001,073
Restricted cash and investments		34
Accounts receivable	128,375	110,145
Prepaid expenses	12,959	10,163
Total current assets	<u>1,390,378</u>	<u>1,121,565</u>
Capital Assets:		
Non-depreciable:		
Construction in progress	223,206	
Depreciable:		
Sewer plant	1,784,769	2,086,929
Water plant	1,627,991	2,322,338
Building	279,580	395,874
Equipment	12,690	329,437
Land improvements	26,791	26,791
Less: Accumulated depreciation	<u>(1,446,427)</u>	<u>(2,444,252)</u>
Net capital assets	<u>2,508,600</u>	<u>2,717,117</u>
Total assets	<u>3,898,978</u>	<u>3,838,682</u>
LIABILITIES		
Current Liabilities:		
Accounts payable	18,306	15,301
Customer deposits	80,140	78,950
Long-Term Liabilities:		
Current portion of loan payable	<u>8,568</u>	<u>8,121</u>
Total current liabilities	<u>107,014</u>	<u>102,372</u>
Long-Term Liabilities		
Loan payable	<u>434,352</u>	<u>450,968</u>
Total long-term liabilities	<u>434,352</u>	<u>450,968</u>
Total Liabilities	<u>541,366</u>	<u>553,340</u>
NET POSITION		
Net investment in capital assets	2,065,680	2,258,028
Restricted for:		
Capital projects		34
Unrestricted:		
Board assigned for water capital improvements	55,655	53,618
Board assigned for wastewater capital improvements	55,341	53,315
Board assigned for general capital improvements	15,637	15,065
Board committed for operating reserves	250,000	250,000
Undesignated	915,299	655,282
Total net position	<u>\$ 3,357,612</u>	<u>\$ 3,285,342</u>

See accompanying notes to basic financial statements.

SAN SIMEON COMMUNITY SERVICES DISTRICT
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION - PROPRIETARY FUND
For the Fiscal Year Ended June 30, 2020
With Comparative Totals for the Fiscal Year Ended June 30, 2019

	2020	2019
Operating Revenues:		
Services-waste	\$ 444,391	\$ 473,434
Services-water	396,043	400,918
State of CA-Hearst Castle	70,777	86,944
Services-other	88,422	85,122
Late fees and adjustments	2,514	3,133
	<u>1,002,147</u>	<u>1,049,551</u>
Total operating revenues		
Operating Expenses:		
Accounting	9,775	9,445
Bank fees	166	220
Bookkeeping	14,560	14,400
Directors' fees	5,100	5,100
Payroll expenses	397	257
Dues and subscriptions	4,732	5,034
Election expense		549
Road maintenance		3,838
Riprap engineering	21,958	56,736
Insurance-health	4,285	7,738
PERS Retirement	13,199	11,326
Insurance-liability	10,163	9,889
LAFCO budget allocation	3,386	3,168
Legal fees	64,363	34,039
Licenses and permits	16,936	14,991
Miscellaneous	1,524	
Depreciation	97,102	98,167
Office expenses		207
Operations management	653,031	732,148
Professional fees	40,922	18,140
Emergency stand by	10,000	10,000
Repairs	34,280	7,130
Utilities	7,695	960
Website	13,700	
Weed abatement	3,885	
	<u>1,031,159</u>	<u>1,043,482</u>
Total operating expenses		
Net operating income (loss)	<u>(29,012)</u>	<u>6,069</u>
Non-Operating Revenues (Expenses):		
Property taxes	87,860	86,705
Interest expense	(12,354)	(18,347)
Interest income	21,979	14,951
	<u>97,485</u>	<u>83,309</u>
Total non-operating revenues (expenses)		
Capital Contributions		
Grant income	178,482	30,120
	<u>178,482</u>	<u>30,120</u>
Total capital contributions		
Changes in net position	<u>246,955</u>	<u>119,498</u>
Net position - beginning of fiscal year	3,285,342	3,165,844
Prior-period adjustment	(174,685)	
Net position - beginning of fiscal year, restated	<u>3,110,657</u>	<u>3,165,844</u>
Net position - end of fiscal year	<u>\$ 3,357,612</u>	<u>\$ 3,285,342</u>

See accompanying notes to basic financial statements.

SAN SIMEON COMMUNITY SERVICES DISTRICT
STATEMENT OF CASH FLOWS - PROPRIETARY FUND
For the Fiscal Year Ended June 30, 2020
With Comparative Totals for the Fiscal Year Ended June 30, 2019

	<u>2020</u>	<u>2019</u>
Cash Flows From Operating Activities:		
Receipts from customers and users	\$ 985,107	\$ 1,070,348
Payments to suppliers	(924,066)	(937,039)
Payments to employees	(9,782)	(24,421)
Net cash provided by operating activities	<u>51,259</u>	<u>108,888</u>
Cash Flows from Capital and Related Financing Activities:		
Purchase of capital assets	(71,103)	(141,690)
Grants	178,482	30,120
Interest payments	(12,354)	(18,347)
Principal loan payments	(8,336)	(2,343)
Net cash provided (used) by capital and related financing activities	<u>86,689</u>	<u>(132,260)</u>
Cash Flows from Noncapital Financing Activities:		
Property taxes	87,860	86,705
Net cash provided by noncapital and related financing activities	<u>87,860</u>	<u>86,705</u>
Cash Flows from Investing Activities:		
Investment income	21,979	14,951
Net cash provided by investing activities	<u>21,979</u>	<u>14,951</u>
Net increase in cash and cash equivalents	247,787	78,284
Cash and cash equivalents, beginning of fiscal year	1,001,257	922,973
Cash and cash equivalents, end of fiscal year	<u>\$ 1,249,044</u>	<u>\$ 1,001,257</u>
Reconciliation to Statement of Net Position		
Petty cash	\$ 150	\$ 150
Cash and investments	1,248,894	1,001,073
Restricted cash and investments	34	34
	<u>\$ 1,249,044</u>	<u>\$ 1,001,257</u>
Reconciliation of Operating Income (Loss) to Net Cash Provided by Operating Activities:		
Operating income (loss)	\$ (29,012)	\$ 6,069
Adjustments to reconcile operating income (loss) to net cash provided (used)		
by operating activities:		
Depreciation	97,102	98,167
Change in Operating Assets and Liabilities:		
(Increase) decrease in accounts receivable	(18,230)	(2,903)
(Increase) decrease in prepaid expenses	(2,796)	(437)
Increase (decrease) in accounts payable	3,005	(15,708)
Increase (decrease) in customer deposits	1,190	23,700
Net cash provided by operating activities	<u>\$ 51,259</u>	<u>\$ 108,888</u>

See accompanying notes to basic financial statements.

SAN SIMEON COMMUNITY SERVICES DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

June 30, 2020

NOTE 1 - NATURE OF DISTRICT

San Simeon Community Services District (the "District") is a political subdivision of the State of California and operates under a council form of government. The District administers the following community services as provided by its charter: water, sanitation, streets, lighting, weed abatement, and general and administrative services.

The District is a Community Services District as defined under State Code Section: 61000. A Community Services District is a public agency (State Code Section: 12463.1) which is a State instrumentality (State Code Section: 23706). State instrumentalities are exempt from federal and state income taxes.

There are no component units included in this report which meet the criteria of the Governmental Accounting Standards Board (GASB) Statement No. 14, *The Financial Reporting Entity*, as amended by GASB Statements No. 39, No. 61, and No. 80.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

- A. Accounting Policies - The accounting policies of the District conform with accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board (GASB) and the American Institute of Certified Public Accountants (AICPA).
- B. Basis of Accounting - The District is organized as an Enterprise Fund and follows the accrual method of accounting, whereby revenues are recorded as earned, and expenses are recorded when incurred.
- C. Budget - Although a budget is adopted annually, it is used primarily as a guideline for the Board in regulating expenditures. There is no legal requirement to stay within the adopted budget in the payment or classification of expenditures.
- D. Cash and Cash Equivalents - Cash and cash equivalents consist of cash on hand and in banks and short-term, highly liquid investments with a maturity of three months or less, which include money market funds, cash management pools in County Treasury and the state Local Agency Investment Fund (LAIF). Cash held in the county and state pooled funds is carried at cost, which approximates fair value. Interest earned is deposited quarterly into the participant's fund. Any investment losses are proportionately shared by all funds in the pool. The County is authorized to deposit cash and invest excess funds by California Government Code Section 53648 et seq. The funds maintained by the County are either secured by federal depository insurance or are collateralized.
- E. Property, Plant and Equipment - Capital assets purchased by the District are recorded at cost. Contributed or donated capital assets are recorded at fair value when acquired.
- F. Depreciation - Capital assets purchased by the District are depreciated over their estimated useful lives (ranging from 5-50 years) under the straight-line method of depreciation.
- G. Receivables - The District did not experience any significant bad debt losses; accordingly, no provision has been made for doubtful accounts, and accounts receivable is shown at full value.
- H. Encumbrances - Encumbrances represent commitments related to unperformed contracts for goods or services. Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditure of resources are recorded to reserve that portion of the applicable appropriation, is not utilized by the District.
- I. Customer Deposits - Customer deposits are recorded as a liability of the District. The District requires an advance deposit of \$50 for new customers.
- J. Net Position - GASB Statement No. 63 requires that the difference between assets added to the deferred outflows of resources and liabilities added to the deferred inflows of resources be reported as net position. Net position is classified as either net investment in capital assets, restricted, or unrestricted.

SAN SIMEON COMMUNITY SERVICES DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2020

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

- J. Net Position (Continued) - Net investment in capital assets consists of capital assets, net of accumulated depreciation, and reduced by the outstanding principal of related debt. Restricted net position is the net position that has external constraints placed on them by creditors, grantors, contributors, laws, or regulations of other governments, or through constitutional provisions or enabling legislation. Unrestricted net position consists of net position that does not meet the definition of net investment in capital assets or restricted net position.
- K. Estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America, as prescribed by the GASB and the AICPA, requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.
- L. Comparative Data/Total Only - Comparative total data for the prior fiscal year has been presented in certain accompanying financial statements in order to provide an understanding of the changes in the District's financial position, operations, and cash flows. Also, certain prior fiscal amounts have been reclassified to conform to the current fiscal year financial statements presentation.

M. Future Accounting Pronouncements

GASB Statements listed below will be implemented in future financial statements:

Statement No. 84	"Fiduciary Activities"	The provisions of this statement are effective for fiscal years beginning after December 15, 2019.
Statement No. 87	"Leases"	The provisions of this statement are effective for fiscal years beginning after June 15, 2021.
Statement No. 89	"Accounting for Interest Cost Incurred before the End of a Construction Period"	The provisions of this statement are effective for fiscal years beginning after December 15, 2020.
Statement No. 90	"Majority Equity Interests-an Amendment of GASB Statements No. 14 and No. 61"	The provisions of this statement are effective for fiscal years beginning after December 15, 2019.
Statement No. 91	"Conduit Debt Obligations"	The provisions of this statement are effective for fiscal years beginning after December 15, 2021.
Statement No. 92	"Omnibus 2020"	The provisions of this statement are effective for fiscal years beginning after June 15, 2021.
Statement No. 93	"Replacement of Interbank Offered Rates"	The provision of this statement except for paragraphs 11b, 13, and 14 are effective for fiscal years beginning after June 15, 2020. Paragraph 11b is effective for fiscal years beginning after December 31, 2021. Paragraphs 13 and 14 are effective for fiscal years beginning after June 15, 2021.
Statement No. 94	"Public-Private and Public-Public Partnerships and Availability Payment Arrangements"	The provisions of this statement are effective for fiscal years beginning after June 15, 2022.
Statement No. 96	"Subscription-Based Information Technology Arrangements"	The provisions of this statement are effective for fiscal years beginning after June 15, 2022.
Statement No. 97	"Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans - an amendment of GASB Statements No. 14 and No. 84, and a supersession of GASB Statement No. 32"	The provisions of this statement are effective for fiscal years beginning December 15, 2019.

SAN SIMEON COMMUNITY SERVICES DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
 June 30, 2020

NOTE 3 - CASH AND INVESTMENTS

Investments are carried at fair value. On June 30, 2020, the District had the following cash and temporary investments on hand:

Deposits:		
Cash on hand		\$ 150
Cash in banks		81,850
		<u>82,000</u>
Investments:		
Money market		1,166,488
State of California Local Agency Investment Fund (LAIF)		556
		<u>1,167,044</u>
Total Cash and Investments		<u>\$1,249,044</u>

Cash and investments are presented on the accompanying basic financial statements, as follows:

Petty cash	\$ 150
Cash and investments	<u>1,248,894</u>
Total cash and investments	<u>\$1,249,044</u>

The District categorizes its fair value measurements within the fair value hierarchy established by U.S. Generally Accepted Accounting Principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. The Local Agency Investment Fund (LAIF) is measured under Level 2. The money market account is not measured under Levels 1, 2, or 3.

Restricted cash

Restricted cash consists of funds that are set aside for well refurbishment as well as appurtenant equipment and structure.

Investments Authorized by the District's Investment Policy

The following table identifies the investment types that are authorized for the District by the California Government Code. The table also identifies certain provisions of the California Government Code that address interest rate risk, credit risk, and concentration of credit risk.

<u>Authorized Investment Type</u>	<u>Maximum Maturity</u>	<u>Maximum Percentage of Portfolio</u>	<u>Maximum Investment in One Issuer</u>
Local Agency Bonds	5 years	None	None
U.S. Treasury Obligations	5 years	None	None
Federal Agency Securities	N/A	None	None
Banker's Acceptances	180 days	40%	None
Commercial Paper	270 days	25%	10%
Negotiable Certificates of Deposit	5 years	30%	None
Repurchase and Reverse Repurchase Agreements	92 days	20% of base value	None
Medium-Term Notes	5 years	20%	None
Mutual Funds	N/A	20%	None
Money Market Mutual Funds	N/A	None	None
Mortgage Pass-Through Securities	5 years	20%	None
County Pooled Investment Fund	N/A	None	None
Local Agency Investment Fund (LAIF)	N/A	None	None
State Registered Warrants, Notes or Bonds	N/A	None	None
Notes and Bonds for other Local California Agencies	5 years	None	None

SAN SIMEON COMMUNITY SERVICES DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2020

NOTE 3 - CASH AND INVESTMENTS (Continued)

Disclosures Relating to Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. One of the ways that the District manages its exposure to interest rate risk is by purchasing a combination of shorter term and longer term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturity evenly over time as necessary to provide the cash flow and liquidity needed for operations.

Information about the sensitivity of the fair values of the District's investments to market interest rate fluctuations is provided by the following table that shows the distribution of the District's investments by maturity:

<u>Investment Type</u>	<u>Carrying Amount</u>	<u>Remaining Maturity (in Months)</u>			
		<u>12 Months or Less</u>	<u>13-24 Months</u>	<u>25-60 Months</u>	<u>More than 60 Months</u>
Money market funds	\$ 1,166,488	\$ 1,116,488	\$ -	\$ -	\$ -
LAIF	<u>556</u>	<u>556</u>			
Total	<u>\$ 1,167,044</u>	<u>\$ 1,167,044</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Disclosures Relating to Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of rating by a nationally recognized statistical rating organization. Presented below, is the minimum rating required by (where applicable) the California Government Code and the actual rating as of fiscal year end for each investment type.

<u>Investment Type</u>	<u>Carrying Amount</u>	<u>Minimum Legal Rating</u>	<u>Exempt From Disclosure</u>	<u>Rating as of Fiscal Year End</u>		
				<u>AAA</u>	<u>Aa</u>	<u>Not Rated</u>
Money market funds	\$1,166,488	N/A	\$ -	\$ -	\$ -	\$1,166,488
LAIF	<u>556</u>	N/A				<u>556</u>
Total	<u>\$1,167,044</u>		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$1,167,044</u>

Concentration of Credit Risk

The investment policy of the District contains no limitations on the amount that can be invested in any one issuer beyond that stipulated by the California Government Code. There are no investments in any one issuer that represent 5% or more of total District's investments.

Custodial Credit Risk

Custodial credit risk for *deposits* is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The California Government Code and the District's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits, other than the following provision for deposits: The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The fair value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. California law also allows financial institutions to secure the District's deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits.

SAN SIMEON COMMUNITY SERVICES DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
 June 30, 2020

NOTE 3 - CASH AND INVESTMENTS (Continued)

Custodial Credit Risk (continued)

None of the District's deposits with financial institutions in excess of federal depository insurance limits were held in uncollateralized accounts.

The custodial credit risk for *investments* is the risk that, in the event of the failure of the counterparty (e.g., broker-dealer) to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and the District's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for investments. With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or government investment pools (such as LAIF).

Investment in State Investment Pool

The District is a voluntary participant in the Local Agency Investment Fund (LAIF) that is regulated by the California Government Code under the oversight of the Treasurer of the State of California. The fair value of the District's investment in this pool is reported in the accompanying basic financial statements at the amounts based upon the District's pro-rata share of the fair value provided by LAIF for the entire LAIF portfolio (in relation to the amortized cost of that portfolio). The balance available for withdrawal is based on the accounting records maintained by LAIF, which are recorded on an amortized cost basis.

NOTE 4 - SCHEDULE OF CAPITAL ASSETS

A schedule of changes in capital assets and depreciation for the fiscal years ended June 30, 2020, and June 30, 2019, are shown below and on the following page:

	Balance July 1, 2019	Additions	Deletions	Prior-period Adjustment	Balance June 30, 2020
Non-depreciable capital assets:					
Construction in progress	\$ -	\$ 62,538	\$ -	\$ 160,668	\$ 223,206
Total non-depreciable capital assets	<u>\$ -</u>	<u>\$ 62,538</u>	<u>\$ -</u>	<u>\$ 160,668</u>	<u>\$ 223,206</u>
Depreciable capital assets:					
Sewer plant	\$ 2,086,929	\$ 8,565	\$ (280,413)	\$ (30,312)	\$ 1,784,769
Water plant	2,322,338		(387,047)	(307,300)	1,627,991
Building	395,874		(116,294)		279,580
Land improvements	26,791				26,791
Equipment	329,437		(316,747)		12,690
	<u>5,161,369</u>	<u>8,565</u>	<u>(1,100,501)</u>	<u>(337,612)</u>	<u>3,731,821</u>
Accumulated depreciation	2,444,252	97,102	(1,100,501)	5,574	1,446,427
Total depreciable capital assets	<u>\$ 2,717,117</u>	<u>\$ (88,537)</u>	<u>\$ -</u>	<u>\$ (343,186)</u>	<u>\$ 2,285,394</u>
Net capital assets	<u>\$ 2,717,117</u>	<u>\$ (25,999)</u>	<u>\$ -</u>	<u>\$ (182,518)</u>	<u>\$ 2,508,600</u>

SAN SIMEON COMMUNITY SERVICES DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
 June 30, 2020

NOTE 4 - SCHEDULE OF CAPITAL ASSETS (Continued)

	Balance July 1, 2018	Additions	Deletions	Balance June 30, 2019
Non-depreciable capital assets:				
Construction in progress	\$ -	\$ -	\$ -	\$ -
Total non-depreciable capital assets	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Depreciable capital assets:				
Sewer plant	\$ 2,086,929	\$ -	\$ -	\$ 2,086,929
Water plant	2,198,617	123,721		2,322,338
Building	395,874			395,874
Land improvements	21,511	5,280		26,791
Equipment	316,748	12,689		329,437
	<u>5,019,679</u>	<u>141,690</u>		<u>5,161,369</u>
Accumulated depreciation	2,346,085	98,167		2,444,252
Total depreciable capital assets	<u>\$ 2,673,594</u>	<u>\$ 43,523</u>	<u>\$ -</u>	<u>\$ 2,717,117</u>
Net capital assets	<u>\$ 2,673,594</u>	<u>\$ 43,523</u>	<u>\$ -</u>	<u>\$ 2,717,117</u>

Depreciation expense for the fiscal years ended June 30, 2020 and 2019 was \$97,102 and \$98,167, respectively.

NOTE 5 – CUSTOMER DEPOSITS

The liability for customer deposits consists of the following as of June 30, 2020 and 2019:

	2020	2019
Hook-up deposits	\$ 70,890	\$ 69,750
Customer meter deposits	9,250	9,200
	<u>\$ 80,140</u>	<u>\$ 78,950</u>

The hook-up deposits are from customers on a waiting list to connect into the system. Each deposit represents total hook-up fees owed by the customer based on the fee schedule in place at the time of the payment. Additional fees may be required from the customer, based on the current fee schedule, when the utility connection is completed.

Customer meter deposits consist of a \$50 refundable deposit required for each metered customer before any service can be provided by the District.

NOTE 6 – LOAN PAYABLE

On July 11, 2011, the District applied for a \$500,000 loan from the United States Department of Agriculture. The loan was approved, and the District began to draw on the loan during the 13/14 fiscal year. The District is required to make semi-yearly payments of \$10,345. The agreement is secured by a first lien and a pledge of revenues from the water system. In the event of a default by the District, the remaining amount of the note shall become due. Future minimum payments are as follows on the next page:

SAN SIMEON COMMUNITY SERVICES DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
 June 30, 2020

NOTE 6 – LOAN PAYABLE (Continued)

Fiscal year Ended June 30,	Principal	Interest	Total
2021	\$ 8,568	\$ 12,122	\$ 20,690
2022	8,805	11,885	20,690
2023	9,049	11,641	20,690
2024	9,300	11,390	20,690
2025	9,557	11,133	20,690
2026-2030	51,906	51,544	103,450
2031-2035	59,501	43,949	103,450
2036-2040	68,208	35,242	103,450
2041-2045	78,188	25,262	103,450
2046-2050	89,629	13,821	103,450
2051-2053	50,209	2,114	52,323
Total	<u>\$ 442,920</u>	<u>\$ 230,103</u>	<u>\$ 673,023</u>

NOTE 7 – LONG TERM DEBT – SCHEDULE OF CHANGES

A schedule of changes in long-term debt for the fiscal years ended June 30, 2020 and June 30, 2019, are shown below:

	Balance July 1, 2019	Additions	Deletions	Prior-period Adjustment	Balance June 30, 2020	Due within one year
Loan payable (Direct Borrowing)	\$ 459,089	\$ -	\$ 8,336	\$ (7,833)	\$ 442,920	\$ 8,568
Totals	<u>\$ 459,089</u>	<u>\$ -</u>	<u>\$ 8,336</u>	<u>\$ (7,833)</u>	<u>\$ 442,920</u>	<u>\$ 8,568</u>

	Balance July 1, 2018	Additions	Deletions	Balance June 30, 2019	Due within one year
Loan payable (Direct Borrowing)	\$ 461,432	\$ -	\$ 2,343	\$ 459,089	\$ 8,121
Totals	<u>\$ 461,432</u>	<u>\$ -</u>	<u>\$ 2,343</u>	<u>\$ 459,089</u>	<u>\$ 8,121</u>

NOTE 8 – JOINT POWERS AUTHORITY

The District is a member of the Special District Risk Management Authority (S.D.R.M.A.), an intergovernmental risk sharing joint powers authority, created pursuant to California Government Code Sections 6500 et. Seq. In becoming a member of the S.D.R.M.A., the District elected to participate in the risk financing programs listed below for the program period July 1, 2017 through June 30, 2018.

General and Auto Liability, Public Officials’ and Employees’ Errors, and Employment Practices Liability and Employee Benefits Liability: Special District Risk Management Authority, coverage number LCA SDRMA 201112. This covers \$2,500,000 per occurrence, subject to policy deductibles.

Employee Dishonesty Coverage: Special District Risk Management Authority, coverage number EDC SDRMA 201112. This policy includes a \$400,000 Public Employee Dishonesty Blanket Coverage.

Property Loss: Special District Risk Management Authority, coverage number PPC SDRMA 201112. This policy covers the replacement cost for property on file, \$1,000,000,000 per occurrence, subject to policy deductibles.

SAN SIMEON COMMUNITY SERVICES DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2020

NOTE 8 – JOINT POWERS AUTHORITY (Continued)

Boiler and Machinery: Special District Risk Management Authority, coverage number BMC SDRMA 201112. This covers \$100,000,000 per occurrence, subject to policy deductibles.

The District also participated in the elective comprehension/collision coverage on selected vehicles, subject to policy deductibles.

Personal Liability Coverage for Board Members: This policy covers \$500,000 per occurrence, coverage number LCA SDRMA 201112, annual segregate per each selected/appointed official, subject to policy deductibles.

Members are subject to dividends and/or assessments, in accordance with Second Amended Joint Powers Agreement and amendments thereto, on file with the District. No such dividends have been declared, nor have any assessments been levied.

NOTE 9 – RELATED PARTY TRANSACTION

The District has an agreement with Grace Environmental Services to oversee the daily operations of the District with the President of Grace Environmental Services, Charles Grace, serving as the District's General Manager. San Simeon Community Services District paid \$643,134 for their services including \$601,941 for operations including staffing and \$41,193 for additional consulting, maintenance, and repairs during the 19/20 fiscal year.

NOTE 10 – CONTINGENCIES

According to the District's staff and attorney, no contingent liabilities are outstanding and no lawsuits are pending of any real financial consequence.

NOTE 11 – SUBSEQUENT EVENTS

On January 30, 2020, the World Health Organization ("WHO") announced a global health emergency because of a new strain of coronavirus originating in Wuhan, China (the "COVID-19 outbreak") and the risks to the international community as the virus spreads globally beyond its point of origin. In March 2020, the WHO classified the COVID-19 outbreak as a pandemic, based on the rapid increase in exposure globally.

The full impact of the COVID-19 outbreak continues to evolve as of the date of this report. As such, it is uncertain as to the full magnitude that the pandemic will have on the District's financial condition, liquidity, and future results of operations. Management is actively monitoring the global situation on its financial condition, liquidity, operations, suppliers, and workforce. Given the daily evolution of the COVID-19 outbreak and the global responses to curb its spread, the District is not able to estimate the effects of the COVID-19 outbreak on its results of operations, financial condition, or liquidity as of the date of issuance of these financial statements.

NOTE 12 – PRIOR-PERIOD ADJUSTMENTS

Prior-period adjustments were made to the Statement of Revenues, Expenses, and Changes in Net Position of \$7,833 of loan payments made in a prior fiscal year and for (\$182,518) to match the capital accounts with the District's depreciation schedule and asset records for a net adjustment of (\$174,685).

SUPPLEMENTARY INFORMATION

SAN SIMEON COMMUNITY SERVICES DISTRICT
SCHEDULE OF REVENUES AND EXPENSES BY FUNCTION
For the Fiscal Year Ended June 30, 2020

	Sanitation Fund	Water Fund	General	Total
Operating Revenues:				
Utility sales	\$ 444,391	\$ 396,043	\$ 2,514	\$ 842,948
Service charges			88,422	88,422
State of CA-Dept. of Parks and Recreation	70,777			70,777
Total operating revenues	515,168	396,043	90,936	1,002,147
Operating Expenses:				
Accounting	3,258	3,258	3,259	9,775
Bank fees			166	166
Bookkeeping	4,853	4,854	4,853	14,560
Directors' fees	1,734	1,733	1,633	5,100
Payroll expenses	132	133	132	397
Dues and subscriptions	891	891	2,950	4,732
Riprap engineering	21,958			21,958
Insurance-health			4,285	4,285
PERS Retirement			13,199	13,199
Insurance-liability	6,098	3,049	1,016	10,163
LAFCO budget allocation	847	846	1,693	3,386
Legal fees	21,204	21,204	21,955	64,363
Licenses and permits	14,589	2,347		16,936
Miscellaneous	281	439	804	1,524
Depreciation	38,198	43,408	15,496	97,102
Operations management	417,262	200,446	35,323	653,031
Professional fees	25,215	11,582	4,125	40,922
Emergency stand by		10,000		10,000
Repairs	18,641	15,639		34,280
Utilities	2,565	2,565	2,565	7,695
Website	4,567	4,567	4,566	13,700
Weed abatement			3,885	3,885
Total operating expenses	582,293	326,961	121,905	1,031,159
Net operating income (loss)	(67,125)	69,082	(30,969)	(29,012)
Non-Operating Revenues (Expenses):				
Property taxes			87,860	87,860
Interest expense		(12,354)		(12,354)
Interest income		15	21,964	21,979
Total non-operating revenues (expenses)		(12,339)	109,824	97,485
Capital Contributions				
Grant income			178,482	178,482
Total capital contributions			178,482	178,482
Change in net position	\$ (67,125)	\$ 56,743	\$ 257,337	\$ 246,955

SAN SIMEON COMMUNITY SERVICES DISTRICT
SCHEDULE OF REVENUES AND EXPENSES BY FUNCTION
For the Fiscal Year Ended June 30, 2019

	Sanitation Fund	Water Fund	General	Total
Operating Revenues:				
Utility sales	\$ 473,434	\$ 400,918	\$ 3,133	\$ 877,485
Service charges			85,122	85,122
State of CA-Dept of Parks and Recreation	86,944			86,944
	<u>560,378</u>	<u>400,918</u>	<u>88,255</u>	<u>1,049,551</u>
Operating Expenses:				
Accounting	3,148	3,148	3,149	9,445
Bank fees		50	170	220
Bookkeeping	4,800	4,800	4,800	14,400
Directors' fees	1,800	1,800	1,500	5,100
Payroll expenses	133	132	(8)	257
Dues and subscriptions	705	1,127	3,202	5,034
Election expense			549	549
Road maintenance			3,838	3,838
Riprap engineering	56,736			56,736
Insurance-Health			7,738	7,738
PERS Retirement			11,326	11,326
Insurance-Liability	5,933	2,967	989	9,889
LAFCO budget allocation	792	792	1,584	3,168
Legal fees	14,006	10,017	10,016	34,039
Licenses and permits	13,062	1,929		14,991
Depreciation	43,200	43,200	11,767	98,167
Office expenses			207	207
Operations management	443,051	249,446	39,651	732,148
Professional fees	3,666	8,303	6,171	18,140
Emergency water stand-by		10,000		10,000
Repairs	2,377	2,377	2,376	7,130
Utilities	320	320	320	960
	<u>593,729</u>	<u>340,408</u>	<u>109,345</u>	<u>1,043,482</u>
Net operating income (loss)	<u>(33,351)</u>	<u>60,510</u>	<u>(21,090)</u>	<u>6,069</u>
Non-Operating Revenues (Expenses):				
Property taxes			86,705	86,705
Interest expense			(18,347)	(18,347)
Interest income			14,951	14,951
			<u>83,309</u>	<u>83,309</u>
Capital Contributions				
Grant income			30,120	30,120
			<u>30,120</u>	<u>30,120</u>
Change in net position	<u>\$ (33,351)</u>	<u>\$ 60,510</u>	<u>\$ 92,339</u>	<u>\$ 119,498</u>

5. B. Business Items



BUSINESS ACTION ITEM STAFF REPORT

Item 5.B. Consideration of updates to the policy & procedures manual.

Summary:

Below is a summary of the suggested edits that be implemented into the current Policy & Procedures Manual. These suggestions have been “redlined” within the attachment.

- Language has been edited to reflect the new meeting day and time of the regular Board meetings. Page 5 section, 6.01
- Language related to the meeting place was added. Page 5, section 6.02
- The addition of the following words:
 - i. “Or designee” Page 4, section 5.01 & Page 6, section 7.01 & Page 14, section 17.02 # 1, Page 15, section 17.04 # 3 & Page 16, section 17.05.01 # 2, #3
 - ii. “Or Staff member” Page 11, section 13.02, Page 13 & section 15.01.01
 - iii. “District Counsel” Page 12, section 14.04, #3.

Staff has been contacted by several members of the public who asked that the Policy & Procedures manual be edited to include language that committee members must be members of the community. The following language is suggested.

- Committee members must be registered San Simeon voters, property owners, or own a business that operates within the District boundary.

Recommendation:

Staff is asking the Board for any additional feedback, removal or addition of language relevant to this item.

Enc: Redline version of the Policy and Procedures Manual

SAN SIMEON COMMUNITY SERVICES DISTRICT
POLICIES AND PROCEDURES GOVERNING THE
SAN SIMEON COMMUNITY SERVICES DISTRICT AND BOARD OF
DIRECTORS

TABLE OF CONTENTS

SECTION 1.00	General Policies
SECTION 2.00	Board of Directors
SECTION 3.00	Duties of the Board of Directors
SECTION 4.00	Staff and Consultants
SECTION 5.00	Duties of Staff
SECTION 6.00	Board Meetings: Time, Place, and Manner
SECTION 7.00	Board Meeting Agendas
SECTION 8.00	Board Meeting Minutes
SECTION 9.00	Rules of Order for Board Meetings
SECTION 10.00	Actions and Decisions of the Board of Directors
SECTION 11.00	Deviations
SECTION 12.00	Records
SECTION 13.00	Committees of the District
SECTION 14.00	Board of Directors' Conduct
SECTION 15.00	Training, Education, and Conferences.
SECTION 16.00	Ordinance Adoption Policy
SECTION 17.00	Complaints/Claims Procedures
SECTION 18.00	Staff and Operations
SECTION 19.00	Procurement
SECTION 20.00	Conflict of Interest
SECTION 21.00	Social Media Policy
SECTION 22.00	Applying for Grants

Approved May 2019
Amended February 2021~~Amended August 2020~~

SAN SIMEON COMMUNITY SERVICES DISTRICT

POLICIES AND PROCEDURES GOVERNING THE SAN SIMEON COMMUNITY SERVICES DISTRICT AND BOARD OF DIRECTORS

SECTION 1.00 General Policies

Introduction. The Board of Directors is the governing and legislative body of the District. All action of the District shall be taken by the Board and not by individual Directors. The Board of Directors shall be the policymakers of the District, establishing policy after receiving necessary information from staff and other persons as deemed necessary. No individual Board Member shall represent a policy as the District's policy unless said policy has been determined by the Board nor shall any board member act unilaterally in regard to representing the board or its policies in any public forum.

1.01 Purpose of Board Policies. It is the intent of the Board of Directors of the San Simeon Community Services District to maintain a Manual of Policies. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board. The Manual of Policies will serve as a resource for Directors, staff, and members of the public in determining the manner in which matters of District business are to be conducted.

1.02 Conflicts with the Law. If any policy or portion of a policy contained within the Manual of Policies is in conflict with rules, regulations, or legislation having authority over the San Simeon Community Services District, said rules, regulations, or legislation shall prevail.

1.03 Adoption/Amendment of Policies. A Director or General Manager may initiate the consideration of a new policy or to amend a policy. A written draft of the proposed new policy or amendment should be submitted to the General Manager to be included for consideration on the agenda of the appropriate regular meeting of the Board of Directors. Adoption of a new policy or an amendment shall be accomplished at a regular meeting of the Board of Directors and shall require a three-fifths (3/5) affirmative vote of the entire Board of Directors.

1.03.01 Process of Adopting or Amending Policy. Before considering the adoption or amendment of any policy, Directors shall have the opportunity to review the proposed adoption or amendment at the regular Board of Directors' meeting prior to the meeting at which consideration for adoption or amendment is to be given. Copies of the proposed policy adoption or amendment shall be included in the agenda information packet for any meeting of consideration. The agenda information packets with said copies shall be made available to each Director for review at least three (3) days prior to any meeting of consideration.

SECTION 2.00 Board of Directors

2.01 Authority of the Board. The Board of Directors is the governing body of the District. The Board shall act only at its regular meeting, regular adjourned meetings, special meetings, or emergency meetings.

2.02 Officers. At the regular meeting in December, the Directors shall elect one of their members Chairperson of the Board and another of the members Vice-Chairperson of the Board. Term of office for each shall be one (1) year.

2.03 Attendance at Meetings. Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.

2.04 Vacancy. A vacancy shall occur if any member ceases to discharge the duty of his/her office for the period of three (3) consecutive months except as authorized by the Board of Directors.

2.05 Renumeration. Members of the Board of Directors shall receive a monthly stipend, the amount of which shall be annually established by the Board as set forth in the adopted budget. However, a member of the Board who does not attend the regular monthly meeting of the Board is not entitled to the monthly stipend.

2.06 Reimbursement. Members of the Board of Directors shall be reimbursed for all legitimate expenses incurred in attending any meetings or in making any trips on official business of the Board when so authorized in accordance with policies. Reimbursement for the cost of the use of a Director's vehicle shall be on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of the vehicle use.

2.07 Membership in Associations. The Board of Directors shall ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the District and shall look upon such memberships as an opportunity for in-service training. The Board of Directors shall maintain membership in the California Special Districts Association and shall insure that annual dues are paid when due. The Chairperson shall be selected to represent the District in accordance with said chapter's constitution/bylaws, and the Vice-Chairperson shall serve as an alternate for the representation.

SECTION 3.00 Duties of the Board of Directors

3.01 Presiding Officer. The Chairperson shall preside at all meetings of the Board. The Vice-Chairperson shall preside at all meetings of the Board in the absence of the Chairperson. If both the Chairperson and Vice-Chairperson are absent, the Directors in attendance shall select a Director to preside over the meeting.

3.02 Duties of the Chairperson. The Chairperson of the Board shall preserve order and decorum and shall decide questions of order subject to appeal to the Board of Directors. The Chairperson from the chair may place a motion before the Board, second a motion, and vote irrespective of the existence of an otherwise tie vote.

The Chairperson shall act as spokesperson for the Board with respect to its actions and policies and those of the District. This provision, however, shall not preclude any other member of the Board from making appropriate comments within the scope of his or her position.

The Chairperson, or any member of the Board or staff person so designated, shall represent the Board where it is appropriate or desirable for the District to appear at meetings of other public agencies, private entities, before public or private groups, or on other public or private occasions. However, this provision shall not limit the attendance of any Director or authorized officer or staff member of the District at other public gatherings or meetings. Prior to attending such a gathering or meeting, Directors are encouraged to review Government Code Section 54952.2(c) and ensure their attendance is in conformance with the requirements of the Brown Act. (Please refer to Section 3.04)

To obtain such information as may be necessary and appropriate to assist the Board in its deliberations, the Chairperson shall work with the General Manager, District Counsel, or other staff member of the District. The Chairperson may also direct staff to implement the policies and decisions of the Board. Individual members of the Board shall not act independently to direct staff in the performance of their duties unless specifically provided for in these policies or as approved by the Board.

3.03 Duties of the Vice-Chairperson. The Vice-Chairperson shall act if the Chairperson is absent or unable to act and shall exercise all of the powers of the Chairperson on such occasions.

3.04 Authority of Individual Board Members. All powers of the District shall be exercised and performed by the Board as a body. Individual Board Members, except as provided in these policies or otherwise authorized by the Board, shall have no independent power to act for the District, the Board, or to direct staff of the District.

SECTION 4.00 Staff and Consultants

4.01 Staff. The Board shall, as necessary, appoint a General Manager and a District Secretary. The General Manager may also act as District Secretary, but no Director shall be appointed as General Manager or District Secretary. The General Manager, District Secretary, or a third party may also be appointed as the Finance Officer.

4.02 Consultants and Compensation. The Board may also appoint and employ, fix the compensation of, and prescribe the duties and authorities of other officers, employees, attorneys, engineers, and other professional consultants as necessary or convenient for the business of the District subject to the Procurement Policy. (Please refer to Section 19.00)

4.03 General Manager. The General Manager shall be the Executive Officer of the San Simeon Community Services District and for the Board of Directors. The General Manager may be employed by the District through written agreement or retained as a consultant through written agreement. If any such written agreement between the General Manager and the District is in conflict with any District policy, said agreement shall prevail.

SECTION 5.00 Duties of Staff

5.01 Duties of General Manager. The General Manager (or designee) shall be responsible for all of the following:

- the implementation of the policies established by the Board of Directors for the operation of the District,

- the supervision of the District's facilities and services,
- the supervision of the District's finances.

5.02 Duties of District Secretary. The District Secretary shall prepare and mail or send by electronic media to each person entitled thereto copies of agendas, minutes of the preceding meeting, and notice of meetings. The District Secretary shall prepare minutes for adoption by the Board of Directors setting forth all actions taken by the Board and shall preserve minutes and other records of actions of the governing Board as per the Records Retention Policy (Please see Ord.19-407).

SECTION 6.00 Meetings: Time, Place, and Manner

6.01 Time. The time for regular meetings of the Board of Directors shall be the second ~~Wednesday~~ Thursday of each calendar month at ~~6~~⁶:00 p.m. The date, time, and place of regular Board meetings shall be reconsidered annually at the annual organizational meeting of the Board.

6.02 Place. The place of meetings of the Board of Directors shall be in a Cavalier Banquet Room located at 250 San Simeon Avenue, San Simeon, California, unless otherwise designated by the Board of Directors. Due to the COVID19 pandemic Board meetings are being held using Zoom.

6.03 Recording. The proceedings of all regular meetings shall be recorded by videographer. The proceedings of all special meetings shall be recorded by audio. Recordings shall be retained in accordance with the record retention policy pursuant to Resolution 19-407. Video and audio taping of regular or special meetings shall conform to Government Code Sections 54953.5 & 54953.6.

6.04 Special and Emergency Meetings. The time, place, and manner of calling all other meetings of the Board of Directors shall be undertaken as prescribed in the Government Code Section 54950 *et seq.*

6.05 Adjourned Meetings. A majority vote by the Board of Directors may terminate any meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager may declare the meeting adjourned to a stated time and place.

6.06 Compliance with the Brown Act. All meetings of the Board of Directors and Committees shall be open and public and all persons shall be permitted to attend any public meeting of the Board of Directors except as provided by law; provided, however, that closed sessions may be held when permitted by law.

6.07 Secret Ballots. Secret ballots are not allowed.

SECTION 7.00 Agendas.

7.01 Setting of Agenda. The General Manager, in consultation with the Board Chairperson, shall set the agenda. The General Manager and Board Chairperson shall consider any matter requested by a Director for inclusion on the agenda. Committee recommendations on topics to

be added to the agenda shall be given to the Board Chairperson or said designee. A member of the public may also request that a matter directly related to District business be placed on the agenda. Such a request must be made to the General Manager (or designee) or the Board Chairperson at least fifteen (15) day prior to the date of the meeting. With regard to all requests to add items to the agenda, the General Manager and the Board Chairperson may use their discretion as to which items are included. The agenda shall also contain any matter requested by a majority of the Board.

7.02 Consent Calendar. Agendas of Board meetings shall incorporate a consent calendar listing items of a routine nature not normally requiring discussion. The following is a listing of consent calendar items which may be amended by the direction of the Board of Directors or by the General Manager and the District Secretary as they deem appropriate: (1) approval of minutes, (2) approval of bills paid, (3) informational items, and (4) certain resolutions (example: banking authority). Approval of the consent calendar shall take place by a motion and a second of the Board and passed by a roll call vote indicating a majority vote.

The District adopts the following general guidelines in reviewing and approving consent agenda items:

1. The Chairperson shall announce the item and read each consent agenda item into the record.
2. The Chairperson shall ask if there are any public comments on any item within the consent agenda.
3. Once all public comments are done, the Chairperson shall ask the Board members if they would like to pull an item off the consent agenda for full discussion. If an item is pulled off the consent agenda, it shall be added as a Business Item for full Board discussion.
4. The Chairperson shall next ask if the Board members have any minor comments (typographical/spelling errors) or minor questions about any of the consent agenda items. If so, the Board member shall then make the minor comment or ask staff a question.
5. Once all minor comments/questions have been dealt with, the Chairperson shall ask if there is a motion to approve the consent agenda (if motion is not already made independently by another Board member); the motion, if it passes, shall approve all items within the consent agenda.

7.03 Distribution. The District Secretary shall prepare an agenda for each regular meeting and shall post and mail or send by electronic media the agenda to persons entitled thereto at least 72 hours prior to the meeting. The District Secretary shall prepare an agenda for each special meeting and post this agenda 24 hours prior to the meeting.

7.04 Additional Distribution. Agendas shall be mailed or sent by electronic media to any person who has on file a written request to receive agendas after the District has received payment of the appropriate fees to cover either faxing or mailing of said agendas.

7.05 Agenda Change. Upon a determination by a two-thirds (2/3) vote of the members of the Board present at the meeting, or, if fewer than two-thirds (2/3) of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted, the Board may add an item to the agenda in accordance with Government Code

Section 54954.2(b). Example: If there are five (5) Board members present, four (4) affirmative votes would be needed to add an agenda item. If there are three (3) Board members present, three (3) affirmative votes would be needed to add an agenda item.

7.06 Public Comments on Agenda Items. Any member of the public may address the Board on any item on the agenda at the time that item is being considered by the Board. Each speaker will be limited to three (3) minutes per agenda item as monitored by the District Secretary. Additional time may be extended by the Chairperson. Speakers shall not be allowed to “split” their time, nor shall they be permitted to “reserve” all or any portion of their allotted time. If any person fails or refuses to abide by these rules, the Chairperson, after warning the speaker, may declare that the speaker is disrupting, disturbing, or impeding the orderly conduct of the meeting and order the speaker to leave the meeting room. If another Board member disagrees that a speaker is disrupting the proceeding, that Board member may object to having the speaker leave the meeting room. At such time, the full Board shall vote on whether the speaker should be required to leave or not.

7.07 Public Comments on Items Not on the Agenda. Any member of the public may address the Board on any item of interest to the public that is within the subject matter jurisdiction of the District that is not on the agenda subject to the time limits and restrictions for public comments on agenda items. No action shall be taken on any item not appearing on the agenda unless authorized in accordance with the procedures set forth in Government Code Section 54954.2. The Board shall not engage in debate, dialogue, or take action on any matter brought to its attention under public comment, except to refer the matter to staff or to determine that the matter should be included on a future agenda for consideration and action.

7.08 Manner of Addressing the Board by an Individual. A member of the public addressing the Board should give his or her name in an audible tone of voice for the record. All remarks shall be addressed to the Board as a body, not to any individual Director. No person, other than a Director, General Manager or District Counsel, and the person having the floor shall be permitted to enter into any general discussion without the permission of the Chairperson.

7.09 Manner of Addressing the Board by a Group of Persons. Whenever members of the public wish to address the Board on the same subject matter, it shall be proper for the Chairperson to request that a spokesperson be chosen by the group to address the Board and, in case additional matters are to be presented at the time by any member of that group, to limit the number of persons so addressing the Board so as to avoid repetition before the Board. The Chairperson may set a time limit for each side of an issue. Government Code 54957.9 permits the legislative body to clear the room if the meeting is willfully interrupted so as to render further conduct of the meeting unfeasible.

SECTION 8.00 Minutes

8.01 Minutes. The District Secretary shall keep minutes of regular and special meetings of the Board. Copies of said minutes shall be made for distribution to each member of the Board with the agenda for the next regular Board meeting.

8.02 Record of Motions, Resolutions, and Ordinances. Motions, resolutions, or ordinances shall be recorded as having passed or failed, and individual votes will be recorded

unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively, starting anew at the beginning of each fiscal year.

8.03 Procedure for Minutes. The minutes of Board meetings shall be maintained as hereinafter outlined.

8.03.01 Procedure:

- date, place, and type of each meeting
- directors present and absent by name
- call to order
- arrival of tardy Directors by name
- pre-adjournment departure of Directors by name or if absence takes place when any agenda items are acted upon
- adjournment of the meeting

8.03.02 Board Actions:

- approval or amended approval of the minutes of preceding meetings
- complete information as to each subject, including the roll call record of the vote on a motion if not unanimous
- all Board resolutions and ordinances in complete context, numbered serially for each fiscal year
- a record by number of all warrants approved for payment
- adoption of the annual budget
- financial reports, including water and wastewater sales, balances of District checking accounts, and a monthly balance sheet

8.04 Storage. The official minutes of the regular and special meetings of the Board shall be saved on the District computer in accordance with the Records Retention Policy. (Please see Resolution 19-407.) This computer shall be backed up onto a hard drive that is stored in a safe deposit box that is located at an offsite location. Approved minutes of the Board of Directors' meetings shall be public records open to inspection by the public. The Secretary shall make copies available to any person who has made a request in compliance with the California Public Records Request Act.

SECTION 9.00 Rules of Order for Meetings

9.01 General. Action items shall be brought before and considered by the board by motion in accordance with this policy. The board prefers a flexible form of meeting and, therefore, does not strictly follow Robert's Rules of Order.

9.02 Obtaining the Floor. Any member of the Board desiring to speak should address the Chairperson and, upon recognition by the Chairperson, may address the subject under discussion.

9.03 Motions. Any member of the Board, including the Chairperson, may make or second a motion. A motion shall be brought and considered when a member of the Board makes a motion and another Director seconds the motion. The motion is then open to discussion and debate. After the matter has been fully discussed and debated, the Chairperson will call for the vote.

9.04 Motion to Amend. A main motion may be amended before it is voted on either by the consent of the members of the Board who moved and seconded or by a new motion and second.

9.05 Motion to Postpone. A main motion may be postponed to a certain time by a motion to postpone which is then seconded and approved by a majority of the Board.

9.06 Motion to Refer to Committee. A main motion may be referred to a Board committee for further study and recommendation by a motion to refer to committee which is then seconded and approved by a majority vote of the Board.

9.07 Motion to Close Debate and Vote Immediately. As provided above, any member of the Board may move to close debate and immediately vote on a main motion.

9.08 Motion to Adjourn. A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

9.09 Decorum. The Chairperson shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The Chairperson may eject any person or persons making personal, impertinent, or slanderous remarks; refusing to abide by a request from the Chairperson; or otherwise interrupting the meeting or hearing.

If any meeting is willfully interrupted by a person or a group so as to render the orderly conduct of such meeting infeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

SECTION 10.00 Actions and Decisions

10.01 Method of Action. The Board of Directors shall act only by ordinance, resolution, or motion in accordance with these policies.

10.02 Majority/Quorum. The majority of the Board shall constitute a quorum for the transaction of business.

10.03 Majority Vote Required. No ordinance, resolution, or motion shall be passed or shall become effective without the affirmative vote of at least a majority of the members of the Board. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a quorum is present, therefore, require three (3) unanimous votes to be effective (unless a four-fifths (4/5) vote is required by policy or other law). A member abstaining in a vote is considered as absent for that vote.

Example 1: If three (3) of five (5) Directors are present at a meeting, a quorum exists and business can be conducted. However, if one (1) Director abstains on a particular action

and the other two (2) cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.

Example 2: If a proposed action requires a two-thirds (2/3) vote and two (2) Directors abstain, the proposed action cannot be approved because four (4) of the five (5) Directors would have to vote in favor of the action.

Example 3: If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three (3) Directors must vote in favor of the appointment for it to be approved. If two (2) of the four (4) Directors present abstain, the appointment is not approved.

10.04 Recordation of Vote Exceptions. For action taken by motion without the unanimous vote of all Directors present voting, the names of the Ayes and Noes shall be entered in the minutes. For passage of all ordinances and resolutions, the names of the Ayes, Noes, Abstain, and Absent shall be entered into the minutes of the Board.

10.05 Direction to Staff. During a public meeting, the Board may give directions, however, which are not formal action. Such directions do not require formal procedural process. For example, after an ordinance is adopted at a public meeting, the Board may direct staff to publish an ordinance summary in a newspaper of general circulation. The Board may also direct staff to research a particular topic and place it on the agenda at the next regular Board meeting. Such directions include the Board's directives and instructions to the General Manager. The Chairperson shall determine by consensus a Board directive and shall state it for clarification. Should any two (2) Directors challenge the statement of the Chairperson, a voice vote may be requested. A formal motion may be made to place a disputed directive on a future agenda for Board consideration or to take some other action (such as referring the matter to the General Manager for review and recommendation, etc.). Informal action by the Board is still Board action and shall only occur during public meetings regarding matters which appear on the agenda for the Board meeting during which said informal action is taken.

SECTION 11.00 Deviations

11.00 Deviations. No deviation from or failure to follow the procedures set forth in this Code shall invalidate any action or decision of the Board of Directors unless such deviation or failure has substantially prejudiced the rights of an interested person.

SECTION 12.00 Records

12.01 Records. Public records of the San Simeon Community Services District shall be open to inspection as provided in the California Public Records Act.

SECTION 13.00 Committees

13.01 Standing Committees. The District has the following standing committees:

- Budget/Finances – This committee shall be concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.
- Water/Facility – This committee shall be concerned with the formulation of plans for arranging, realizing, and/or achieving the District's goals in regard to alternative water sources and facility maintenance and upgrades.

13.02 General Rules Governing Committees. The Chairperson of the Board of Directors shall appoint one (1) or two (2) Board members and three (3) to five (5) members of the public to serve on the Standing Committees subject to Board approval. The Chairperson of the Board of Directors shall publicly announce the members of the standing committees for the ensuing year at the next regular Board meeting following the appointment of the Chairperson of the Board of Directors. Committees shall be governed by the following policies and rules.

- At its first meeting, each Standing Committee shall select a Chairperson, who shall be one of the Board members on the committee.
- No more than two Directors of the Board shall serve on any one Committee. Other Directors may attend Committee meetings as *observers* in accordance with the Brown Act. As observers the Board members may not ask questions or make statements while attending the meeting, nor may they sit in the special chairs on the dais while attending the meeting. As observers the Board members have no authority to participate in any way in Committee discussions.
- Committees should focus on matters that typically require extensive research and review.
- A Committee may take no action. Recommendations for formal action by the Board of Directors are made in the Committee reports.
- Any Committee that is appointed by action of the Board of Directors and/or has members of the public serving on the Committee shall then come under the posting requirements of the Brown Act and shall be open to the public.
- The meetings of Standing Committees shall be held when called by the Chairperson of the Standing Committee, other Director member, or the Board Chairperson.
- Duties and Functions: At the time the Chairperson of the Board of Directors forms the Standing Committee, he/she shall give instructions as to the duties for each Committee. Additional duties and functions may be delegated by the Chairperson, as need arises, subject to Board approval.
- The Committee shall give a report at the regular meeting of the Board of Directors and if a need to take action should arise, the Committee shall bring a recommendation to the Board of Directors at any duly noticed meeting. The Committee Chairperson shall notify the General Manager or a staff member of items to be placed on the agenda where action is needed one week prior to the meeting if possible.
- Committee members must be registered San Simeon voters, property owners, or own a business that operates within the District boundary.

13.03 Ad Hoc Committees. Ad hoc Committees may be created by the Board of Directors to undertake special assignments on behalf of the Board. An ad hoc Committee shall exist for a specified term or until its special assignments are completed, whichever comes first, but its existence may be extended for an added term or added assignments by action of the Board. Unless otherwise specified, members of an ad hoc Committee shall be appointed by the Chairperson of the Board, subject to Board approval, and shall serve at the Board's pleasure.

13.04. Special Committees. In addition to the committees discussed above, Special Committees may be created by the Board of Directors to undertake special assignments on behalf of the Board. A Special Committee shall continue in existence indefinitely. Unless otherwise specified, members of a Special Committee shall be appointed by the Chairperson, subject to Board approval, and shall serve at the Board's pleasure. All Special Committee meetings shall be open to the public, have an agenda, and otherwise be subject to the Brown Act.

SECTION 14.00 Board Conduct

14.01 Conflict of Interest. No Director shall make, participate in, or in any way attempt to use his or her official position to influence a decision on any issue when prohibited from doing so by the Political Reform Act of 1974 (Government Code Section 81000, *et seq.*), any other law, or the District's Conflict of Interest Code. (Please refer to Section 20.00.) A Director shall, when an agenda item is called, declare that he or she has a conflict of interest, state what the conflict of interest is, and shall remove him or herself from the Board room during the discussion. The Director's removal shall be noted on the record by the District Secretary, who shall also note the Director's return when the item is completed.

14.02 Ethics. Directors shall comply with the requirements of Government Code Section 53235 by receiving at least two hours of training in general ethics principles and ethics laws relevant to District service every two years and shall file with the District Secretary a copy of the certificate verifying the completion of such training. Directors shall work with the General Manager, or said designee, to ensure adherence with all requirements of Government Code Section 53235.

14.03 Decorum of Board of Directors during Board Meetings. The Directors shall adhere to the following guidelines for conduct during all meetings.

- The immediate and future needs of the District's constituents should be the priority of the Board of Directors.
- Once the Board of Directors takes action, Directors should not create barriers to the implementation of said action.
- The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

14.04 Other Procedures for Directors. Directors should practice the following procedures.

1. In seeking clarification on informational items, Directors may approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.
2. In handling items related to safety, concerns for safety or hazards should be reported to the General Manager, said designee, or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.
3. In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager or District Counsel.
4. When approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor. The chain of command should be followed.
5. Directors should develop a working relationship with the General Manager wherein current issues, concerns, and District projects can be discussed comfortably and openly.
6. Unless a conflict of interest exists, Directors should not abstain from the Board's decision-making responsibilities.

SECTION 15.00 Training, Education and Conferences.

15.00 Educational Conferences. Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purpose of such activity is to improve District operation. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District. If multiple Directors are to attend an educational conference, it is recommended that prior to attending the conference, the Directors review Government Code Section 54952.2 (Ralph M. Brown Act) or confer with District Counsel.

15.01 Reimbursement for Educational Conferences. It is the policy of the District to encourage Board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging, and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state, and national conferences associated with the interests of the District.

15.01.01 The Board member is responsible for making arrangements for conference and registration expenses and for per diem. Per diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors or that are billed to the District by Directors, shall be submitted to the General Manager or a staff member, together with validated receipts.

15.02 Approval by Chairperson. Attendance by Directors at seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Chairperson of the Board of Directors prior to incurring any reimbursable costs.

15.03 Expenses for Educational Conferences. Expenses to the District for Board of Directors' training, education, and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the General Manager and by:

- utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates
- Directors traveling together whenever feasible and economically beneficial
- requesting reservations sufficiently in advance, when possible, to obtain discounted airfares and hotel rates

15.04 No Educational Activities After Resignation. Directors shall not attend a conference or training event for which there is an expense to the District if it occurs after they have announced their pending resignation or if it occurs after an election in which it has been determined that they will not retain their seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

15.05 Report to Board After Educational Conferences. Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.

16.00 Ordinance Adoption Policy

16.01 Adoption and Waiting Period. Ordinances should be adopted on a roll call vote. Unlike cities and counties, a community services district does not have a first and second reading prior to an adoption. Rather, the appropriate motion to adopt an ordinance is to move adoption of Ordinance No. ___ entitled " _____." Ordinarily, it is advisable to have a 30-day waiting period before the effective date of the ordinance, although, unlike city and county adopted ordinances, this is not a mandatory requirement.

16.02 Publication Requirements. Unlike cities and counties, there is no overall requirement for publication of all ordinances. However, it is a good practice to publish adopted ordinances in a newspaper of general circulation in the area within 15 days after passage. Some types of ordinances may have specific requirements for publication of the ordinance before their effective date. This sometimes includes Federal or State grant projects. Likewise, there is not a general requirement for all ordinances to be adopted after public hearing. However, some specific actions require public hearings, such as certain grant projects or increases in fees. District Counsel should either prepare all District resolutions and ordinances or carefully review drafts of such documents prior to their placement on the Board's agenda to ensure that any notice, hearing, or format requirements are met.

16.03 Reading and Alterations. All ordinances shall be read in full either at the time of introduction or passage, except when, after reading the title, further reading is waived by regular motion adopted by unanimous vote of the Board by the Directors present. Corrections of typographical or clerical errors are not alterations within the meaning of this section.

16.04 Enacting Clause of Ordinance. The form of enacting clause of all ordinances passed by the Board shall be: "Be it ordained by the Board of Directors of the San Simeon Community Services District as follows".

16.05 Execution of Ordinances. All ordinances shall be signed by the Chairperson and attested by the District Secretary.

SECTION 17.00 Complaints/ Claims Procedures

17.01 General Public Complaints. The Board of Directors desires that complaints from the public be resolved at the lowest possible administrative level and that the method for resolution of complaints be logical and systematic. A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state, or federal statute by which the individual has been adversely affected.

17.02 Method of Handling General Public Complaints Against the District. The method of resolving complaints shall be as follows:

1. The individual with a complaint shall first discuss the matter with the General Manager or Office Manager with the objective of resolving the matter informally.
2. If the complaint refers to the General Manager, it will be referred to the Board Chairperson with the objective of resolving the matter informally.
3. If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager or Board Chairperson, a written complaint may be

filed with the Board of Directors within ten (10) days of receiving the General Manager's or Chairperson's decision.

4. The Board may consider the matter at the next regular meeting or call a special meeting. The Board will expeditiously resolve the matter. In making the final decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. A written decision from the Board may be requested by the individual filing the complaint.

This policy in no way prohibits nor is intended to deter a member of the community or staff member from appearing before the Board to present verbally a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.

17.03 Complaints Concerning Staff or Contractors of the District. The Board states its support of staff and its expectation that each shall perform in the spirit of excellent service to the community. The Board wishes to defend staff against malicious complaints while upholding standards of performance for each staff member and correcting problems. Board members individually will refer compliments, suggestions, and criticisms about staff directly to the General Manager for appropriate consideration and action.

17.04 Method of Handling Complaints Against District Staff/Contractors. The method of resolving complaints shall be as follows.

1. Complaints should first be made directly by the complainant to the staff member against whom the complaint is lodged. Community members are encouraged to attempt to orally resolve concerns with the staff member personally as soon as possible, within 30 days of the occurrence.
2. If the issue cannot be resolved between the community member and the staff member informally, the complaint should be referred to the General Manager.
3. The General Manager (or designee) shall investigate the complaint and shall take appropriate measures to address the complaint once the investigation is complete. The individual making the complaint shall be informed of the results of the investigation and with any actions/measures that were taken.
4. If the General Manager deems it necessary, the matter may be referred to the Board. All charges or complaints against a staff member brought to a Board meeting shall comply with the requirements of Cal. Gov't Code § 54950 *et seq.*
5. No anonymous complaints concerning staff members will be processed by the District or Board. Such complaints shall be given to the General Manager, who shall note the content. Board and staff shall inform complainants that anonymous complaints will not be handled, receive attention, or be acted upon.
6. Each person involved in a complaint shall act quickly so that the complaint may be solved promptly. Training on the appropriate resolution of complaints within the guidelines of this policy shall be held annually.

17.05 Claims Against the District. The purpose of this policy is to provide direction to District staff for processing and resolving claims against the District. Inherent in this policy is the recognition that every claim will be unique and that guidelines cannot be written to accommodate every case. Therefore, staff must use discretion and good sense in handling each claim.

17.05.01. Property (Land and Improvements) Damage Claims. In the course of District operations, damage to land and improvements thereon occasionally occur due to the proximity of the District's facilities to private property. When District staff are aware that property has been damaged in the course of their work, restorative measures are to be taken to return the property as close to its original condition as possible.

1. When property owners inform District staff members of damage to their property, the staff member receiving the claim will document in writing the time and date and a description of the stated circumstances and allegations. Staff members should respond to questions, be cordial and respectful, but refrain from commenting on liability questions.
2. As soon as possible after information about the damage has been received, it shall be given to the General Manager or designee. The General Manager, or said designee, shall investigate the property owner's allegations.
3. If the owner of damaged property informs a member of the Board of Directors, the information will be given to the General Manager or designee. Directors should not independently investigate claims but may go with staff to observe.
4. Claims in excess of the District's insurance deductible shall be forwarded to the insurance company (Special District Risk Management Authority, SDRMA), and the claimant shall be advised of this action.
5. Claims for personal injury/wrongful death shall not be investigated by District staff or Directors but shall be immediately forwarded to the District's insurance company.

17.05.02. Property (Vehicles and Unsecured Property) Damage Claims. All claims of damage to vehicles or other unsecured property shall be submitted to the General Manager. He/she shall review the damage claim and the requested restitution. If the General Manager determines that the damage is the District's responsibility, he/she may authorize repairs or reimbursement of expenses to an amount not to exceed \$500. Claims in excess of \$500 shall be forwarded to the insurance company.

17.05.03. Claims Form. All damage claims must be submitted in writing on a District claim form. This will ensure that a claim is valid and protect important rights of the District. District staff shall provide no assistance to the claimant in filling out the claim form. The claimant must fill out the claim form in its entirety and submit it via mail, FAX, or personal delivery to the District office. Upon receipt, office staff shall date-stamp the document.

Anyone not wishing to file a claim on the District form, may present the claim by letter if it conforms to Section 910 and Section 910.2, California Government Code. Section 910 specifies that a claim needs to show all of the following:

1. the name and post office address of the claimant;
2. the post office address to which the person presenting the claim desires notices to be sent;
3. the date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted;
4. a general description of the indebtedness, obligation, injury, damage, or loss incurred so far as it may be known as the time of presentation of the claim;
5. the name or names of the staff member(s) causing the injury, damage, or loss, if known;

6. the amount claimed as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of presentation of the claim, together with the basis of computation of the amount claimed.
7. Section 910.2 of the California Government Code specifies the following: “the claim shall be signed by the claimant or by some person on his behalf. Claims against local public entities for supplies, materials, equipment or services need not be signed by the claimant or on his behalf if presented on a billhead or invoice regularly used in the conduct of the business of the claimant.”
8. If the filed letter/claim does not meet the requirements of California Government Code 910 and 910.2, then a letter shall be sent to the claimant informing him/her of this fact.

SECTION 18.00 Staff and Operations

18.01 Substance Abuse

18.01.01. Purpose of Policy. This policy sets forth the District’s position regarding substance abuse and provides guidance to staff in addressing substance abuse problems. The District recognizes its responsibility to maintain a safe, healthful, and productive environment and staff’s responsibility to perform services for the public effectively and efficiently. The District will act to eliminate any substance abuse which increases the risk for accidents, absenteeism, substandard performance, poor morale, or damage to the District’s property or reputation. Substance abuse includes the use or possession of illegal drugs, alcohol, controlled substances, or misuse of prescription or over-the-counter drugs which could impair staff members’ ability to perform their services safely, effectively, and efficiently.

18.01.02 Definitions.

For purposes of this Guideline:

- (1) “Illegal drugs or other controlled substances” means any drug or substance that (a) is not legally obtainable, or (b) is legally obtainable but has not been legally obtained, or (c) has been legally obtained but is being sold or distributed unlawfully.
- (2) “Legal drug” means any drug, including any prescription drug or over-the-counter drug, that has been legally obtained and that is not unlawfully sold or distributed.
- (3) “Abuse of any legal drug” means the use of any legal drug (a) for any purpose other than the purpose for which it was prescribed or manufactured; or (b) in a quantity, frequency, or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.
- (4) “Possession” means that a staff member has the substance on his or her person or otherwise under his or her control.

18.01.03 Prohibited Conduct.

A. Scope

The prohibitions of this section apply whenever the interests of the District may be adversely affected, including any time a staff member is:

- (1) on District premises;
- (2) conducting or performing District business, regardless of location;
- (3) operating or responsible for the operation, custody, or care of District equipment or other property; or
- (4) responsible for the safety of others in connection with, or while performing, District-related business.

B. Alcohol

The following acts are prohibited by this policy:

- (1) the unauthorized use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol; or
- (2) being under the influence of alcohol from unauthorized consumption.

C. Illegal Drugs

The following acts are prohibited by this policy:

- (1) the use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any illegal drug or other controlled substance; or
- (2) being under the influence of any illegal drug or other controlled substance.

D. Legal Drugs

The following acts are prohibited by this policy:

- (1) the abuse of any legal drug;
- (2) the purchase, sale, manufacture, distribution, transportation, dispensation, or possession of any legal prescription drug in a manner inconsistent with law; or
- (3) performing services for the District while impaired by the use of a legal drug whenever such impairment might:
 - (a) endanger the safety of the staff member or some other person,
 - (b) pose a risk of significant damage to Company property or equipment, or
 - (c) substantially interfere with the work performance or the efficient operation of the District's business or equipment.

18.01.04 Violations of this Policy. A violation of this policy will be immediately referred to the General Manager for review. Disciplinary action, up to and including termination, is a potential consequence for a violation of this policy but will be at the discretion of the General Manager.

18.02 Anti-Discrimination and Anti-Harassment Policy

18.02.01 No Discrimination or Harassment. The District does not unlawfully discriminate on the basis of race, color, religion, religious creed (including religious dress and religious grooming), sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity (including transgender identity and transitioning), gender expression and sex stereotyping, national origin, ancestry, citizenship, age, physical or mental disability, legally protected medical condition or information (including genetic information), family care or medical leave status, military caregiver status, military status, veteran status, marital status, domestic partner status, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance

program, engaging in protected communications regarding wages, requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice, or any other basis protected by local, state, or federal laws. Consistent with the law, the District also makes reasonable accommodations for disabled applicants and staff; for pregnant staff who request an accommodation (on the advice of a health care provider), for pregnancy, childbirth, or related medical conditions; for staff who are victims of domestic violence, sexual assault, or stalking; and for applicants and staff based on their religious beliefs and practices. The District is committed to creating a work environment, in which all individuals are treated with respect and dignity. Staff, Board members, and third parties interacting with the District have a right to function in a professional atmosphere that promotes positive opportunities. The District prohibits discrimination and harassment of staff or Board members by Board members, managers, co-workers, or third parties with whom staff or Board members come into contact. Similarly, the District will not tolerate harassment or discrimination by its staff or Board members of non-staff members, Board members, or other third parties with whom the District's staff or Board members have a business, service, or professional relationship.

18.02.02. Harassment Defined. Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with work performance. Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of providing services to the District; (2) submission to or rejection of the conduct is used as the basis for a District decision; or (3) the harassment interferes with work performance or creates an intimidating, hostile, or offensive work environment.

Harassing conduct can take many forms and may include, but is not limited to, the following (when based upon a protected status as noted above): slurs, jokes, statements, gestures, assault, impeding or blocking another's movement or otherwise physically interfering with normal work; pictures, drawings, or cartoons; violating someone's "personal space"; foul or obscene language; leering, stalking, staring; unwanted or offensive letters or poems, or offensive email or voicemail messages.

Sexually harassing conduct in particular may include all of these prohibited actions, as well as other unwelcome conduct, such as requests for sexual favors, conversation containing sexual comments, and other unwelcome sexual advances. Sexually harassing conduct can be by a person of either the same or opposite sex. Sexually harassing conduct need not be motivated by sexual desire to be in violation of this policy.

18.02.03. Reporting and Investigating Harassing Conduct. The District understands that victims of harassment are often embarrassed and/or reluctant to report acts of harassment. However, no one should have to endure harassing conduct, and the District therefore encourages staff or Board members to promptly report any incidents of harassment so that corrective action may be taken. Any incidents of harassment should be reported to the General Manager. If the General Manager is the individual who is committing harassment, the incident should be reported to a member of the Board. The investigation will be handled in as confidential a manner as possible consistent with a fair, timely, and thorough investigation in a manner that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected.

18.02.04. Corrective Action. The District will not tolerate retaliation against someone for making a good faith complaint of harassment or for cooperating in an

investigation. If harassment or retaliation in violation of this policy is established, the District will take appropriate corrective action. Corrective action may include, for example, training, referral to counseling, or disciplinary action ranging from a verbal or written warning to termination of employment or other service contracts, depending on the circumstances.

18.03 Smoke Free Workplace Policy

18.03.01. Purpose. The District would like to contribute to the health and well-being of all staff and third-parties that may have a business, service, or professional relationship with the District. Therefore, the District promotes a smoke-free environment. The use of all smoking products, including vapor products and electronic cigarettes (E-cigarettes), is banned from the District premises except as designated in this policy. The successful implementation of this policy depends upon the thoughtfulness, consideration, and cooperation of smokers and non-smokers alike. All individuals on District premises share in the responsibility of adhering to this policy.

18.03.02. Prohibited Activities. Smoking is prohibited within the buildings and facilities of the District without exception. This includes common work areas, conference and meeting rooms, private offices, hallways, lunchrooms, restrooms, District vehicles, and all other enclosed facilities.

18.03.03. Designated Smoking Areas. The only designated smoking areas at the District are outdoors at least 25 feet from any building entrances and exits, including any doors and windows that open. No one may smoke along any pathway or walkway leading to or from a designated smoking area. Smokers must dispose of the remains of smoking products in the proper containers. This helps to keep a neat and clean environment for all.

18.04 Investment of Public Funds

18.04.01. Policy and Purpose. It is the policy of the District to invest public funds in a manner that will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the District and conforming to all state and local statutes governing the investment of public funds. As a public entity, the District places particular importance on the preservation of capital and protection of District funds above other investment objectives. All investments require prior approval by the Board of Directors.

18.04.02. Scope. This investment policy applies to all financial assets of the District. These funds are accounted for in the District Annual Financial Report and may include:

- General Fund
- Enterprise Funds
- Any new fund established by the District

18.04.03. Prudence. Investments shall be made with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the District that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims to safeguard the principal and maintain the liquidity needs of the District.

18.04.04. Objective. The primary objective in priority order of the District's investment activities shall be:

- Safety of Principal – Investments shall be undertaken in a manner that first seeks to preserve portfolio principal.
- Liquidity – Investments shall be made with maturity dates that are compatible with cash flow requirements and that will permit easy and rapid conversion into cash, at all times, without a substantial loss of value.
- Return on Investment – Investments shall be undertaken to produce an acceptable rate of return after first consideration for principal and liquidity.

18.04.05. Delegation of Authority. Pursuant to the Government Code, the District Board delegates the authority to invest or to reinvest funds or to sell or exchange securities so purchased to the General Manager for a one-year period. The General Manager is charged with the responsibility of carrying out the policies of the District Board and shall assume full responsibility for investment transactions until the delegation of authority is revoked or expires.

The daily cash management, investment transactions, and account reconciliations are the primary responsibilities of the General Manager. The General Manager has authority to transfer funds between any of the accounts that have been established by the District in order to accomplish the purpose and objective of this policy. The General Manager shall report any transfer of funds at the next regular Board meeting during the General Manager or Financial report. These activities are also carried out by other members of the District's staff under the direction of the General Manager. The General Manager shall establish procedures for the operation consistent with this investment policy.

The General Manager and authorized individuals acting in accordance with written procedures, the investment policy, and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

18.04.06. Ethics and Conflicts of Interest. District staff involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program or that could impair their ability to make impartial decisions. District staff involved in the investment process shall abide by the District's Conflict of Interest Code, the provisions of California Government Code Section 1090 *et seq.*, and the California Political Reform Act, California Government Code Section 81000 *et seq.*

18.04.07. Permitted Investments. California Government Code Sections 53601, 53635, and 16429.1 govern the investments permitted for purchase by the District. Within the investments permitted by the Code, the District seeks to further restrict eligible investments to the investments listed below.

Percentage limitations, where indicated, apply at the time of the purchase. Rating requirements, where indicated, apply at the time of purchase. In the event a security held by the District is subject to a rating change that brings it below the minimum specified rating requirement, the General Manager shall notify the District Board of the change. The course of action to be followed will then be decided on a case-by-case basis, considering such factors as

the reason for the rate drop, prognosis for recovery or further rate drops, and the market price of the security. Investment maturities shall be based on review of cash flow forecasts. Maturities will be scheduled so as to permit the District to meet all projected obligations.

No investment shall be made in any security, other than a security underlying a repurchase or reverse repurchase agreement, that at the time of the investment has a term remaining to maturity in excess of five years unless the District Board of Directors has granted express authority to make that investment no less than three months prior to the investment.

18.04.08. Eligible Investments.

- State of California Local Agency Investment Fund (“LAIF”) pursuant to Gov’t Code § 16429.1. The District may invest in LAIF. A maximum of \$50 million may be invested in this category.
- California Asset Management Trust. The District may invest in the shares in the California Asset Management Trust, so long as the portfolio is rated among the top two rating categories by one of the nationally recognized rating agencies. A maximum of \$50 million may be invested in this category, net of bond proceeds.
- U.S. Treasury Obligations. United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.
- Negotiable Certificates of Deposit. Negotiable certificates of deposit issued by a nationally or state-chartered bank or a state or federal savings and loan association or by a state licensed branch of a foreign bank, provided that the senior debt obligations of the issuing institution are rated “AA” or better by Moody’s or Standard & Poor’s. Investments in negotiable certificates of deposit are limited to 30% of the portfolio.
- Banker’s Acceptances. Banker’s acceptances issued by domestic or foreign banks which are eligible for purchase by the Federal Reserve System. Purchases of banker’s acceptances may not exceed 180 days maturity. Eligible banker’s acceptances are restricted to issuing financial institutions with short-term paper rated in the highest category by one or more nationally recognized rating services. Investments in banker’s acceptances are further limited to 40% of the portfolio with no more than 30% of surplus invested in the banker’s acceptances of any one commercial bank.
- Federal Agency Securities. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- Municipal Obligations: Bonds, notes, warrants, or other evidences of indebtedness of the State of California or of any local agency within the State of California, including bonds.

- Money Market Funds. Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission (SEC) under the Investment Company Act of 1940 (15 U.S.C., Sec. 80a-1, *et seq.*).
 - The District may invest in shares of beneficial interest issued by a company that shall have met either of the following criteria:
 1. attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized rating services, (or)
 2. retained an investment advisor registered or exempt from registration with the SEC with not less than five years' experience in managing money market mutual funds with assets under management in excess of five hundred million dollars (\$500,000,000).
 - The purchase price of shares of beneficial interest purchased pursuant to this subdivision shall not include any commission that the companies may charge. Investments in Money Market Funds are limited to 20% of the portfolio.
- Local Agency Bonds. Bonds, including Certificates of Participation, notes or evidences of indebtedness issued by any state, municipality, or local agency whether payable from any fund of such entity or from special revenues pledged for such payment.

18.04.09. Ineligible Investments. As provided in California Government Code section 53601.6, the District shall not invest any funds in inverse floaters, range notes, mortgage derived interest-only strips, or in any security that could result in zero interest accrual if held to maturity. The purchase of any security not listed above but permitted by the California Government Code is prohibited unless the District Board approves the investment specifically.

18.04.10. Safekeeping. All securities purchased may be delivered against payment and held in safekeeping pursuant to a safekeeping agreement. All financial institutions shall be instructed to mail confirmations and safekeeping receipts directly to the General Manager.

18.04.11. Performance Standards. An annual appraisal of the investment portfolio shall be conducted to evaluate the effectiveness of the District's investment program. The purpose of this review, in addition to evaluation of performance, is to provide the platform for recommendations of change and improvements to the portfolio to the Board.

18.04.12. Reporting Requirements. Each month the Finance Officer shall prepare and submit a report of investment transactions to the Board of Directors. This report will be sufficiently detailed to provide information for investment evaluation.

18.04.13. Annual Review of Investment Policy. The investment policy shall be adopted by resolution of the District Board on, at minimum, an annual basis. The investment policy shall be reviewed at least annually to ensure its consistency with the overall objections

of preservation of principal, liquidity, yield, and its relevance to current law and financial and economic trends. Any amendments to the policy shall be approved by the District Board.

18.05 Disposal of Surplus Equipment/Property.

18.05.01. Equipment.

A. Policy and Procedure. The General Manager, in conjunction with the Office Manager and the Plant Superintendent, shall be responsible for identifying obsolete/surplus materials, goods, and equipment (“Surplus Equipment”). Once Surplus Equipment is identified by the General Manager, it shall be presented to the Board of Directors at a meeting. The Board of Directors shall declare the obsolete/surplus materials, goods, and equipment as Surplus Equipment.

B. Definitions.

Disposal – Sell, discard, destroy, donate, or otherwise remove from District ownership.

Equipment – The term “equipment” as used in this procedure consists of material, goods, furniture, vehicles, computers, and other substantive objects that had value at the time of purchase or acquisition and are owned by the District.

Near Relative – Near relative is defined as a spouse or significant other, father, mother, daughter, son, sister, brother, step-relative, or in-law in the same relationships.

Obsolete Material, Goods, and Equipment – Material, goods, and equipment no longer usable in the service for which they were purchased and that cannot be used safely or economically for any other purpose.

Surplus Material, Goods, and Equipment – That portion of material, goods, and equipment that is in excess of operating, maintenance, repair, or spare parts requirements, or any item not having a use within the foreseeable future.

C. Determination of When to Dispose of Items. As a general rule, when the cost of repairing an item becomes more than what an item is worth, the item should be disposed of. Items that are obsolete or surplus should be disposed of using one of the methods below.

D. Disposal Methods.

Resell – Surplus Equipment or working equipment that cannot be economically repaired or put back into service will be sold. The District shall publish notice of the sale noting location/hours/days the equipment can be seen and a deadline for submission of sealed bids. The publication shall note that the equipment is sold “as is” and that the District reserves the right to reject any or all bids. The sealed bids are opened at the next regular Board meeting and action by the Board shall be taken to accept or reject bids. Bidders shall be notified of the Board’s action.

Disposal or Recycling – If it is determined that equipment is obsolete or cannot meet any of the above categories, the General Manager will dispose of or recycle the equipment in compliance with all state and federal laws.

Donation – Giving equipment that has little or no value to the District to nonprofit organizations such as school districts. Such donations would be done to forgo the cost of disposal of the equipment.

E. Limitations of Transfers to Directors, Staff, or Near Relatives. No member of the Board of Directors, staff member, or their near relatives may buy or receive equipment from the District pursuant to this policy.

18.05.02. Real Property.

A. Policy. The General Manager shall be responsible for identifying real property that is no longer of value to the District and should be disposed of. Once real property is identified by the General Manager as surplus, it shall be presented to the Board of Directors at a meeting. The Board of Directors shall declare the real property surplus and authorize staff to obtain an appraisal of the real property.

B. Procedure. The General Manager shall obtain an appraisal and provide notice to public agencies in the manner prescribed by Government Code § 54220. In the event that no public agency desires the real property, the District shall publish a notice inviting bids. Notices inviting bids shall include a legal description of the subject property, a vicinity map showing the general location of the subject property, and a statement that transfer of the surplus real property shall be by quitclaim deed. Sealed bids shall be submitted to the General Manager and shall be opened at the next regular Board meeting. The notice shall also include that the District reserves the right to reject any or all bids. The sealed bids are opened at the next regular Board meeting and action by the Board shall be taken to accept or reject bids. Bidders shall be notified of the Board’s action.

18.06 Guidelines for Accepting and Providing Gifts, Entertainment, and Services.

18.06.01 Policy. This policy establishes the procedures for the receipt of gifts offered to the District, its Board members, and/or its staff. District staff is prohibited from accepting, or providing to, individuals or companies doing or seeking to do business with the District, gifts, entertainment, services, or other benefits unless the transaction meets all the following guidelines: (a) is customary, gives no appearance of impropriety, and does not have more than a nominal value; (b) does not impose any sense of obligation on either the giver or the receiver; (c) does not result in any kind of special or favored treatment; (d) cannot be viewed as extravagant, excessive, or too frequent considering all the circumstances, including the ability of the recipient to reciprocate at District expense; and (e) is given and received with no effort to conceal the full facts by either the giver or receiver. Any individual or entity that desires to make a donation to the District shall be referred to the General Manager. The General Manager shall consult with District Counsel and the District’s accounting professional prior to accepting any donations on behalf of the District.

18.07 Budget Preparation.

The annual budget proposal is prepared by the ~~General Manager in conjunction with the Chairperson of the~~ Budget/Finance Committee in conjunction with staff. The Budget/Finance Committee shall ~~present meet with the General Manager and review~~ the annual budget proposal at its meeting in April of each year. ~~The annual budget proposal shall be reviewed and amended by the Budget/Finance Committee~~ Board of Directors. The annual budget proposal shall be presented to the Board of Directors for review and approval no later than its meeting in June of each year.

18.08 Expense Authorization.

18.08.01. Expenditures. All expenditures and purchases made by the District shall be authorized in the District's annual budget and by the General Manager. Any commitment of District funds, expenditures, and/or purchases in the amount of \$5,000 or greater require prior authorization/approval by the Board of Directors in conformance with the Procurement Policy. Expenditures in the amount of \$4,999 or less require authorization by the General Manager.

18.08.02. Petty Cash. This policy seeks to ensure that petty cash is managed appropriately and that staff members are not financially disadvantaged as a result of incurring minor work-related expenses. The amount of petty cash shall be as determined by the General Manager but, in general, should not exceed \$150.00. The General Manager shall ensure that petty cash is used to cover only those expense reimbursements for which it is not feasible, or for which it is unreasonably inconvenient, to use normal purchasing methods. Any expense that is predictable, regular, or significant should be dealt with through normal accounting procedures. All expenses incurred using petty cash funds must be substantiated by acceptable supporting documentation such as receipts and invoices. The petty cash shall be kept in a secure (locked) location and the key held securely. The General Manager may delegate petty cash duties to the Office Manager.

19.00 Procurement Policy.

19.01. Purpose. The purpose of this policy is to provide direction on how to efficiently and legally obtain suitable quality services, supplies, materials, and labor at the lowest possible cost.

19.02. Definitions. For the purposes of this Policy, the term "purchasing" refers collectively to contracting or procurement of services, supplies, materials, or labor, including Capital Improvements.

19.03. Procurement Procedures.

Sections A, B, and C are governed by the following conditions:

The contract shall be awarded to the lowest responsible, responsive bidder, in accordance with the Public Contract Code. Written entries documenting that the required bidding process has been followed shall be entered in the project file, and a copy of the Board Report and contract shall be saved in the District files. Following

Board approval, the General Manager and one Board member shall then execute the contract.

A. Solicitation of Formal, Advertised Bids or Requests for Proposals (RFP) for Expenditures Exceeding \$50,000

When any expenditure is expected to exceed \$50,000, the District shall publish a notice inviting bids or requests for proposals a minimum of one week prior to the time of receiving bids in a general circulation newspaper published within San Luis Obispo County. This type of formal bidding process typically includes the issuance of written plans and/or specifications describing the goods or services to be provided and the receipt of written bids from the vendors or contractors involved. The General Manager, or a designated staff member, shall solicit a minimum of three (3) vendors or contractors to bid on the project. 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.

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.

1. Alternative Selection Procedure for Expenditures Exceeding \$10,000

When the District is seeking a unique solution to a problem or situation that cannot necessarily be resolved by the lowest bidder (i.e. when the methods, approaches, and procedures to be used in performing the work are of primary importance), a “Point Count/High Score” method of selecting a proposal may be utilized. Before soliciting proposals, the District must determine the method of evaluation and include the appropriate information in the request for proposal. If a “Point Count/High Score” method will be used, a comprehensive evaluation plan must be developed and finalized. All rating and scoring factors that are to be considered must be included, criteria for considering costs must be developed, and the evaluation plan must provide for a fair and equitable evaluation of all proposals. Scoring factors must take into consideration cost and that factor cannot be less than 30% of the total points available. Proposals received under this method shall first be evaluated to determine whether they were received in time and in the manner prescribed to determine which ones meet the format requirements specified in the request for proposal. Those proposals that meet the format requirements shall then be submitted to an evaluation committee which shall be comprised of the General Manager and one Board member. The evaluation committee will evaluate and score the proposals using the methods

specified in the request for proposal. The contract must be awarded to the responsible, responsive proposal given the highest score by the evaluation committee.

Note: *Invitation for Bids* are typically used to obtain simple, common, or routine services that may require personal or mechanical skills (i.e. little discretion is used in performing the work). *Requests for Proposals* are used to obtain complex services in which professional expertise is needed and may vary. *Requests for Proposals that will utilize the alternative selection procedure* should be used only to obtain very complex and/or unique services in which professional expertise and methods vary greatly or creative/innovative approaches are needed. (i.e. public relations, advertising, complex research projects).

C. Solicitation of Three Verbal Quotes for Expenditures Exceeding \$5,000 but Not Exceeding \$10,000

When any expenditure is expected to exceed \$5,000 but not exceed \$10,000, the General Manager, or said designee, shall solicit a minimum of three (3) verbal quotes to provide the goods or services. Written entries documenting that three verbal quotes were solicited shall be made in the project file.

D. Expenditures Not Exceeding \$5,000

The General Manager, or said designee, shall obtain competitive cost information, whenever reasonably feasible, for any District purchase even though formal cost quotations are not required for goods or services costing \$5,000 or less. The General Manager shall approve the payment.

19.04. Exceptions to Standard Purchasing Procedures.

A. Public Projects.

On June 11, 2014, the District passed Resolution No. 14-363 adopting the Uniform Public Construction Cost Accounting Procedures (California Public Contract Code § 22000 *et seq.*) in the contracting for construction of “public projects.” The District is therefore subject to the uniform construction cost account procedures set forth in Pub. Con. Code § 22000 *et seq.* and incorporates the procedures set forth therein to this policy manual. “Public project” means any of the following: (1) construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility; (2) painting or repainting of any publicly owned, leased, or operated facility.

B. Emergency Conditions

An emergency is defined as a breakdown in machinery and/or equipment resulting in the inability of the District to provide essential services or a threat to public health, safety, or welfare, including, but not limited to, threatened damage to natural resources or an imminent threat of injury or damage to any person or property.

In the case of such an emergency, the formal RFP process is suspended. The General Manager, or said designee, shall secure, in the open market at the lowest obtainable price, any services, supplies, material, or labor required to respond to the emergency.

The Purchase Order should indicate "Emergency Conditions" with written documentation of the nature of the emergency and lowest obtainable price information. The General Manager shall consult with two Board members prior to taking significant action.

In the case of a natural disaster or for civil defense, nothing contained in this Policy shall limit the authority of the General Manager to make purchases and take necessary emergency steps.

C. Limited Availability/Sole Source

Occasionally, necessary supplies, material, equipment, or services are of a unique type, are of a proprietary nature, or are otherwise of such a specific design or construction, or are specifically necessary for purposes of maintaining cost-effective system consistency so as to be available from only one source. The General Manager may dispense with the requirement of competitive bids and recommend negotiating a fair price and making the purchase from a sole source if, after reasonable efforts by District staff to find alternative suppliers, there exists only a single source. Alternatively, if reasonable efforts by District staff to identify three (3) vendors or contractors as applicable under this policy are unsuccessful, the General Manager may authorize a limited availability bidding process with fewer than three (3) vendors or contractors. The basis for the sole source recommendation shall be documented in writing on the contract or purchase order and approved, in advance, by the Board for purchases exceeding \$10,000 and the General Manager, or other authorized District staff, under this policy for purchases not exceeding \$10,000.

D. Cooperative Purchasing

The District shall have the authority to join in cooperative purchasing agreements with other public agencies (e.g. the State of California or other counties, cities, or special districts) to purchase goods or services at a price established by that agency through a competitive bidding process consistent with California public bidding requirements. The Board may authorize participation in cooperative purchasing agreements.

E. Professional Consultant Services

1. Definition and Restrictions

Professional consultant services are of a technical nature and, due to the type of services to be provided, do not readily fall within the "low bid" competitive bidding process. California Government Code Section 4525 *et. seq.* requires that selection of professional consultants in the categories of architects, landscape architects, engineers, surveyors, and environmental consulting be made on the basis of demonstrated competence and the professional qualifications necessary for the satisfactory performance of the required services. Professional consultants should be individually selected for a specific project or problem with the objective of selecting the most qualified consultant at a price that is fair and reasonable. Professional service agreements shall not be split into smaller units, nor shall

contract amendments be used, for the purpose of circumvention of the expenditure limits of this Policy.

As used in this Policy, "professional consultant service agreement" shall mean and include all professional services provided by the same consultant that are provided as part of or related to the same project or program for which the consultant is being retained. Consultants who are retained to provide services on an ongoing basis, such as geotechnical peer reviews of District projects, shall be retained by means of an annual service agreement unless an agreement providing for renewal or extension of services has been approved.

- a. For selection of architects, landscape architects, engineers, surveyors, and environmental consultants, the following procedures shall apply unless the services needed from such consultants are of a technical nature or involve professional judgment.

Cost is not to be included in the Request for Proposal (RFP). Only after a firm is selected, is compensation negotiated. The scope of work is the basis for negotiations for payment. If the parties cannot agree on fair compensation, negotiations may be formally terminated with the firm considered most qualified and may be commenced with the second highest-rated firm. Such procedure may be repeated until an agreement is reached with a qualified firm.

Alternatively, a fee or cost estimate can be requested at the time of the RFP by requiring it to be provided in a separate, sealed envelope. The fee estimate will only be opened after selecting the successful consulting firm.

- b. For consultants who do not fall under the qualifications-based selection method described above, or where the services needed from the vendors listed above are of a technical nature and involve professional judgment, cost can be included in the RFQ/RFP and used in ranking the consultants for selection. Examples of such consultants include, but are not limited to: training, safety, recruitment, personnel services, economic analysis, city and regional planning, property appraisals/analysis, property acquisition, title insurance, facilitators, legal services, financial services, and data processing.

2. Selection Procedures for Professional Services in Excess of \$50,000

When the cost for professional services is expected to be in excess of \$50,000, the District shall prepare a Request for Proposal (RFP) which should request the professional's qualifications, relevant experience, described approach, staffing, and support. The proposal should outline the terms, conditions, and specifications of the services required by the District. District staff will review the proposals received, rank the consultants based upon the following criteria, and invite the most qualified firms for interviews:

- a. ability of the consultants to perform the specific tasks outlined in the RFP,
- b. qualifications of the specific individuals who will work on the project,
- c. quantity and quality of time key personnel will be involved in their respective portions of the project,

- d. reasonableness of the fee requested to do the work; comparability of fee to similar services offered by other qualified consultants (except where fee is to be negotiated later),
- e. demonstrated record of success by the consultant on work previously performed for the District or for other public agencies or enterprises,
- f. the specific method and techniques to be employed by the consultant on the project or problem,
- g. ability of the consultant to provide appropriate insurance in adequate amounts, including errors and omissions if applicable, and
- h. responsiveness to the RFP.

The report to the Board shall summarize the basis for staff's consultant selection recommendation and the ranking of the consultants based upon these criteria. Following Board approval, the General Manager and one Board member shall then execute the contract.

3. Selection Procedures for Professional Services in Excess of \$10,000 but Not Exceeding \$50,000

District staff shall solicit written proposals from a minimum of three (3) qualified consultants. A formal RFP is not required. 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 (3) vendors could not be solicited with written documentation retained in the project file.

The selection shall be based upon the criteria noted in Section 2 above. The General Manager, or said designee, may approve the selection and execute the agreement. The ranking and selection recommendation, based upon these criteria and the written proposal information, shall be documented in the project file. Following Board approval, the General Manager shall then execute the contract.

4. Selection Procedures for Professional Services in Excess of \$5,000 Not Exceeding \$10,000

Formal RFP's are not required for professional services in excess of \$5,000 and not exceeding \$10,000. District staff may select a consultant from a pre-qualified consultant file if available. District staff shall contact at least three (3) qualified consultants and request an informal written proposal or verbal proposal. 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.

The selection shall be based upon the criteria noted in Section 2 above. Notations documenting the proposals and reasons for selection shall be made in the project file. Following Board approval, the General Manager shall then execute the agreement.

5. Selection Procedure for Professional Services Not Exceeding \$5,000

Formal RFP's are not required for professional services \$5,000 or under. District staff may select a consultant from a prequalified consultant file if available. The General Manager shall approve the selection.

6. Renewal of Contracts with Professional Consultants

The District may, after following required consultant selection procedures, enter into consultant agreements which contain provisions authorizing their extension or renewal. Recommendations to extend or renew an existing contract with a professional consultant should include a written evaluation of the work performed by the consultant as well as a determination that the rationale for providing for the renewal option in the existing contract remains valid and that the fees being charged are comparable to fees for similar services offered by other consultants at the time of renewal or extension. If the total amount of the contract renewal does not exceed \$5,000, the General Manager, or said designee, may execute a contract amendment to formalize the renewal. If the total amount of the original agreement and any amendments exceed \$5,000, prior Board approval must be obtained.

7. Conflict of Law

These procedures are not applicable where superseded by local, state, or federal law; where the terms of grant funding provide for the use of other consultant selection procedures; or where the District is obligated to select consultants through the use of different procedures, such as the requirements of an insurance or self-insurance program.

8. Special Circumstances

These professional consultant selection procedures are not applicable when three (3) qualified professional service firms or individuals are unavailable or if it is appropriate and in the best interest of the District under the specific circumstances of the project at issue to limit the number of consultants solicited. Examples of such specific circumstances may include the following: the need to take immediate action on a project precludes the District's ability to follow these procedures; the absence of any fiscal or competitive advantage in following these procedures; only one consultant is known to be available and capable of providing needed services within the required time; the services to be provided are so unique that only one known consultant is qualified and available to perform them; or the terms of a legal mandate or negotiated agreement require the use of a particular consultant. The basis for such action shall be documented in writing and noted in the contract and approved by the General Manager. When Board approval is required, the documented basis for such action shall be included in the report to the Board.

9. Prequalified Consultant File

District staff may maintain a current file of consultants in their appropriate professional services categories after the selection procedures have been followed in this policy and a determination made that a consultant is qualified and competent. District staff may maintain this "prequalified consultant" file for a period of two

(2) years from determination of the qualification of such consultant. The District may select a prequalified consultant from this file for services.

F. Open Purchase Orders for Routine and Repetitive Supplies and Services

Open purchase orders may be entered into with vendors who are expected to supply routine services, supplies, materials, or labor to the District on a regular basis throughout the fiscal year (such as gasoline, disking, road maintenance, vehicle maintenance, printing, office supplies, office machinery maintenance, computers, ergonomic equipment, field hardware, resource management supplies). Such open purchase orders should normally be closed at the conclusion of each fiscal year.

1. Competitive Bidding Procedures

Vendors of repetitive supplies and services shall be selected through the competitive procedures set out above, based upon the anticipated or budgeted cumulative cost of the supply or service. When competitive bidding procedures cannot feasibly be done due to the nature of the product to be purchased, a comparison of vendors' prices on representative sample items will be made and staff will provide written documentation of the price quotations used to select the vendor with the lowest cost. In the event that the vendor selected for repetitive supplies and services ceases to provide competitive costs for supplies or adequate services during the fiscal year, the District may replace that vendor with the next lowest cost vendor who participated in the cost comparison.

2. Multi-year Contracts

Multi-year contracts shall be selected through the competitive procedures set out above, based upon the anticipated or budgeted cumulative cost of the supply or service over the course of the contract. Multi-year contracts can be let only when it is documented that it is appropriate and necessary to secure the best pricing or to assure continuity of service. Whenever feasible, multi-year contracts for service or supplies shall provide that the option to renew or extend the contract is at the District's sole discretion.

19.05 General Provisions.

A. Conflict of Interest

No District staff member or elected official shall be financially interested, directly or indirectly, in any purchase, contract, sale, or transaction to which the District is a party and that comes before said official or staff member for recommendation or action. Any purchase, contract, sale, or transaction in which any staff or official is financially interested shall become void at the election of the District. No staff member or elected official shall realize any personal gain from any purchase, contract, sale, or transaction involving the District. When any staff member is in doubt as to whether a conflict of interest exists, that staff member shall consult with the District Counsel, and, if necessary, alternative actions may be taken to facilitate the purchase.

B. Purchase of Recycled Products

District staff shall purchase recycled products whenever such products are available at equal cost to non-recycled products and when suitability and quality are equal. When recycled products are used, the supplier shall label the products to indicate that they contain recycled materials and specify the minimum percentage of recycled material in the products.

C. Violations of This Policy

Staff members are subject to disciplinary action up to and including termination for violation of this Policy.

SECTION 20.00 Conflict of Interest Policy

Section 20.01. Conflict of Interest Code.

The Political Reform Act, Government Code Section 81000 requires local agencies to adopt and promulgate Conflicts of Interest Codes. The District approved Resolution 18-XXX, attached here as Appendix 1, which adopted the conflict of interest regulations included in 2 Cal. Code of Regs. §18730 (the “Resolution.”) The Resolution and the regulations of 2 Cal. Code of Regs. 18730, reproduced below, constitute the Conflict of Interest Code and policies for the District.

Conflict of Interest Regulations

A. Incorporation of this Regulation – Adoption of Conflict of Interest Code

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Exhibit referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, *et seq.* The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

B. Conflict of Interest Code

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions. The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, *et seq.*), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees. The persons holding positions listed in the Exhibit are designated employees. It has been determined that these persons make or

participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories. This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, *et seq.*

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies. Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Exhibit specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Exhibit. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing. The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Service member's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office. Any person who resigns within 12 months of initial appointment, or within 30 days of the date of

notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting. Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure. When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$470.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$470 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in

which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the

person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification. No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$470 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation. No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees. In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest. When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel. Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations. This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

1 Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

2 See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

3 For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

4 Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform

Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

5 A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

6 Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Section 20.02. Statement of Economic Interest. Board members and staff shall file statements of economic interests with the Clerk of the County of San Luis Obispo.

Appendix 1 to Section 20.01 – Conflict of Interest Policy

Conflict of Interest Resolution Adopted by the Board
[to be inserted upon County approval and Board approval]

**San Simeon Community Services District
Conflict of Interest Code**

EXHIBIT "A"

**LIST OF DESIGNATED POSITIONS SUBJECT TO THE PROVISIONS
OF THE
DISTRICT'S CONFLICT OF INTEREST CODE**

I. DESIGNATED POSITIONS

The persons occupying the positions listed below are hereby considered designated officers and positions and are deemed to make, or participate in the making of, decisions, which may have a material effect on a financial interest.

DESIGNATED POSITION	ASSIGNED DISCLOSURE CATEGORIES
District Legal Counsel	1, 2, 3
Office Manager	1, 2, 3

II. OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Disclosure is required of the following positions and shall be provided as stated in Government Code section 87200:

DESIGNATED POSITION	ASSIGNED DISCLOSURE CATEGORIES
Members of the Board of Directors	As provided in Government Code § 87200
General Manager	As provided in Government Code § 87200

**San Simeon Community Services District
Conflict of Interest Code**

EXHIBIT "B"

DISCLOSURE CATEGORIES

Category Number:

Category 1: All persons in this disclosure category shall disclose all interests in real property located in the District or within two miles of the District's boundaries. This disclosure is not applicable to the person's principal residence or real property interests with a fair market value of less than \$2,000.

Category 2: All persons in this disclosure category shall disclose all investments in business entities and business positions in business entities that have an interest in real property in the District, or that have done business with the District during the year prior to the date of the person's disclosure statement, or that are likely to do business with District during the year subsequent to the date of the person's disclosure statement. This disclosure category is not applicable to investments with a fair market value of less than \$2,000.

Category 3: All persons in this disclosure category shall disclose all sources of personal and business entity income from entities that provide services, materials, machinery equipment, or supplies of the type utilized by the District or that are located within the District, including gifts, loans and travel payments. This disclosure category is not applicable to income received from the District.

For purposes of these categories, investment or interest means any investment or interest owned by the spouse, registered partner or dependent child of a public official, by an agent on behalf of a public official, or by a business entity or trust in which the official, the official's agents, spouse, registered partner and dependent children own directly, indirectly, or beneficially a 10-percent interest or greater.

Consultants. "Consultant" means an individual who, pursuant to a contract with the District, either: (A) Makes a governmental decision whether to (1) approve a rate, rule, or regulation; (2) adopt or enforce a law; (3) issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (4) authorize the District to enter into, modify, or renew a contract provided it is the type of contract that requires District approval; (5) grant District approval to a contract that requires District approval and to which the District is a party, or to the specifications for such a contract; (6) grant District approval to a plan, design, report, study, or similar item; or (7) adopt or grant District approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or (8) Serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in California Code of Regulations, title 2, section 18702.2 or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's conflict of interest code. (California Code of Regulations, title 2, section 18700.3)

"Consultants" are included in the list of designated positions and must disclose interests and investments in accordance with the broadest disclosure category in the District's conflict of interest code, subject to the following limitation: The General Manager may determine in writing that a particular consultant, although a "consultant" and "designated position," nevertheless is hired or retained to perform a range of duties that is limited in scope and therefore is not required to fully comply with the disclosure requirements

described in this section. The General Manager’s written determination shall include a description of the consultant’s duties, and, based on that description, a statement of the extent of disclosure requirements. The written determination is a public record and shall be retained for public inspection in the same manner and location as the District’s conflict of interest code.

SECTION 21.00 Social Media Policy

21.01 Purpose. The District respects the right of the Board of Directors and District personnel (collectively, “Staff Members”) to use social media as a medium of self-expression. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist Staff Members in making responsible decisions about their use of social media, the District has established these guidelines for appropriate use of social media. All Staff Members need to follow these requirements when posting on social media.

21.02 Guidelines.

1. **Social Media.** Social media includes all means of communicating or posting information or content of any sort on the Internet, including to a Staff Member’s own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the District, as well as any other form of electronic communication.
2. **Follow District Rules.** Staff Members should carefully read these guidelines and the District’s overall Board policies, including (but not limited to) the Sections on Board Conduct, Conflict of Interest Policy, Anti-Discrimination, and Anti-Harassment Policy, and ensure their postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, threats of violence, or similar inappropriate or unlawful conduct may subject Staff Members to disciplinary action up to and including termination.
3. **District Business.** District emails and computers are limited to conducting District business and are not to be used for personal social media. Staff Members must never use their District e-mail account or password in conjunction with a social media site. All data contained in the District’s computer network systems is owned by and is the intellectual property of the District. Staff Members should not have an expectation of privacy with respect to information or communications that they post using the District’s computers or networks. The District has the right to monitor all activity on its equipment and systems.
4. **Disclosures.** Social media should remain personal in nature and be used to share personal opinions or non-District related information. Staff members should neither claim nor imply that the Staff Member is speaking on behalf of the District. (Please see section 3.04) When appropriate, Staff Members should use a disclaimer to indicate the views expressed are the Staff Member’s own, such as: “The postings on this site are my own and don’t reflect or represent the opinions of the San Simeon Community Services District.”
5. **Exercise Best Judgment and Discretion.**
 - i. Staff Members should be fair and courteous to other Staff Members, District clients, members of the public, and individuals working on behalf of the District.
 - ii. Work-related issues should be resolved by speaking directly (not via social media) to the individual or by utilizing the District’s Complaints/Claims Procedures or, for concerns involving suspected harassment, discrimination, or

retaliation, by using the complaint reporting procedure described in the Anti-Discrimination and Anti-Harassment Policy.

- iii. Staff Members should avoid using statements, photographs, video, or audio that reasonably could be viewed as obscene or contributing to a hostile work environment on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or any other status protected by law or District policy.
6. Be Honest and Accurate. Strive for accuracy and full disclosure in any social media post. Include a link to your sources of information. If you make a mistake, correct the information or retract it promptly. Remember the Internet archives almost everything; even deleted postings can be searched. Never post any information or rumors that you know to be false or inaccurate about the District, co-workers, District clients, or individuals working on behalf of the District.
 7. Maintain Confidential Information. Staff Members must not disclose or discuss the confidential, sensitive, and/or proprietary information of the District and/or its officials, officers, other Staff Members, agents, customers, or volunteers. For example, do not disclose another individual's social security number, medical, or financial information.
 8. Do Not Promote the District Anonymously. Staff Members should not create a link from their blog, website, or other social networking site to the District's website. In addition, they must use their best judgment and exercise discretion when linking to people on social media sites. Other Staff Members and members of the public may see Staff Member connections and make judgments about them or their work.
 9. Additional Considerations.
 - i. Staff Members are free to express themselves as private citizens on social media to the degree that such speech does not impair or impede the performance of District duties, impair discipline and harmony among Staff Members, or negatively affect the public perception of the District.
 - ii. The same principles and guidelines found in the District's policies apply to Staff Members' activities online. Before creating online content, Staff Members should consider some of the risks and rewards that are involved. Staff Member conduct that adversely affects job performance, the performance of fellow Staff Members, or otherwise adversely affects members of the public served by the District, suppliers, people who work on behalf of the District, or the District's legitimate business interests may result in disciplinary action up to and including termination.
 - iii. Staff Members should not display District logos or similar identifying items on personal webpages.

SECTION 22.00 Applying for Grants Policy

22.01 Purpose. Grants are contracts or agreements whereby the District receives funding from an outside agency to subsidize a District project or program and for which the District has fiduciary oversight responsibility.

It shall be the policy of the District to identify and apply for grants that provide additional financial resources to the District to assist in carrying out its projects and programs. This Policy has been adopted by the Board of Directors to clarify responsibility and authority for applying for grants and to provide that all grants awarded to the District have been thoroughly researched, are financially feasible for the District, and do not create unforeseen financial or other burdens.

22.02 Policy. When submitting requests for grant funding, it shall be the policy of the District to solicit funds for projects or programs that are consistent with the goals of the District and to make sure that the nature of the grant is such that it can be administered in an efficient manner. Accordingly, the General Manager or said designee, has responsibility for applying for external funding for projects and programs subject to the provisions of this policy.

Prior to application submission, all grant applications must be reviewed by the General Manager who shall provide to the Board a report and recommendation regarding:

1. consistency with overall program goals of the District,
2. local match requirements and/or other budget impacts,
3. staff/personnel requirements to implement objectives of the grant, and
4. identification of responsible staff for program and fiscal monitoring.

In the event that timing constraints prevent staff from obtaining Board Approval of a grant application submittal prior to the application being submitted, staff shall provide the Board with notice and a status update within two business days.

5. C. Business Items



BUSINESS ACTION ITEM STAFF REPORT

Item 5.C. Chair appointment of standing committee members per District policy # 13.00.02.

Summary:

During the January 14, 2021 Board meeting the Board Chairperson started the process of appointing members to the budget and the water committee. During the appointment process two members of the public asked to participate on the committees. These two person are not residents of San Simeon. During the meeting, this matter was tabled.

The Board Chairperson may request public comment from any person interested in being on the either the Water or Budget Committee (3 minute max). Following public comment and any discussion from the Board, the Board Chairperson shall appoint committee members.

Recommendation:

After the Board Chairperson makes appointments to the standing committees, a motion to approve the appointments is recommended. A section of the Policy & Procedures manual pertaining to the standing committees has been included in the report.

13.01 Standing Committees. The District has the following standing committees:

- Budget/Finances – This committee shall be concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.
- Water/Facility – This committee shall be concerned with the formulation of plans for arranging, realizing, and/or achieving the District’s goals in regard to alternative water sources and facility maintenance and upgrades.

13.02 General Rules Governing Committees. The Chairperson of the Board of Directors shall appoint one (1) or two (2) Board members and three (3) to five (5) members of the public to serve on the Standing Committees subject to Board approval. The Chairperson of the Board of Directors shall publicly announce the members of the standing committees for the ensuing year at the next regular Board meeting following the appointment of the Chairperson of the Board of Directors. Committees shall be governed by the following policies and rules.

- At its first meeting, each Standing Committee shall select a Chairperson, who shall be one of the Board members on the committee.
- No more than two Directors of the Board shall serve on any one Committee. Other Directors may attend Committee meetings as *observers* in accordance with the Brown Act. As observers the Board members may not ask questions or make statements while attending the meeting, nor may they sit in the special chairs on the dais while attending the meeting. As observers the Board members have no authority to participate in any way in Committee discussions.
- Committees should focus on matters that typically require extensive research and review.
- A Committee may take no action. Recommendations for formal action by the Board of Directors are made in the Committee reports.
- Any Committee that is appointed by action of the Board of Directors and/or has members of the public serving on the Committee shall then come under the posting requirements of the Brown Act and shall be open to the public.
- The meetings of Standing Committees shall be held when called by the Chairperson of the Standing Committee, other Director member, or the Board Chairperson.
- Duties and Functions: At the time the Chairperson of the Board of Directors forms the Standing Committee, he/she shall give instructions as to the duties for each Committee. Additional duties and functions may be delegated by the Chairperson, as need arises, subject to Board approval.
- The Committee shall give a report at the regular meeting of the Board of Directors and if a need to take action should arise, the Committee shall bring a recommendation to the Board of Directors at any duly noticed meeting. The Committee Chairperson shall notify the General Manager of items to be placed on the agenda where action is needed one week prior to the meeting if possible.

Enc: Correspondence from constituent



Cortney Murguia <cmurguia@graceenviro.com>

Letter to Board of Directors

Michael C Hanchett <[REDACTED]>

Fri, Jan 15, 2021 at 12:04 PM

To: admin@sansimeoncsd.org

Cc: Cortney Murguia <cmurguia@graceenviro.com>, cgrace@graceenviro.com, Michael R Hanchett <[REDACTED]>

District Chairwoman and fellow Board of Directors,

First, I would like to thank each of you for your time and effort in making San Simeon a better place to live and visit. I know these have been difficult times with the few inside and even some outside the district launching personal attacks against you and the District contractors. I find it frustrating that there is always a small minority only interested in doing damage to something instead of spending time making it better for all. I do not believe in most cases that the ends justify the means. The scorched earth tactics currently being deployed by this small group will only drive up costs to all residents and hamper well meaning efforts to improve public health and safety and our community's overall quality of life. But I find light in that there are always individuals, such as yourselves, willing to endure the personal costs of these individuals' efforts for the greater good. Again, I applaud your contributions.

I am writing to clarify my comments and expand on other suggestions made at the regular District meeting on Thursday, January 14th. I encourage you to follow the suggestion of Counsel in reviewing and potentially modifying the District policy regarding committee membership. I believe a policy focused on a "qualifications" based selection process is most appropriate. Specifically, I would encourage the Board to consider a policy that:

1. Limits the committees to a certain number of members, but not required to fill every seat to avoid unqualified individuals serving out of default. This number needs to be large enough to allow for diversity of thought and representation, but not to large to be ineffectual.
2. Creates a selection process that is qualification driven, not relationship, to ensure that the District's best interests are served. This would include consideration of an individuals:

- a. Educational background related to the committee subject matter
 - b. Experience related to the committee subject matter
3. Ensures those serving on the committee have a true interest(resident, voter, ratepayer, property owner) in the financial health and quality of life in the community.
4. Requires those interested from the general public to submit a request to serve on a committee in writing, in advance. This would allow the Board to appropriately review, debate, and select a committee appropriate for the subject matter. Also, if someone can't take the time to provide a written request and expound on their qualifications listed in 2 & 3 above they aren't going to provide meaningful contribution.

Thank you for taking time to consider this.

--

Best Regards,

Michael C. Hanchett

5. D. Business Items



BUSINESS ACTION ITEM STAFF REPORT

Item 5.D. Direction to staff regarding the responses from the request for proposal related to the Coastal Hazard Response Plan (CHRP).

Summary:

This matter was tabled during the January 14, 2021 Board meeting. The County has requested that the San Simeon CSD works to formalize an agreement between the two agencies prior to the project kick off. Staff has begun working on an agreement. The agreement will be brought back to the Board, rather this is just between the County (as the official grant recipient) and the SSCSD (as the official project proponent). This Agreement is not a requirement under the Coastal Commission Grant.

The Agreement will make official the District's role as the manager of the CHRP and as the administrator of the grant (i.e., the SSCSD would be responsible for managing the grant, finances, grant reporting, etc.), while the County's role will be fairly limited in scope, with their primary responsibility being to manage any actual amendments to the LCP that may or may not come as a result of the CHRP.

Award Process:

Based on the Policy and Procedures manual, staff recommends that both firms be interviewed. Staff is suggesting that the interview process be conducted by the Board of Directors at a Special Meeting.

1. Selection Procedures for Professional Services in Excess of \$50,000

When the cost for professional services is expected to be in excess of \$50,000, the District shall prepare a Request for Proposal (RFP) which should request the professional's qualifications, relevant experience, described approach, staffing, and support. The proposal should outline the terms, conditions, and specifications of the services required by the District. District staff will review the proposals received, rank the consultants based upon the following criteria, and invite the most qualified firms for interviews:

- a. ability of the consultants to perform the specific tasks outlined in the RFP,
- b. qualifications of the specific individuals who will work on the project,

- c. quantity and quality of time key personnel will be involved in their respective portions of the project,
- d. reasonableness of the fee requested to do the work; comparability of fee to similar services offered by other qualified consultants (except where fee is to be negotiated later),
- e. demonstrated record of success by the consultant on work previously performed for the District or for other public agencies or enterprises,
- f. the specific method and techniques to be employed by the consultant on the project or problem,
- g. ability of the consultant to provide appropriate insurance in adequate amounts, including errors and omissions if applicable, and
- h. responsiveness to the RFP.

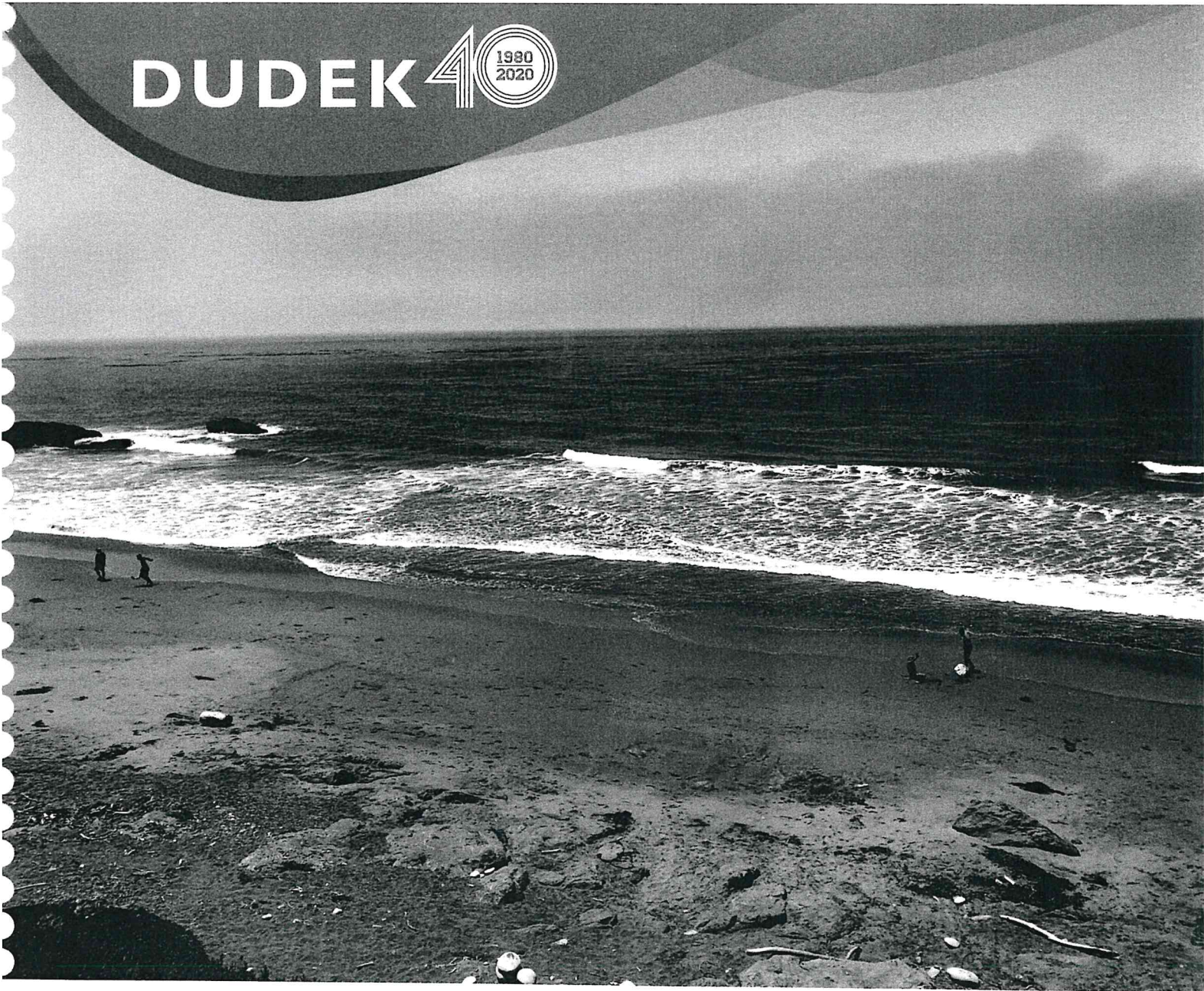
The report to the Board shall summarize the basis for staff's consultant selection recommendation and the ranking of the consultants based upon these criteria. Following Board approval, the General Manager and one Board member shall then execute the contract.

Recommendations:

The Coastal Hazards Response Plan (CHRP) must be completed by no later than February 1, 2022. The Response Plan shall provide a clear long-term plan for providing necessary wastewater treatment functions at an inland location or locations that are not subject to the significant coastal hazards threatening the existing WWTP as identified in the Commission adopted findings for this CDP.

It is recommended that the Board move forward in the interview process. However, it is also suggested by the County that the District not begin work on the CHRP until the agreement with the County has been finalized.

Enc: Proposal from Dudek
Proposal from Hasan Consultants
Review Sheets Grace, Murguia, Kellas



PROPOSAL

Professional Services for a Coastal Hazard Plan

PREPARED FOR

San Simeon Community Services District

December 17, 2020

RECEIVED

DEC 17 2020

BY: CIAM

Letter of Transmittal

December 17, 2020

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

Subject: Proposal to Provide Professional Services for a Coastal Hazards Response Plan

Dear Mr. Grace,

On July 18, 2019, the California Coastal Commission (CCC) awarded the San Simeon Community Services District (SSCSD) an After the Fact Coastal Development Permit (CDP; CDP No. 3-09-0020), which requires that SSCSD prepares a Coastal Hazard Response Plan (CHRP) before February 1, 2022. Dudek has the experience and expertise to build upon existing analyses of a new and/or relocated wastewater treatment plant (WWTP) and associated wastewater functions to develop a long-term plan for the provision of wastewater treatment functions at a new WWTP that can avoid damage or disruption of service by coastal hazards, including those that are intensified by sea level rise (SLR), that threaten the existing SSCSD WWTP. To address SSCSD needs, the Dudek team offers the following advantages.

WWTP Experience and Expertise. Dudek specializes in planning, design, permitting, construction, operation, and management of water and wastewater treatment facilities. Our treatment experience ranges from planning, risk assessment, and operations support services to preparation of plans, specifications, and estimates for individual unit processes to full-scale treatment facilities. We have provided municipalities and agencies with environmental planning, engineering, and compliance services for new and existing WWTP facilities throughout California, including the Central Coast.

Regional Presence and Experience. Dudek has worked with coastal municipalities and agencies to assist with infrastructure planning and engineering, California Environmental Quality Act (CEQA), natural resources management and habitat restoration, and urban forestry projects. We have operated out of our Santa Barbara office for more than 25 years, understand the local and regional issues facing cities throughout the Central Coast and have built strong relationships with stakeholders.

Coastal Planning Experts. The Dudek team includes coastal planners who served as previous CCC staff and are familiar with applying California Coastal Act (CCA) resource protection policies and developing CCC-approved environmental documents. Dudek coastal planners are currently managing CDP efforts throughout the state as well as long-term, SLR and coastal hazard planning projects funded by CCC grants for the Cities of Pismo Beach, Los Angeles, and Dana Point. The Dudek coastal team's extensive experience processing development applications and long-range planning documents through the various CCC district offices will allow us to assist SSCSD in satisfying CCC requirements in the most efficient and effective manner possible, while understanding the unique needs of SSCSD.

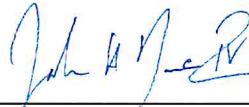
Comprehensive Services. Our team includes experts that provide all of the services and expertise required to develop a CHRP for SSCSD. Dudek has environmental planners, engineers, coastal planners, regulatory permitting specialists, hydrogeology and wastewater experts, and biological and cultural resources specialists in-house and have a depth and breadth of services that few firms can offer. In addition, we are including subconsultant GHD to provide maritime engineering and SLR modeling expertise to supplement our comprehensive team.

Our proposal includes a narrative with information regarding Dudek's Principal In Charge for this project (Michael Metts, P.E.) and description of the services that we will provide SSCSD. We appreciate the opportunity to submit this proposal and look forward to discussing this project with you in greater detail. Please feel free to contact Project Manager John Davis IV at 805.308.8524 or jdavis@dudek.com if you have any questions about our qualifications. We wish you success with this important process!

Sincerely,



Michael Metts, P.E.
Principal in Charge



John Davis IV, MS, CE
Project Manager

Michael Metts is authorized to sign on behalf of Dudek.



Table of Contents

SECTIONS

Letter of Transmittal	i
Qualifications	1
References.....	19
Business Organization.....	31

TABLES

1	Fee Schedule	17
2	Firm Information.....	31

FIGURE

1	Team Organization.....	3
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Qualifications

The Dudek team to prepare a Coastal Hazard Response Plan (CHRP) for the San Simeon Community Services District (SSCSD) is comprised of Dudek as the prime consultant and GHD as a subconsultant. Dudek will provide project management; California Environmental Quality Act (CEQA) documentation; environmental and coastal planning; regulatory permitting; water and wastewater resources; biological and cultural resources; hydrogeology; and grant writing and financing support. GHD will lead sea-level rise (SLR) analyses and maritime engineering services related to the CHRP. Brief profiles of both firms are provided followed by the qualifications of proposed key personnel and descriptions of the services to be provided.

Dudek

Dudek is a California-based environmental and engineering consultant with nationwide offices and more than 600 planners, scientists, civil engineers, contractors, and support staff. We have had a presence on the central coast since 1994 and our staff live, work, and play in the region. As professionals, we take pride in our commitment to our clients, but more importantly, as friends, neighbors, and community partners, we are personally invested in the successful outcome of our clients' projects.

Dudek has built a reputation for providing high-quality, broad environmental, planning, and regulatory services that offer clients a cost-effective way to meet project implementation objectives. Our team focuses on:

Community Planning We enhance community livability and development with cost effective and sustainable planning. Our planners, designers, and specialists in climate adaptation, forestry, wildfire, and mobility bring holistic problem solving and science into each plan and project.

Natural Resource Management We provide science-based analysis for preserve design and species survey methodologies, coupled with habitat planning, permitting, design, and installation expertise.

Infrastructure Development We have in-depth experience managing projects where science, regulatory requirements, and community and stakeholder interests converge. We guide clients through analysis, permitting, and implementing private development and public infrastructure projects.

Regulatory Compliance Our scientists and planners have established strong working relationships with the local staffs of California and federal regulatory agencies. Our knowledge of agency expectations, inter-agency agreements, and local regulations involving your project are vital for keeping projects moving forward and obtaining final approvals.

Dudek at a Glance

- *Multidisciplinary environmental and engineering services*
- *600+ employees*
- *16 offices, including Santa Barbara*
- *Founded in 1980; employee-owned*
- *Top 125 U.S. Environmental Firms (Engineering News-Record)*
- *92% rating for reliability, timeliness, and responsiveness (Dun & Bradstreet, 2016)*

Local Presence and Familiarity

Dudek has worked with municipalities and agencies throughout the Central Coast region for more than 20 years. We have an established office in Santa Barbara and staff that live throughout Santa Barbara, San Luis Obispo and Ventura Counties. Dudek staff have been working in the area for more than two decades and are connected to the issues of local concern. The Dudek team has extensive experience working with agencies in the Central Coast region, including the California Regional Water Quality Control Board (RWQCB, Central Coast office), California Coastal Commission (CCC), California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS), and the U.S. Army Corps of Engineers (ACOE). Because of our extensive work in the area, we are extremely familiar with the diverse community makeup, infrastructure, natural resources, and land use environments of the area.

GHD

Established in 1928, GHD employs more than 10,000 people across five continents and serves clients in the global markets of water, energy and resources, environment, and transportation. Wholly owned by its people, GHD is focused on client success; its global network of engineers, architects, landscape architects, planners, scientists, project managers, and economists collaborate to deliver sustainable outcomes for its clients and the community.

For over 65 years, the professionals at GHD have improved, protected, and enhanced the communities and environment along the California coast. Through its long history serving clients along the California coast the firm has developed strong working relationships with many regulatory agencies. GHD's coastal engineers and scientists understand the coastal environment at San Simeon and the specific needs of the CHRP.

Key Personnel

Dudek's project team has direct experience working in the region and key personnel live in the County and throughout the central coast region. John Davis IV will serve as the project manager and primary point of contact for SSCSD. Mr. Davis is a senior coastal ecologist with expertise in identification and risk management of potential constraints for a diversity of land use projects, including infrastructure, energy, residential, commercial, and restoration projects. Mr. Davis manages several projects for the City of Santa Barbara's El Estero Water Resource Center (formally El Estero Waste Water Treatment Plant) and sewer and water infrastructure network including wastewater treatment plant (WWTP) secondary, tertiary, and electrical upgrades and habitat restoration and rehabilitation of lift stations and sewer and water lines. He has experience specializing in biological resource assessments; special-status plant and wildlife species surveys; habitat restoration; and environmental regulations, permitting, and compliance for complex projects in the central coast region.

Mr. Davis will be supported by Principal in Charge Michael Metts, PE, and key staff with environmental documentation, coastal planning, wastewater resources, regulatory permitting, hydrogeology, and sea-level rise expertise. Mr. Metts is principal engineer with experience in water, wastewater and recycled water engineering design, permitting, water resources planning, facility design, and construction management and assistance. Mr. Davis and Mr. Metts will oversee the proposed Dudek team, which includes subconsultant GHD, that will provide the required services to prepare a CHRP for SSCSD.

Figure 1 presents the proposed team organization and lines of communication. Brief biographies highlighting the qualifications and experience of the Principal in Charge and key personnel assigned to the project are provided following the organization chart.

Figure 1. Team Organization



¹GHD

Principal-in-Charge

Michael Metts, PE

Michael Metts is a principal engineer and manager of Dudek’s engineering services with 36 years’ experience in civil engineering and is a registered engineer in the State of California. Mr. Metts’ engineering experience encompasses water, wastewater and recycled water engineering design, permitting, water resources planning, facility design, and construction management and assistance. He has provided project management and principal in charge services throughout the southwestern United States. Mr. Metts’ project experience encompasses the evaluation and expansion of existing facilities as well as the design of new facilities, allowing him to anticipate project challenges, to the benefit of his clients. He is committed to maintaining clear and open communication with the client, while maintaining control of the project budget and schedule, as well as proactively delivering cost-effective and innovative project solutions.

Education

University of Kentucky
BS, Civil Engineering

Certifications

PE, CA No. 42586

Professional Affiliations

- American Public Works Association
- American Society of Civil Engineers
- American Water Works Association
- California Water Environment Association
- National Society of Professional Engineers

Project Manager

John Davis IV, MS, CE

John H. Davis IV is a project manager and senior ecologist biologist in the Santa Barbara office with over 23 years' experience, specializing in biological assessments; eelgrass and special-status marine wildlife species surveys; habitat restoration; and environmental regulations, permitting, and compliance for marine and coastal environments. Mr. Davis IV's expertise is in identification and risk management of potential biological constraints for a diversity of land use projects, including desalination, wastewater, coastal power plants, aquaculture, shark detection, beach protection and processes, open space management, infrastructure, residential, commercial, and habitat restoration projects. He effectively assists clients with project design and agency negotiations, produces defensible biological technical reports, and manages and prepares the biological resources section of CEQA and National Environmental Policy Act (NEPA) documents. Mr. Davis IV also prepares technical biological reports and applications for the Endangered Species Act (ESA), Magnuson-Stevens Fishery Conservation and Management Act, California Coastal Act (CCA), Clean Water Act (CWA), Fish and Game Code, and other regulatory permitting. Additionally, Mr. Davis IV manages and coordinates compliance monitoring, conducts third party peer reviews of biological technical reports and monitoring for local agencies, and addresses requests for technical information during the environmental permitting process. He also represents clients in project meetings, on-site visits with agency personnel, and during public hearings.

Locally, he serves as managing biologist to seven biologists and is the primary contact in the region for biological services. Mr. Davis IV is very familiar with the County of San Luis Obispo and has been project manager and lead biologist on a variety of projects over the years. Mr. Davis IV has also worked extensively on desalination and WWTP projects including the City of Santa Barbara's Charles E. Meyer Desalination Plant where he assisted with obtaining regulatory permits; assembled the Mitigation and Monitoring Reporting Plan; and worked with the City, Contractor, and Monitors to ensure permit compliance through the duration of the project. He has continued working on the desalination plant from the transition to and during the operations phase including the east beach weir box, marine surveys for outfall pieces, and the temporary gravel bag placement for the stabilization of intake or platform B. He has also served as Dudek project manager on a variety of other City of Santa Barbara projects, including the El Estero Water Resource Center (formally El Estero Wastewater Treatment Plant) Secondary and Tertiary Upgrades, the Police Station Project, and several Santa Barbara Airport projects, amongst others. Mr. Davis IV previously worked for the Central Coast Regional Quality Water Control Board and local consulting firms covering land use and public works projects throughout the County including the Los Osos sewer, Dukes' Morro Bay power plant, Unocal Tank Farm, and Morro Bay National Monitoring Program.

Mr. Davis IV represents Dudek on several qualified biologist lists, including the Counties of San Luis Obispo, Santa Barbara, Ventura, and Los Angeles. He is also recognized as a qualified biologist by the Significant Ecological Area Technical Advisory Committee (SEATAC) for Los Angeles County.

Education

*California Polytechnic State University, San Luis Obispo
MS, Biology*

*San Diego State University
BS, Ecology*

Certifications

PADI Dive Master

AAUS Scientific Diver

NAUI Reef Check CA Ecodiver

NOAA/CDFW Caulerpa Surveyor

*Marine Mammal Observer /
Protective Species Observer*

*CPR/First Aid – Health Care
Professional*

Emergency Oxygen Provider

CDFW Scientific Collecting Permit

ESA Certified Ecologist

Professional Affiliations

Ecological Society of America

*Pacific Coast Shellfish Growers
Association*

The Wildlife Society

American Fisheries Society

Salmonid Restoration Federation

CEQA/Environmental Planning

David Ortega, QISP

David Ortega is an environmental technical analyst with 4 years' experience in areas including stormwater quality, noise, and transportation. As a stormwater technician, Mr. Ortega specialized in collection of stormwater samples, submittal for lab analysis, interpretation of lab results, Industrial General Permit (IGP) compliance and Level 1/Level 2 Exceedance Response Action (ERA) reports. As a noise technician, he conducts noise- and vibration-level measurements, as well as models construction and mechanical equipment noise. His transportation technician duties include traffic circulation network analysis using standard models. Mr. Ortega is also bilingual in English and Spanish.

Education

University of California,
Santa Barbara
BA, Environmental Studies

Certifications

Qualified Industrial Storm Water
Practitioner (QISP), CA No. 647
Roadway Worker Protection,
CA No. 4502

Biological Resources

Dave Compton

Dave Compton is a wildlife biologist with 21 years' experience working in a variety of California environments. Mr. Compton has provided natural resources planning expertise through habitat assessments, constraints analyses, impact analyses, mitigation strategies, managing projects related to biological resources, agency coordination, permitting services, and designing and leading biological surveys. He has worked extensively on projects involving coastal marshes, riparian systems, San Joaquin Valley environments, and California desert environments. Mr. Compton's technical expertise is in the field of ornithology, and he has provided biological resources planning expertise relating to a variety of federally and state-listed species, as well as other special-status wildlife species.

Education

Marquette University
MA, U.S. History
Christian Brothers College
BA, History

Certifications

Scientific Collecting Permit
SC-7918

Water/Wastewater Resources

Phil Giori, PE

Phil Giori is a civil engineer with 5 years' experience, specializing in water and wastewater treatment facilities, with additional experience with collection systems, pipelines, wells, and other facilities. Mr. Giori is an industry leader in improving planning and design mechanisms to construct more reliable facilities with integrated risk-based operations and maintenance support. Mr. Giori's experience in planning, design, and construction provide him with unique insight and knowledge, which he employs to drive projects toward successful completion.

Education

San Diego State University
BS, Civil Engineering

Certifications

PE, CA No. 87516

Professional Affiliations

California Water Environment
Association

Hydrogeology

Ronald Schnabel, PG, CHG

Ronald Schnabel is a senior hydrogeologist with 40 years' experience as a geologist, and more than 15 years as a hydrogeologist. Mr. Schnabel has used his thorough understanding of geology and hydrogeology to develop clients who require planning, permitting, design and operational expertise with water banking and artificial groundwater recharge. He has served as project manager and key team member on over twenty groundwater banking and recharge projects in California, and for numerous other types of projects. His regulatory experience includes environmental permitting, plans of operation, CEQA, environmental impact reports, and NEPA compliance and permitting. He aims to use his experience to help further develop clients needing surface water and groundwater related investigations, artificial recharge projects for aquifer storage and recovery, well design, construction and testing. Mr. Schnabel's experience includes groundwater modeling, geographic information systems (GIS), statistics, surface-water-measurement methods, and geophysics.

Education

California State University (CSU),
Sacramento
BS, Geology

Certifications

PG, CA No. 7836; OR No. 2020;
WA No. 463
Certified Hydrogeologist (CHG),
No. 867

Kipp Vilker, PE, QSD/QSP

Kipp Vilker is a California-registered civil engineer with 7 years' experience as a civil and environmental engineer specializing in site/civil design and environmental remediation. Mr. Vilker has assisted in all phases of design of site development projects including site demolition, site planning, utility design, stormwater management and drainage, grading and earthwork, and erosion and sediment control. His contributions to environmental remediation projects include assisting in all phases of investigation, design, construction implementation, and report writing. Mr. Vilker has experience with subconsultant oversight, soil logging, and soil/groundwater sampling and screening.

Education

University of Wisconsin, Madison
BS, Civil and Environmental
Engineering

Certifications

PE, CA No. 90011;
VA No. 0402057970
QSD/QSP No. 27048

Professional Affiliations

American Society of Civil Engineers

Cultural Resources

Heather McDaniel McDevitt, RPA

Heather McDevitt is an archaeologist and cultural resources lead with 13 years' cultural resource management (CRM) experience throughout California and Baja California. Ms. McDevitt has served as a field supervisor, lab director, principal investigator and project manager on Phase I, Extended Phase I, Phase II, and Phase III projects conducting surveys, testing, site significance evaluations and recordation, data recovery and laboratory analysis. Her education encompasses archaeology, biological anthropology, and GIS. Ms. McDevitt has worked on projects for the National Park Service, U.S. Environmental Protection Agency (EPA), National Aeronautics and Space Administration, U.S. Bureau of Land Management, the Smithsonian Institute, California State Parks, California Department of Transportation, and various private CRM and environmental firms. Ms. McDevitt's professional experience provides significant knowledge and practical experience with state and federal regulations such as NEPA, Section 106 of the National Historic Preservation Act, and CEQA.

Education

California State University,
Northridge
MA, Public Archaeology
BA, Anthropology

Certifications

Registered Professional
Archaeologist (RPA)
HAZWOPER Training,
Hydrogeologic

Professional Affiliations

American Anthropological
Association
American Institute of Archaeology
California Geographical Society
Pacific Coast Archaeological
Association
Society for California Archaeology

Grant Writing and Financing

Jane Gray

Jane Gray is a regional planner, environmental specialist, and project manager with 23 years' project management and environmental planning experience, specializing in water/wastewater planning and permitting, agricultural resource and policy planning, policy analysis, land use planning, project development and entitlement services, and grant writing and management. Ms. Gray has a diverse and nuanced planning background, having worked as a project manager, analyst, and environmental planner for non-governmental entities, public agencies, and private firms and corporations. She has been responsible for projects varying from small-scale development and infrastructure planning in developing economies to private residential and commercial developments throughout California. Ms. Gray brings an effective and customized approach to efficiently deliver services. Her ability to skillfully negotiate the often-disparate interests involved in projects and bring about consensus is an asset in any situation. Ms. Gray has organizational expertise, technical aptitude, planning proficiency, and competency facilitating projects through contentious issues and fractious communities.

Education

*Universität Dortmund, Germany
MS, Regional Planning and Management*

*State University of New York,
Buffalo
BS, Social Work*

Professional Affiliations

*Vice Chair, Central Coast RWQCB
2nd District Appointee to the
County Agricultural Advisory
Committee*

Madelyn Murray

Madelyn Murray is an environmental analyst with experience in environmental research and grant support. Ms. Murray provides diligent support on numerous grant applications and plan updates. She also helps agencies identify appropriate grant opportunities for their projects.

Education

*University of California,
Santa Barbara
BA, Environmental Studies
(Ecology emphasis),*

Maritime Engineering and Sea Level Rise Lead

Aaron Holloway, PE

Aaron Holloway is a senior coastal engineer with 16 years' experience in coastal and water resources engineering with a focus on coastal, riverine, and civil infrastructure projects. This experience has included vulnerability assessments and resiliency planning ranging from project level to regional scale studies to help clients understand and plan for impacts from rising sea levels. Mr. Holloway's experience has included design and modeling of beach nourishment projects, shore protection infrastructure, environmental restorations, and sand retention structures. Having led projects from initial planning through permitting, detailed design and construction he knows how to navigate the challenging regulatory process for projects in the coastal zone.

Education

*CSU, Long Beach
MS, Civil Engineering
BS, Civil Engineering*

Certifications

PE, CA No. C71640

Brian Leslie

Brian Leslie is a coastal scientist and project manager for a variety of projects that involve shoreline protection, dredging, beach nourishment, wetland restoration and resilience to coastal hazards. Mr. Leslie specializes in front-end project planning that leads to securing project permits in the California coastal zone. He leads teams of engineers, scientists and environmental practitioners to develop feasibility studies that end with a viable option for all parties.. Mr. Leslie has over 15 years of professional work experience within both the public and private sectors in the field coastal science and engineering.

Education

*Florida Institute of Technology
BS, Oceanography*

*Old Dominion University
Coastal Engineering Certificate*

Professional Affiliations

*Coasts, Oceans, Ports, and Rivers
Institute*

*American Shore and Beach
Preservation Association*

Available Services

The Dudek team has provided similar services to municipalities, agencies, and districts for complex water and wastewater facilities projects. Following are qualifications and summaries for the services required to prepare a CHRP for SSCSD.

CEQA

Dudek has one of California's largest, most experienced team for CEQA and NEPA document preparation. Our environmental planners have prepared and processed more than 2,800 documents pursuant to CEQA/NEPA, including many complex, controversial projects in environmentally constrained areas. Dudek planners have expertise in the preparation of a wide range of environmental documents, including initial studies (ISs), negative declarations, mitigated negative declarations (MNDs), and categorical exemptions, as well as complex environmental impact reports, environmental assessments, and environmental impact statements.

Dudek has prepared more than 2,800 CEQA/NEPA documents, none of which have been successfully legally challenged.

From permitting California's first large seawater desalination plant to environmental planning for desert wind/solar energy farms, Dudek planners and CEQA/NEPA experts have successfully tackled the most challenging projects associated with public works, land development, transportation, urban campuses, energy, and hospitals. Dudek team members have an extensive knowledge of CEQA and NEPA regulations and guidelines and regularly attend workshops and seminars to understand the latest in case law and application of these statutes. The Dudek team is highly skilled at crafting legally defensible CEQA/NEPA documentation by collecting thorough data; applying in-depth project analysis; carefully and proactively addressing challenges; and producing clear, objective, and accurate documents. For this reason, no legal challenge to a Dudek-prepared CEQA/NEPA document has ever been successful.

Regulatory Permitting

Our knowledge of the applicable regulations combined with our specific experience with the standards and processes of each particular agency and its staff enable us to prepare comprehensive and easily accessible submittals. Our job is to know what information needs to be provided, verify the information is complete and accessible, and foresee potential issues so we can help project owners prepare for unforeseen potentialities.

Dudek project managers have worked extensively with federal and state resource agencies, including the USFWS, ACOE, National Marine Fisheries Service, U.S. Geological Survey, U.S. Bureau of Land Management, RWQCB, and CDFW.

Our team has particular expertise with the various state and federal laws and regulations governing natural resources throughout California, including both state and federal Endangered Species Acts, the California Native Plant Act, the Migratory Bird Treaty Act, the Bald Eagle and Golden Eagle Protection Act, the California Fish and Game Code, the CWA, the Porter-Cologne Act, and city/county Per tree ordinances.

Dudek consistently secures development permits, agreements, and approvals from state, federal, regional, and local agencies and other relevant agencies, groups, and entities that have jurisdiction in a project region. Our success stems directly from the relationships and reputation we have fostered with these agencies. Dudek provides reliable, scientifically based information tailored to address the specific requirements and standards of the relevant agency for permit application packages.

Coastal Planning

Dudek's coastal planners bring an unmatched level of institutional knowledge regarding all aspects of California coastal laws, regulations, procedures, and policy interpretation, including the most recent CCC SLR Policy Guidance. As former CCC staff, we have direct working experience reviewing coastal development permit (CDP) submittals for completeness and filing, analyzing projects' consistency with relevant CCA and/or LCP policies, developing CDP special conditions, preparing staff recommendations, presenting at CCC hearings, and performing CDP condition compliance. Today, we help clients with projects involving a wide array of coastal policy issues, such as coastal hazards and SLR, public access, wetlands and environmentally sensitive habitat protection, visual resources, and water quality. As full-time coastal planners, our team tracks ongoing CCC action to glean best practices and provide the most current recommendations to our clients, which is especially important given the CCC's evolving coastal hazards and SLR planning efforts. Dudek's coastal planners anticipate key coastal resource issues and leverage our positive working relationships with CCC staff to resolve issues early in the process and streamline CCC review.

With this understanding of Coastal Act requirements and ability to anticipate coastal resource constraints, Dudek's coastal planners will support the project's technical staff in preparation of the CHRP and ensure that the information and analysis meets the requirements of the Special Condition #3 of CDP No. 3-19-0020. Our team's ability to translate complex coastal processes and technical strategies into policy and permitting solutions will make sure the CHRP is actionable. We will combine our background and skills to effectively communicate and represent SSCSD's goals in negotiations with CCC staff.

Water Resources Planning

California's water resources are increasingly considered an integrated resource to serve a variety of potable and reclaimed uses. Dudek's engineers, hydrologists, and environmental professionals have helped California's water managers develop, expand, and manage water resources and their associated storage, conveyance, and treatment for thousands of projects.

Addressing California's complex water and wastewater needs requires a holistic engineering approach to planning, designing, building, and managing resources that will fulfill long-term needs. Dudek's civil engineers, hydrogeologists, and scientists work together to approach and resolve infrastructure, supply, and delivery questions for California's municipalities and land developers.

Dudek's environmental scientists and engineers work together to analyze and manage the complete life cycle of water. From planning water supply and usage, to facility design and regulatory permitting, to infrastructure construction and management, we meet clients' long-term water and wastewater goals.

Wastewater Planning

Dudek engineers specialize in the planning, design, and construction management of conveyance, pumping, storage, and treatment facilities for the entire water cycle. Our diversely talented team offers a broad range of infrastructure experience to provide guidance in defining and delivering sustainable projects. Our goal is to identify creative solutions that maximize the capital investment of our clients.

Dudek's planners and technical experts have surveyed and managed components of WWTPs from siting of WWTPs, secondary and tertiary upgrades, electrical, chemical storage, coastal hazards including sea-level rise, habitat restoration, and incorporation of desalination facilities into the WWTP. Dudek experts have also assisted local agencies with technical and permitting services for sewer and water infrastructure, including lift stations, and desalination plants on the coast and in the marine environment.

Hazards and Hazardous Waste

Successful reuse/redevelopment of contaminated property requires a team of engineering, geology, chemistry and toxicology professionals; an understanding of local, state, and federal regulations; and familiarity with the nuances of regulatory agencies. Our experts have extensive experience conducting environmental site assessments, as well as evaluating and implementing remedial alternatives that are cost-effective, time-sensitive, and consider all aspects of risk. We have successfully performed investigation and remediation on commercial and industrial properties, including manufacturing facilities, dry cleaners, automotive shops, oil fields, schools, universities, agricultural sites, hotels, casinos, and renewable energy facilities, as well as residential project sites.

Dudek's team of environmental engineers, hydrogeologists, and scientists evaluate and manage all aspects of environmental due diligence, cost-benefit analysis, data collection, remediation, and environmental program management. We work with private and public property owners to identify and manage environmental liabilities, mitigate risks, and make the best use of capital expenditures related to environmental projects.

Due Diligence and Site Assessment

Our professionals have conducted hundreds of Phase I Environmental Site Assessments in accordance with the appropriate ASTM standard. We are thorough in our research to determine recognized environmental conditions and/or environmental concerns that can impact the cost, risk, and schedule of a project. Dudek scientists and engineers expertly design and implement Phase II Environmental Site Assessments to collect a comprehensive data set for use in planning, site development, and/or remediation, as well as to satisfy regulatory requirements. We understand that most projects are subject to schedule and/or budgetary constraints, and we take those into consideration when specifying data objectives.

Investigation and Remediation

We prepare remedial investigation/feasibility studies, sampling and analysis work plans, site health and safety plans, hazardous materials contingency plans, as well as hazardous waste facility permits. Our team specifies and conducts sampling programs, including subsurface investigations using geophysical methods, soil gas surveys, and a variety of soil and groundwater sampling techniques. We have expertise in groundwater modeling and have designed remedial wellfields and installed groundwater wells. We are well versed in remediation technologies. Each site presents unique hydrogeological and chemical challenges, which demands a unique solution. We consider immediate and long-term impacts when determining suitable technologies. Dudek has designed, permitted, and implemented remedial actions ranging from simple dig-and-haul and vapor extraction to complex groundwater pump and treat systems, in-situ chemical oxidation, and multiphase extraction systems. With our hands-on approach, we maintain the treatment technology and continually evaluate its effectiveness.

Human Health/Ecological Risk Assessment

Dudek's scientists prepare site-specific risk assessments to evaluate potential risks for current and future land use. These studies may be used to obtain risk-based closure for contaminated sites or to support change-of-use applications, such as from industrial to commercial or residential.

Cultural Resources

Our experienced registered professional archaeologists can cost-effectively respond to the smallest cultural resource survey or assemble a crew of a dozen or more seasoned field technicians to address a large-scale surface reconnaissance, significance assessment excavation, or a mitigation data recovery program.

The Dudek cultural resources team has prehistoric and historic archaeologists with a variety of specialties, including bio-archaeological and forensic archaeological experts. Our specialists complete in-house analyses of food remains collected from archaeological excavations. They also can immediately determine if bone encountered during archaeological excavations or construction activities is human or animal. This expertise is critical for efficient compliance with state and federal regulations.

Our team also has a strong background in Native American consultation, including expert testimony experience regarding the adequacy of tribal consultation and outreach, as well as the appropriate treatment of resources regarded as sensitive or sacred by Native Californian tribes and individuals. Dudek cultural resource managers focus on early and ongoing outreach strategies to capture meaningful consultation as stipulated by federal law under Section 106 of the National Historic Preservation Act and recently codified in Assembly Bill 52. Our cultural resources team will coordinate with native Californian groups to collect data from the Native American Heritage Commission Sacred Lands File, gather archaeological site information, and identify traditional cultural properties and plant-gathering locations through outreach with tribal representatives and individuals identified by the Native American Heritage Commission. We complete ethnographic research using primary sources, such as individual interviews and oral histories, as well as respected secondary sources. Our team is expert at researching and recording prehistoric sites considered sacred to local Native American tribes. Our team also has extensive experience guiding lead agencies through the Assembly Bill 52 and Senate Bill 18 tribal consultation processes.

Sea Level Rise and Coastal Resilience

GHD staff have worked with dozens of municipalities and utility managers throughout the state to understand the potential impacts of SLR on infrastructure and other coastal resources. They are experienced in balancing the uses and investments of today, while planning for the uncertainties associated with SLR and coastal hazards over longer time horizons.

GHD will work with SSCSD to develop a forward-looking CHRP that will improve the resilience of wastewater infrastructure while balancing the SSCSD tolerance for risk with requirements of the State SLR Guidance (OPC, 2018) and California Coastal Commission SLR Policy Guidance (CCC, 2018). Their team is experienced in developing adaptation strategies and pathways that integrate future coastal hazards and triggers into Capital Improvement Program planning for infrastructure upgrades, maintenance, repair projects. They understand the importance of integrating the local planning efforts with regional hazard mitigation planning to leverage opportunities for state and federal grant funding opportunities.

Project Understanding and Scope of Work

Project Understanding

In response to coastal hazards to the San Simeon WWTP associated with severe winter storm surge and creek flooding, SSCSD retrofitted the short bluff with a riprap revetment in 1983, replaced the ocean outfall pipeline in 1984, and made other repairs and replacements related to the outfall (2010-2013). Additionally, improvements to a pipe support structure in 1995 across Arroyo del Padre Creek, which is located along the northern boundary of the WWTP, was also installed amongst other upgrades needed to protect the WWTP after suffering damage during extreme winter conditions. The CCC has encouraged SSCSD to relocate the WWTP to a more inland site. In 2008, Rincon Consultants, Inc. prepared an alternative analysis for 10 candidate sites to relocation the WWTP. The CCC also required preparation and submittal of a Coastal Hazard Response Plan. The alternative analysis for WWTP siting will be assessed against the Coastal Hazard Response Plan to ensure consistency and a path forward for potential relocation of the SSCSD's WWTP.

Scope of Work

Dudek's scope of work is based on our understanding of the project, including schedule, based on the Request for Proposals and other publicly available documents. Our scope may change based on further discussion with SSCSD, should Dudek be selected for the project.

General Project Assumptions

- In light of COVID19, meetings are assumed to be virtual via Dudek's Zoom platform (or other District virtual platform). Meeting costs associated with a particular task are included in the total task hours.
- 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 assumptions are based on receipt of engineering design plans sufficient for environmental review and entitlements.
- Dudek has assumed preparation of a CEQA MND and NEPA Categorical Exclusion; however, we have included an optional task for the preparation of a CEQA Addendum to the 1991/1994 Environmental Impact Report (similar to the work completed by the City with Dudek's support in 2015).
- 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
 - Provide general direction to the Dudek team through the City Planner.

The Dudek team will follow the outlined approach to prepare a CHRP for SSCSD, if selected.

Task 1: Coastal Hazard Response Plan

One of the first tasks will be to perform a project-specific coastal hazard analysis to evaluate the current and future coastal hazards at the existing WWTP location. This memorandum will define the primary hazards of concern (shoreline erosion, coastal flooding or bluff erosion) and the likelihood of these hazards impacting the WWTP site at several planning horizons (i.e. 2050, 2070 and 2100). These results will help establish the natural hazard constraints to consider when evaluating alternatives for WWTP infrastructure.

Coastal hazards will be evaluated for a range of sea level rise (SLR) scenarios representative of the range in projections at each planning horizon. For budgeting purposes we plan to evaluate up to 5 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 WWTP infrastructure.

The analysis will be prepared in accordance with the CCC Sea Level Rise Policy Guidance (2018) and sea level rise projections released by the State Ocean Protection Council Sea Level Rise Guidance (2018). These documents provide a framework for evaluating potential impacts to a project from coastal hazards associated with sea level rise and identifying adaptation strategies to mitigate these impacts.

Deliverables

- Draft and Final Coastal Hazards Memorandum

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 to coastal hazards from ocean and creek flooding, and it is anticipated that these hazards will be exacerbated as SLRs. 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. 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. With this understanding of the project as well as the potential coastal resource concerns associated with a new, relocated WWTP, Dudek's coastal planners are prepared to support SSCSD with the following key tasks:

Task 1.1: Coastal Hazard Response Plan Advising and Coastal Act/LCP Consistency

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 the 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 CHRP. The analysis will identify any coastal resource concerns and/or policy constraints for a particular alternative. In addition, this consistency analysis will inform CCC coordination (Task 1.1) 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

- Guidance and advisement for SSCSD staff and technical consultants through preparation of the CHRP, including discussions with the professional engineers/wastewater experts developing the project alternatives and sites
- Detailed Coastal Act/LCP policy consistency analysis of proposed project alternatives
- Evaluation of potential CCC processing pathway

Task 1.2: Alternative Analysis Consistency

GHD's coastal engineers and scientists will also support the Project team by analyzing potential alternatives under consideration including sites considered for relocation of WWTP infrastructure. We will perform a qualitative analysis of each alternative with respect to coastal hazards such as shoreline erosion, bluff erosion and flooding. Alternatives will be analyzed for their ability to accommodate future coastal hazards without adverse impacts to the function of WWTP infrastructure.

Deliverables

- Support in preparation of written deliverables describing the alternatives considered and their vulnerability to coastal hazards

Task 1.3: CCC Coordination

Coordination with CCC staff is an important component to gain support for the CHRP and the preferred alternative or site, as well as to demonstrate that the District 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 #2 “Duration of Authorization”), coordination with CCC staff as part of the CHRP process will build the District’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 compliance, and the District’s remaining five-year authorization will continue until at least 2029. Our positive working relationship with CCC staff will serve to advance communication, information exchange, and CCC review of the CHRP. Addressing CCC’s comments early in the process will ultimately lead to successful review and acceptance by CCC, streamlining the CDP condition compliance process.

Based on our understanding of the key coastal issues and processing regulations, Dudek coastal planners will coordinate with CCC staff to ensure that the CHRP satisfies the requirements of the CDP. Dudek coastal planners will prepare for and attend up to three (3) meetings with the District and CCC staff to discuss the CHRP, including the alternatives it evaluates and their consistency with applicable Coastal Act/LCP policies. This will provide an opportunity for CCC staff to provide direction and feedback on the alternatives, as well as identify any potential coastal resource issues or concerns prior to formal submittal of the CHRP. We suggest that one of these meetings occur after CCC staff has had a chance to review and provide comments on a draft of the CHRP. In addition, to the extent feasible, we suggest encouraging CCC staff’s geologist and/or engineer based in San Francisco, as well as members of the CCC’s Sea Level Rise planning unit, to participate in the meeting to provide technical feedback, in addition to local District CCC staff who will provide planning and procedural comments. Dudek will coordinate with the technical consultants and District to respond to CCC staff comments and questions on the CHRP and will provide strategic counseling regarding how best to address CCC feedback in the document (Task 1.2). This coordination prior to preparation and formal submittal of the Response Plan will streamline CCC review and minimize any comments or requested changes after formal submittal.

Deliverables

- Preparation of meeting agenda, presentation, and written materials for three (3) meetings with CCC staff and attendance at meetings (either in-person or virtually due to COVID-19).
- Meeting minutes from CCC meetings.

Task 2: Submittal to CCC for Condition Compliance

Dudek’s coastal planners have extensive experience packaging and preparing submittals to CCC staff and coordinating and responding to their comments and requests for additional information. Dudek will assemble the CHRP and any supporting documents and will prepare a submittal letter that summarizes the environmental information and technical studies to demonstrate compliance with Special Condition No. 3 of CDP No. 3-19-0020. Because there are no regulatory deadlines regarding condition compliance review, it is important to make all efforts to streamline and simplify this process for CCC staff. The submittal letter will direct CCC staff to the relevant information that satisfies each of the requirements of the Special Condition, with the goal of reducing CCC staff’s review time. Following CCC staff’s review of the condition compliance submittal, Dudek coastal planners will review any requests for additional information and will coordinate with CCC staff, as necessary, to oversee acceptance of the CHRP by the CCC 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

- Preparation of a CDP Condition Compliance package with detailed submittal letter demonstrating compliance with Special Condition #3 “CHRP” of CDP No. 3-19-0020
- Coordination with CCC staff to facilitate acceptance of the CHRP, as necessary

Task 3: Grant Opportunities – Optional Task

Dudek understands that grants are an integral part of funding infrastructure and programs in California. Our team has experience and expertise in the development of technically competent, and competitive grant applications for the successful award of monies. We are well versed in the various grant programs at the state and federal level, and we work with our clients to strategize in advance of the release of grant solicitations so that projects are ready and competitive. We also work with jurisdictions to be responsive and competitive with regard to unexpected grant opportunities. We support our clients in the management of grants, which is important to build up a solid and successful record of accomplishment, implementation, and responsible grant administration.

Understating the District’s 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 District staff. Moreover, Dudek will work to identify project aspects, project partners, and funding streams that may be new to the District. 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 District to ensure project description alignment with funding opportunities and develop work plans, associated budgets, and schedules that position the District 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.

Standard Rates

Table 1 presents the standard hourly rates for the proposed staff and support staff that may be utilized during the preparation of a CHRP for SSCSD.

Table 1. Fee Schedule

Staff Member	Role/Classification	Hourly Rate
Dudek		
John Davis IV	Project Manager/Senior Specialist	\$220
Michael Metts, PE	Principal in Charge/Principal Engineer	\$270
David Ortega, QISP	CEQA-Environmental Planning/Analyst III	\$100
Dave Compton	Biological Resources/Senior Specialist I	\$190
Phil Giori, PE	Water-Wastewater Resources/Senior Engineer II	\$215
Ronald Schnabel, PG, CHG	Hydrogeology/Principal Hydrogeologist	\$250
Kipp Vilker, PE, QSD/QSP	Hydrogeology/Hydrogeologist VI - Engineer VI	\$175
Heather McDaniel McDevitt, RPA	Cultural Resources/Specialist III	\$160
Jane Gray	Grant Writing and Financing/Senior Specialist IV	\$230
Madelyn Murray	Grant Writing and Financing/Analyst IV	\$110
CEQA Analyst	Analyst II	\$90
Grant Specialist	Analyst IV	\$100
Technical Editor	Technical Editor I	\$115
Publications/Production	Publications Specialist I	\$85
GHD		
Aaron Holloway, PE	SLR Analysis/Senior Coastal Engineer	\$200
Brian Leslie	SLR Analysis/Senior Coastal Scientist	\$185
Coastal Scientist/GIS Analyst	Staff Engineer	\$130

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References

The Dudek team has assisted municipalities and agencies with complex projects involving wastewater treatment, engineering, CEQA and environmental planning, coastal planning and SLR resilience, biological and cultural resources, regulatory permitting, and grant writing and financing. Following are references and similar projects that demonstrate our ability to complete challenging projects on time and within budget.

City of Santa Barbara

Contact: Sara Iza, Senior Planner; 805.897.2685; SIza@SantaBarbaraCA.gov

El Estero Wastewater Treatment Plant's Tertiary Filtration Replacement and Secondary Treatment Projects

Dudek provided support for CEQA/NEPA permitting of a City project. The City sought to make internal non-structural improvements to existing wastewater treatment plant reactor basins and demolish and rebuild a microfiltration/ultrafiltration tertiary treatment building. The plant is located near the Santa Barbara waterfront and along the Laguna Channel, placing it near sensitive riparian habitat and habitat for the tidewater goby (*Eucyclogobius newberryi*), federally listed as endangered. Dudek biologists provided a biological assessment for the site to assess sensitive biological resources potentially occurring and developed mitigation measures to avoid impacts to these sensitive biological resources, as well as performing other tasks under requirements of an existing California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement. Relevant biological resources tasks included the assessment of habitat for special-status wildlife species (including birds) and pre-construction surveys (including nesting bird surveys). Dudek also prepared an Essential Fish Habitat Assessment and a memo regarding the tidewater goby. In addition, Dudek conducted weekly site visits to monitor construction activities compliance with biological mitigation measures and best management practices.



Braemar Forcemain No. 2 Project – Biological Services

The Braemar sewer lift station is the City's largest lift station, rated at a capacity of 1,000 gallons per minute and with a current influent maximum daily flow of approximately 500 gallons per minute. The original 3,100-foot 10-inch cast iron forcemain was constructed in 1956, but was later abandoned and replaced by a 3,164-foot 10-inch PVC C-900 pipe in 1997.

Dudek prepared a biological assessment report on behalf of the City to identify the potential for biological resources to occur within and adjacent to the proposed Braemar Forcemain No. 2 Project. The project involved the addition of a second forcemain to provide redundancy if pipe failures occurs. The report was completed in support of the City's CEQA and LCP reporting and review process and for the project. The report also provided recent observations and analyses for consultation and/or permit application review, as determined to be necessary, by applicable regulatory resource agencies, including the CDFW, USACE, RWQCB, USFWS, National Marine Fisheries Service, and CCC.



East Beach Weir Box, Coastal and Environmental Services

The City is making permanent repairs to the intake pipe for the Charles E. Meyer Desalination Plant near the Santa Barbara waterfront and to the associated weir box and dunes fitting locations on East Beach in Santa Barbara. The City previously conducted repairs to the intake pipe and weir box under CDP 9-14-1781. During construction, repair and maintenance activities resulted in leaks that damaged intake pipeline flanges and newly installed “transition fittings” at the weir box and dunes fitting locations. Following consultation with the CCC staff between August 7 and August 25, 2017, temporary repairs were implemented. However, as a result of the damage to the intake pipeline, it was understood that the repairs made were temporary in nature and a permanent repair was required to achieve the minimum design service life of the City’s Desalination Plant project of 20 years. Discussion between CCC and City staff in 2017 concluded that a permanent repair would fall under a material amendment to CDP 9-14-1781, or a new repair and maintenance permit altogether.



As part of the repair activities, Dudek prepared a Habitat Restoration Plan that included the demolition, removal, and relocation of the East Beach weir box. New activities proposed as part of the permanent repairs and demolition and replacement of the weir box included: cutting the outfall pipeline at the existing weir box, demolition of the existing weir box, structural preparation of subgrade at the weir box replacement site, weir box and dunes fitting replacement, and re-arrangement of existing weir box rip-rap. The project also included temporary impacts associated with mobilizing construction equipment and construction activities within the limits of work and access to the site by construction personnel and equipment through Chase Palm Park and across the bike path. The CCC had no comments on the coastal dune habitat restoration plan or other supporting biological information provided to the City as part of the project review under the existing CDP. The City is expecting the project to go to the CCC for public hearing in May 2020.

Grunion Surveys for the Santa Barbara East Beach Weir Box

California grunion (*Leuresthes tenuis*) populations have declined broadly across Southern California. As such, there is a seasonal closure and limits on recreational fishing. In order to protect the grunion and this fishery, pre-maintenance grunion surveys were conducted by Dudek marine biologists during the nearest high tide for three nights prior to the onset of on-shore maintenance during the spawning period for grunion (March through August). As part of avoidance measures, Surveys were conducted at night along the surf zone and wet sand east of Santa Barbara Stearns Wharf during spawning events which correlates with the highest tide associate with each new and full moon. The survey area included the beach directly around the weir box and a survey buffer of 100 feet to the north and south of the weir box. Grunion spawning locations were documented and incorporated into figures for the City of Santa Barbara, as part of the Intake Pipeline Repair Services for the Charles E. Meyer Desalination Plant.



Contact: Linda Sumansky, Principal Civil Engineer; 805.564.5361; 5361 LSumansky@SantaBarbaraCA.gov

Marine Biological Surveys for the El Estero Wastewater Treatment Plant Outfall Bulkhead Maintenance Project

Dudek marine biologists conducted pre-construction eelgrass and Caulerpa surveys at the outfall for bulkhead maintenance for the El Estero Wastewater Treatment Plant as part of the El Estero Wastewater Treatment Plant Maintenance Project. Dudek SCUBA divers are current Certified Caulerpa Surveyors by the National Marine Fisheries Service and California Department of Fish and Wildlife. The project was located approximately 8,700 feet offshore in the Pacific Ocean in the city and county of Santa Barbara, California. The survey area comprised of the center point of the temporary impact area and a survey buffer, which extended approximately 98 feet (30 meters) from the outfall pipe for a total survey area of approximately 0.70 acres (2,827 square meters). To best determine the presence or absence of Caulerpa and eelgrass at and around the outfall, the high intensity survey level under the Caulerpa Control Protocol was followed, which means an intensive systematic survey was employed that inspected greater than 50 percent of the bottom surface.



Charles E. Meyer Desalination Plant Reactivation Environmental and Coastal Services

In response to a challenging water supply crisis in the late 1980s, the City of Santa Barbara permitted and constructed a seawater desalination plant in the early 1990s. After operating for 3 months in the spring of 1992, use of the desalination facility was discontinued as ample rain in March and April 1992 resolved the City's drought situation. In 2014, Dudek began assisting the City with obtaining regulatory permits from the California Coastal Commission (CCC), U.S. Army Corps of Engineers (USACE), and Regional Water Quality Control Board (RWQCB) and establishing consistency with the existing EIR. In support of permitting, Dudek prepared numerous technical reports and memoranda, particularly for biological resources located in coastal environments, including the beach area and marine habitats. Dudek developed species protection plans and conditions to avoid or minimize impacts to the western snowy plover, California grunion, tidewater goby, southern steelhead, and marine mammals and reviewed offshore anchor and intake assessments reports. A biological assessment for federally listed species was prepared and submitted to the USACE.



Additionally, Dudek prepared a biological technical report that covered all components of the project site for State Water Quality Control Board State Revolving Funds. Upon project initiation, Dudek prepared the mitigation monitoring and reporting program and continued services to the City as a third-party reviewer to ensure environmental compliance of the project with all permit conditions. Dudek continued to coordinate on behalf of the City with the CCC, USACE, and the U.S. Coast Guard (USCG) throughout the construction phase.

Dudek's marine biology team, led by Mr. Davis IV, peer reviewed and significantly contributed to several marine biological reports, including a biological assessment, essential fish habitat assessment, turbidity plan, marine mammal protection plan, grunion survey plan; managed and oversaw the preparation of a biological assessment for the snowy plover and tidewater goby and a biological resources assessment report for a SWRCB State Revolving Grant application; coordinated CWA 401/404 permitting; provided technical responses in support of a CDP; coordinated with the City and legal and project team, and attended regular City meetings and coordinated with the CCC, USACE, and USCG. The construction of the project was completed in 2016.

Following reactivation of the desalination plant, Dudek continued to support the City during the operations phase from 2016 to the present. Mr. Davis IV managed a scientific dive to document the conditions of intake A and B following installation of gravel at the base of Intake B Platform. Dudek also noted and recorded the growth and abundance of biofouling organisms on the grill above the intake screens. Dudek scientific divers have thoroughly explored the desalination intakes, transition pipe between intakes, wastewater outfall pipe, and abandoned outfall pieces. Dudek is very familiar with the local marine environment through reporting, peer review, and in water marine surveys.

Marine Biological Surveys for the Charles E. Meyer Desalination Facility

Dudek marine biologists conducted a marine biological assessment of outfall pieces located in State Lands waters and electrical conduit to Intakes A and B for the Charles E. Meyer Desalination Facility. Diving occurred just outside the Santa Barbara Harbor, approximately 1.5 miles from shore. The purpose of the dives was to survey the project site for native and invasive species (eelgrass [*Zostera marina* and *Z. pacifica*] and *Caulerpa* [*Caulerpa taxifolia*]), identify the benthic faunal composition, and inspect the electrical cable/conduit system. Dudek’s Self-Contained Underwater Breathing Apparatus (SCUBA) team included qualified scientific divers, a surface support staff, and dive boat. Dudek SCUBA divers conducted pre-construction and during construction biological monitoring for desalination facility structures within the tidal zone directly east of Santa Barbara’s Stern’s Wharf. Additionally, Dudek marine biologists conducted reviews of the weekly marine species reports for the Santa Barbara Desalination Reactivation Project, ensuring construction activities in Santa Barbara Harbor were in compliance with Acts, such as the Endangered Species Act and Marine Mammal Protection Act.



Contact: Philip Maldonado, Supervising Engineer; 805.564.5486; PMaldonado@SantaBarbaraCA.gov

El Estero Resource Treatment Plant’s Electrical Distribution System Renewal Project, Environmental Services

As part of the El Estero Water Resource Center Electrical Distribution Upgrades Project, which involved electrical power and distribution improvements to support significant capital improvements that have already been completed or are identified for implementation within the next 25 years, Dudek revised its biological assessment and Phase I archeology reports to support the City through the CEQA process. Dudek was also tasked with responding to City development’s comments on the report as well as attendance at the Historical Landmark Commission meeting.



Charles E. Meyer Desalination Plant Waterline to Mission Street, Environmental Services

Dudek provided air quality and cultural support services for the City’s desalination to Mission project. The project is part of a larger plan to convey water from the newly commissioned Santa Barbara Desalination Plant to the existing Cater Water Treatment Plant clearwell (reservoir). Feeding water to this reservoir will facilitate distributing water throughout the City of Santa Barbara and the Montecito Municipal Water District. The project would install approximately 11,800 linear feet of 24-inch polyvinyl chloride potable water pipe underground and through City streets from the Desalination Plant to the intersection at Mission Street and Garden Street. At that point, the pipe will



intercept an existing water main. The water main will be repurposed to convey water from that point to the Cater WTP as part of a separate project. This project includes an upgrade to the existing pump station located at the desalination plant and the installation of a fresh-water pipeline from the desalination plant to Mission Street and Garden Street. The cultural service provided by Dudek included all tasks consistent with CEQA and the City's MEA including but not limited to CHRIS records search, literature and historic map and aerial photo review, background research, pedestrian survey, client consultation and representation at the Historic Landmark Commission Meeting. Dudek evaluated the air quality and greenhouse gas impacts from construction and operation of the project. Dudek evaluated the project in accordance with the CEQA Guidelines and significance thresholds developed by the City and Santa Barbara County Air Pollution Control District. All impacts were determined to be less than significant.

Contact: Tom Evans, Project Engineer; 805.560.7544; tevans@santabarbaraca.gov

Charles E. Meyer Desalination Plant Intake Platform Hardening

Dudek is providing environmental and coastal permitting services for the City of Santa Barbara as they conduct repair and maintenance work on the intake pump platforms for the Charles E. Meyer Desalination Plant, originally constructed in 1991. Dudek biologists and planners are working alongside the project's engineers to evaluate current environmental conditions and project needs, and analyze the potential design and methodology alternatives. All project details are being designed to comply with CCA requirements. Dudek is also conducting the necessary technical studies on air quality, water quality, noise, and biological resources, and using those updated studies to complete an EIR addendum. Finally, Dudek coastal planners are coordinating with the CCC's Energy and Ocean Resources Division to obtain a CDP for the project.

Poseidon Water

Contact: Josie McKinley; 760.655.3900; jmckinley@poseidonwater.com

Carlsbad Power and Desalination Plants EIR, Permitting, and Marine Services:

Dudek prepared an EIR for a precise development plan (PDP) for the Encina Power Plant, including the proposed Carlsbad Desalination Plant, in the City of Carlsbad, California. The project consisted of land use approvals to construct and operate an approximately 50-million-gallon-per-day seawater desalination plant and other appurtenant and ancillary water and support facilities to produce potable water. The project is the only large-scale seawater desalination plant on the west coast to have received approvals and permits from all major regulatory agencies, including the CCC, California State Lands Commission, RWQCB, and other local and state responsible agencies.



Primary environmental issues associated with the project included the impact analysis of the saline concentrate discharge from the desalination plant on marine species to assess potential adverse effects of the discharge, based on empirical studies of increasing salinity levels in controlled laboratory experiments. The data from dispersal modeling and salinity tolerance studies were used to develop appropriate CEQA thresholds for environmental effects. The EIR also examined prey species issues related to potential reductions in fish populations from impingement and entrainment effects. The desalination plant proposes to use an existing open ocean intake associated with the Encina Power Plant. The impingement and entrainment studies were prepared in accordance with the requirements of the Clean Water Act Section 316(b) and the results of the studies were used to assess fish population dynamics and their potential effects on California brown pelican and California least tern as well as other bird species.

The EIR also addressed the impacts on terrestrial biological resources associated with the pipelines that are proposed to distribute the water to end users. In addition to biological considerations, other issues addressed include the project's relationship to land use and planning, air quality impacts, aesthetic impacts, geology and soils, hydrology, cultural resources, noise, traffic, and utilities. The potential for the project to have growth-inducing impacts was also addressed, as it represents an augmentation to existing water supplies. The EIR addressed project alternatives, including water conservation programs, alternative sites, and alternative project components, such as different scenarios for intake and discharge.

In addition, Dudek (Santa Barbara), prepared an Essential Fish Habitat (EFH) Assessment was also prepared for the Carlsbad Desalination Plant to evaluate the effects of the Phase II Discharge Pond Blocks and Relocation and Replacement of Existing Gangway and Floating Dock Project on species regulated under a Fisheries Management Plan (FMP), pursuant to the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). The MSFCMA required consultation with the National Marine Fisheries Service (NMFS) on all actions or proposed actions that may adversely affect EFH. This EFH Assessment analyzed how the project would affect EFH for species regulated under a FMP. This assessment included Habitat Areas of Particular Concern (HAPCs) for eelgrass and canopy kelp, an analysis of project impacts, and mitigation measures.

Huntington Beach Seawater Desalination Plant

Dudek was contracted by Poseidon Water LLC to prepare and submit the Subsequent/Supplemental Environmental Impact Report (SEIR) for the proposed Seawater Desalination Plant in the City of Huntington Beach. Dudek was contracted to describe the proposed changes to the project (based on comments, new significant environmental effects, new information of substantial importance, and/or an increase in severity of previously identified significant effects) and the circumstances under which the project will be implemented, in accordance with CEQA Guidelines, section 15162. Dudek is also responsible to revise and update all sections of the previous Draft EIR, incorporating all previously conducted and adequate technical studies, with supplemental information and studies provided as necessary.

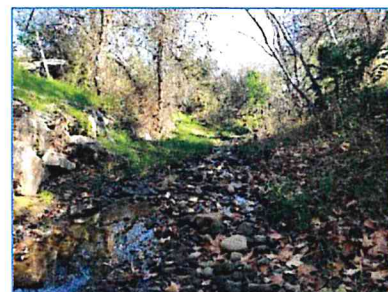


City of Goleta

Contact: Andy Newkirk; 805.961.7500; anewkirk@cityofgoleta.org

Creek and Watershed Management Plan

The City of Goleta contracted with Dudek to develop a comprehensive Creek and Watershed Management Plan (CWMP), as required by the City's General Plan Implementation Action CE-IA-3 and consistent with Policy CE-10. Dudek is providing the City with a multi-disciplinary team involving biologists, planners, hydrologists, geomorphologist, and outreach specialists to develop the CWMP. Baseline field studies performed for the project involve geomorphology and biological assessments in order to understand the creek structure, vegetation characteristics, and existing habitat components for common and special-status species within and along each of the 12 creeks that traverse the City's boundaries. In April 2020 Dudek is undertaking wildlife corridor, tracking, and riparian bird studies throughout all creeks to provide a more thorough understanding of wildlife movement and current uses of these resources.



In addition to the tasks mentioned above, the project involves background research, desktop analyses for water quality assessments, and public communications and local engagement (e.g., tabling at events, coordination of outreach and public workshops, generation of meeting materials and presentation at two public workshops, organization and convening of a technical advisory committee members and meetings). Dudek is continuing to work with the City staff in the development of the CWMP, which includes topics on policy and regulations, stakeholder engagement, baseline results, impacts analysis, management actions and implementation strategies, monitoring and reporting, and an adaptive management plan.

Montecito Water District

Contact: Nick Turner, General Manager; 805.969.2271; nturner@montecitowater.com

Initial Study and Negative Declaration

Dudek prepared an Initial Study/Negative Declaration (IS/ND) for the Montecito Water District. The Montecito Water District purchased 4,500 acre-feet of groundwater storage capacity within the Stored Water Recovery Unit (SWRU) of the Semitropic Water Banking and Exchange Program. The Semitropic Water Storage District (Semitropic) is one of eight water storage districts in California and is the largest in Kern County. The SWRU of the Semitropic Water Banking and Exchange Program is located in north-central Kern County in the San Joaquin Valley, approximately 20 miles northwest of the City of Bakersfield. The total area of Semitropic is 220,000 acres, with approximately 159,000 acres irrigated. There are no incorporated cities within Semitropic, which was organized in 1958 for supplying supplemental water within its service area boundaries.



Participation in the Semitropic Water Banking and Exchange Program provides Montecito Water District with the right to recovery of 1,500 acre-feet of water per year of the 50,000 acre-feet of SWRU pumpback capacity. Montecito Water District also has the right to use any SWRU pumpback capacity not used by other SWRU banking partners, subject to restrictions and costs as specified in the Semitropic Water Banking and Exchange Program Agreement. The project involved conjunctive use of surface and groundwater through iterative exchanges through the San Luis Reservoir and Semitropic SWRU and delivery through the existing state water delivery system.

City of Pismo Beach

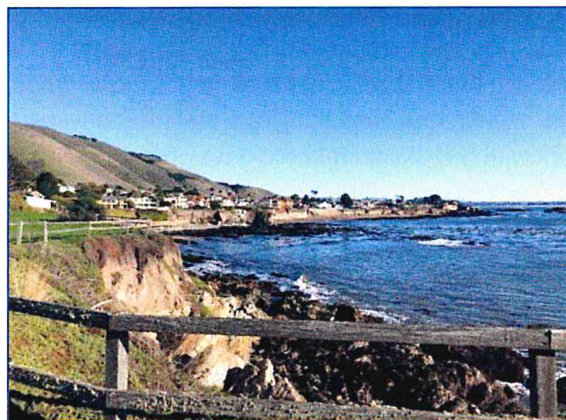
Contact: Jeff Winklepleck, Community Development Director; 805.773.7089; jwinklepleck@pismo-beach.org

Pismo Beach Sea Level Rise Vulnerability Assessment and LCP Update

Dudek is updating the City of Pismo Beach's combined LCP/General Plan to address updates to state law, as well as the potential impacts of SLR and associated coastal hazards. The City's LCP/General Plan is a combined document meeting both the state General Plan requirements and LCP requirements. The city's LUP is outdated and the city currently operates with two Zoning Ordinances (inland and coastal).

To better understand the hazards pertinent to Pismo Beach, Moffatt and Nichol prepared a Vulnerability Assessment and an Adaption Plan that utilizes the best available science. Using this technical analysis, Dudek's coastal planning team is updating the City's Safety Element by drafting new goals and policies regarding coastal hazards and shoreline development, in accordance with CCC's latest SLR policy guidance.

In addition to the Safety Element, Dudek is working with the City to update its Land Use, Conservation and Open Space, and Noise Elements with reference to the CCC most recent LCP Update Guide. These updates will incorporate studies that have been recently approved or are currently in progress, including the Circulation Element, Accessory Dwelling Unit Ordinance, Short Term Rental Ordinance, and a Low-Cost Visitor Serving Accommodations Study.



Overall, the Dudek team’s approach will ensure that the LCP/General Plan successfully represents the unique character and priorities of various community interests within the City, while ensuring consistency with CCA. The coastal planning team participates in monthly coordination calls between City and CCC staff, ensuring that critical issues are addressed early in the process. Throughout the LCP/General Plan update, Dudek is also facilitating stakeholder engagement by assisting the City with public workshop information and materials and incorporating input from the local technical advisory group.

City of Gonzales

Contact: Patrick Dobbins, Public Works Director; 831.675.5000; pdobbins@ci.gonzales.ca.us

Preliminary Design of New Separate Industrial Water Recycling Facility Industrial Collection System

Dudek was contracted by the City of Gonzales to design a new separate industrial wastewater collection system and water reclamation facility (WRF) to convey and treat over 1.0 million gallons per day of vegetable processing wastewater. The City is faced with a need to expand treatment capacity and protect their existing domestic plant from contaminants in the industrial wastewater, which affect their biological treatment process, and elected to proceed with a new separate facility. The project objective is to develop the preliminary design and evaluate the separate industrial collection system to



provide the City with the appropriate alignment. Preliminary design included evaluation of two alternative industrial wastewater collection system trunk sewer alignments to convey wastewater flows from a cluster of large agricultural processing businesses to the site of a new industrial WWTP located next to the City’s existing WWTP. The preferred alignment (approximately 2 miles) of new 21-inch diameter gravity pipeline was developed to a 30 percent design level design with the intent of completing final design in parallel with the final design of the new industrial WWTP. The project includes engineering design, obtaining State Revolving Funds (SRF) funding, CEQA+, groundwater infiltration testing, and obtaining necessary regulatory approvals. Final design began in December 2020. The finished project will convey wastewater follows from agricultural processing businesses to the new industrial WWTP.

Long Term Waste Management Plan

Dudek prepared a Long-Term Wastewater Management Plan that evaluated the City's wastewater collection and treatment facilities to plan for growth and treatment expansion. The report was tailored and formatted to provide information to the RWQCB to approve the plan and facilitate permit updates. The project outlined alternatives to expanding wastewater treatment capacity, utilizing several previous studies and reports that the City had completed to satisfy the RWQCB. The plan ultimately culminated in the decision to proceed with a separate industrial treatment plant to treat industrial wastewater separately from the domestic system.

Consulting Services for Compliance Work Plan Support

Dudek prepared a Compliance Work Plan and Long-Term Wastewater Management Plan update in response to a letter from the RWQCB with a tight schedule deadline. The compliance work plan evaluated the treatment process, identified immediate recommendations to improve treatment performance, and outlined an industrial pretreatment program implementation plan for the City. The project also included updates to the Long-Term Wastewater Management Plan, specifically a hydrogeological study to evaluate impacts of effluent discharge to the groundwater and groundwater monitoring system (well network).

City of Santa Barbara

Contact: Tom Evans, Project Engineer; 805.560.7544; tevans@santabarbaraca.gov

Charles E. Meyer Desalination Plant Intake Platform Hardening

Dudek is providing environmental and coastal permitting services for the City of Santa Barbara as they conduct repair and maintenance work on the intake pump platforms for the Charles E. Meyer Desalination Plant, originally constructed in 1991. Dudek biologists and planners are working alongside the project's engineers to evaluate current environmental conditions and project needs, and analyze the potential design and methodology alternatives. All project details are being designed to comply with CCA requirements. Dudek is also conducting the necessary technical studies on air quality, water quality, noise, and biological resources, and using those updated studies to complete an EIR addendum. Finally, Dudek coastal planners are coordinating with the CCC's Energy and Ocean Resources Division to obtain a CDP for the project.

City of San Clemente

Contact: Ziad Mazboudi, Deputy Public Works Director; 949.361.6127; Mazboudiz@san-clemente.org

Bridge Alternatives Analysis Advising and CDP Support

Dudek coastal planners, as a subconsultant to KPFF Engineering, are working with the City on a project that involves the replacement of an existing pedestrian boardwalk bridge. The bridge is in a highly constrained site between the coastal bluffs, railroad and ocean, spans wetland habitat, and provides public access as a critical component of the California Coastal Trail. Dudek is working with and advising the project engineers on an alternatives analysis, including preparing a section that identifies CDP requirements and evaluates each alternatives' consistency with CCA and City LCP policies. This analysis will ultimately help the City choose their preferred alternative. Once an alternative is chosen, Dudek will support the City through coordination with CCC staff and will prepare and submit a CDP application package.

South Orange County Wastewater Authority

Contact: Jason Manning, Director of Engineering; 949.234.5435; jmanning@socwa.com

San Juan Creek Ocean Outfall Junction Structure Rehabilitation Project CDP Support

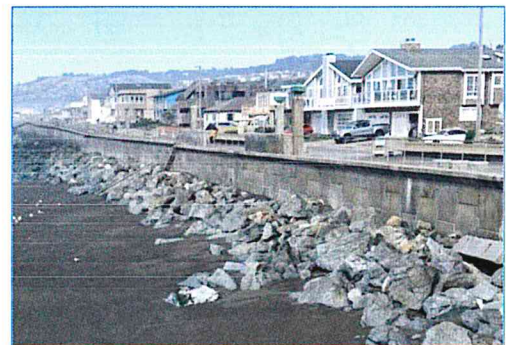
Dudek coastal planners are working with the South Orange County Wastewater Authority (SOCWA) on a project to rehabilitate the existing junction structure located on Doheny State Beach to resolve its structural deficiencies and prevent potential effluent leakage. Because the work area is located on the beach, the staging area must be within the adjacent Doheny State Beach Campground. To minimize temporary public access impacts, Dudek coastal planners coordinated closely with SOCWA, CCC, and State Parks staff to design the project and construction schedule to coincide with an already CCC-approved campground closure. Dudek expeditiously prepared and submitted a CDP application package and responded to CCC requests for additional information so that the project stayed on schedule. Dudek supported SOCWA through the CCC hearing, and the CDP was approved in August 2020. Dudek coordinated the submittal of materials for condition compliance and the CDP was issued on time, allowing construction to begin on schedule.

City of Pacifica

Contact: Ryan Marquez, PE, Associate Civil Engineer; 650.738.3769; marquezr@ci.pacifica.ca.us

Beach Boulevard Infrastructure Resiliency Project

GHD is providing SLR resiliency services for the replacement of the City of Pacifica’s Beach Boulevard Seawall. The 2,600 foot long Beach Boulevard seawall is located on the rugged Pacific Coast, approximately 10 miles south of San Francisco, in an area renowned for coastal hazards such as bluff erosion, wave runup and flooding. These hazards are expected to increase with SLR and pose a significant threat to the infrastructure, public access and property behind the existing seawall.



The purpose of the Beach Boulevard Infrastructure Resiliency Project is to ensure public health and safety in the vicinity of Beach Boulevard, including the West Sharp Park downtown neighborhood, home to a thriving community of the City of Pacifica.

The seawall has continued to fail along the northern portion almost since construction completion in the mid-eighties. Waves crash over the seawall onto the road several times a year creating hazardous conditions for the general public and causing road closures along the northern portion of Beach Boulevard. This project aims to assess the risks, controlling factors, and reconstruction options for the seawall and promenade, considering environmental factors, stakeholder and community engagement, coastal, geotechnical and economic impacts. GHD’s project scope includes:

- Multi-hazard risk assessment
- Stakeholder and community outreach, and
- Comprehensive feasibility study,
- Design alternatives analysis.

GHD have assembled a team of professionals dedicated to an approach that will ensure that the replacement of the Beach Boulevard Seawall meets the City and the Community’s needs, objectives and budget and importantly will be supported by the CCC and regulatory agencies, and aligns with the City’s Local Coastal Land Use Plan.

City of Carlsbad

Contact: Mike Grim, Senior Programs Manager; 760.602.4623; Mike.Grim@carlsbadca.gov

Climate Adaptation Project

GHD, through close collaboration with the City and project partners (i.e. California Coastal Conservancy and CCC, Scripps Institution of Oceanography) are seeking to retreat a one-mile segment of Carlsbad Boulevard from the coast in order to protect the roadway and re-vision acres of coastal land with multi-use trails, community spaces and environmental restoration areas. Central to the planning of this



space and the future alignment of the road are projected future coastal hazards; specifically cliff erosion, shoreline erosion, and flooding. As part of the project, the Center for Climate Change Impacts and Adaptation at Scripps Institution of Oceanography (CCIA or SIO) is developing cliff erosion hazard zones within the study area which will be used to develop a phased adaptation plan that enhances public access and amenities while accommodating future coastal hazards.

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Business Organization

Dudek, the prime contractor, was founded in 1980 in Encinitas, California as a small civil engineering consulting practice working for municipal wastewater agencies and private land developers in San Diego County. The firm steadily grew its civil engineering practice through the 1980s, expanding throughout Southern California.

In 1990, the firm started an environmental practice in response to expanding state and federal environmental regulations. Primarily through organic growth and limited acquisitions of small firms, Dudek has grown to a 600-person multi-discipline environmental and engineering firm with offices throughout the United States. Dudek is ranked as one of the Top 125 U.S. Environmental Firms (*Engineering News-Record*, 2020). Joe Monaco serves as president and CEO. Frank Dudek, company founder, continues to serve as chairman of the board.

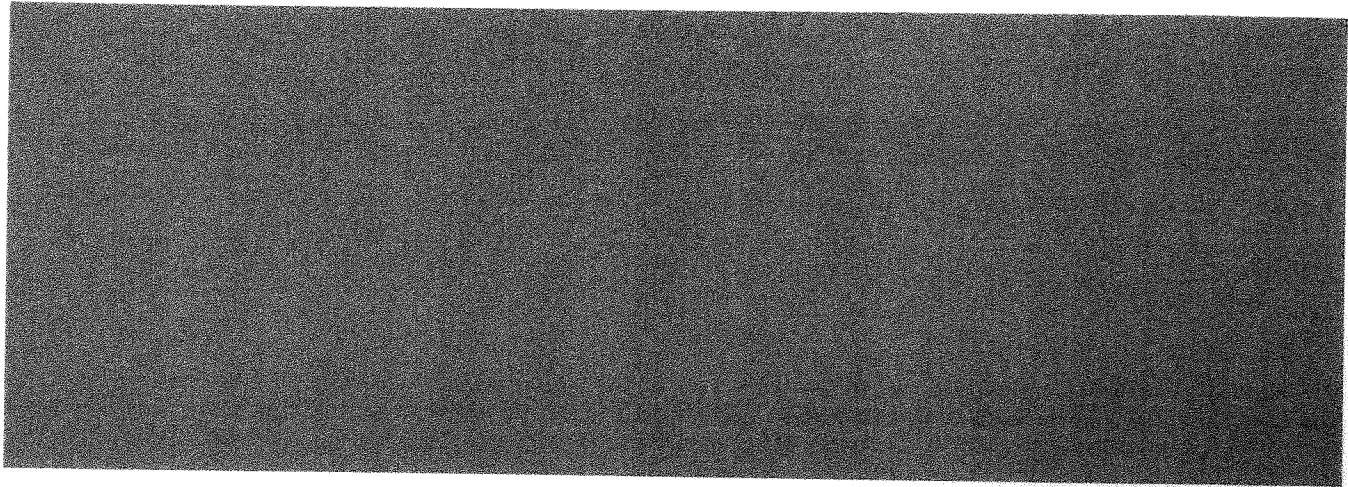
Table 2 presents the business organization and information for Dudek and subconsultant, GHD.

Table 2. Firm Information

Dudek	
Founded	1980 (Encinitas, California)
Organization	California Corporation (C1210012)
Federal Tax ID	95-3873865
Headquarters	605 Third Street, Encinitas, California 92024 T: 760.942.5147 F: 760.632.0164
Local Office	621 Chapala Street, Santa Barbara, California 93101 T: 805.963.0651 F: 805.963.2074
GHD	
Founded	1928 (Melbourne, Australia)
Federal Tax ID	98-0425935
Headquarters (North America)	320 Goddard Way, Suite 200, Irvine, California 92618 T: 949.648.5200
Local Office	669 Pacific Street, Suite A, San Luis Obispo, California 93401 T: 805.858.3142

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PROPOSAL TO PROVIDE PROFESSIONAL SERVICES
COASTAL HAZARD RESPONSE PLAN
SAN SIMEON COMMUNITY SERVICES DISTRICT

RECEIVED

DEC 17 2020

BY: CAM

RECEIVED MURRAY
By: LORENA MURRAY
Name and Title: Office Manager
Date and Time: 12/17/2020
Thank You!



December 17, 2020

San Simeon Community Services District
111 Pico Avenue
San Simeon, CA 93452
Attn: Mr. Charles Grace, General Manager

Subject: Proposal for **long-term community Coastal Hazard Response Plan**

Dear Mr. Grace:

The California Coastal Commission requires your District to address one hazard, coastal erosion as sea level rises at one facility, the wastewater treatment plant. However, climate change is impacting San Simeon, and every coastal community, with erosion and other issues including, saltwater intrusion in coastal aquifers, longer and more intense droughts, less frequent but more intense rainfall, and ocean acidification. This leaves you with a choice for your plan:

A 30 year planning horizon limited to District's wastewater treatment plant with a set schedule for moving it.

A 50-100 year planning horizon expanded for the whole community, potable water supply, wastewater, and the coastal environment with a flexible schedule based on event triggers.

Hasan Consultants, a civil and environmental firm and OceanForesters, an ocean engineering firm are only interested in providing the long-term hazard response plan. We are confident our combination of early-stage value engineering, intimate knowledge of options for state-of-the-art small water resource recovery facilities and collection systems, and California living reefs ensures:

- The cost of projects adapting the community to climate change will be less than that of adaptation projects planned and built piecemeal.
- Event triggers will ensure that each pre-planned action is taken at the most effective time.
- District's long-term whole-community response plan would be a strong contender for numerous grants.
- The cost of our producing a long-term hazard response plan is likely similar to what others will charge for producing a short-term one.

You can call us directly with any question at anytime at (805) 218-5574.

Sincerely,

M. A. Hasan, dual M.S., P.E., R.E.A., F. ASCE, PWLF
Principal

Mark E. Capron, PE
OceanForesters

Enclosure

Table of Contents

A.	Letter of Transmittal	...	1
B.	Narrative	...	3
	1.	Brief resumes	
	2.	Description of services	
	3.	Standard rate sheet	
C.	References	...	3
D.	Confirmation of Business Organization	...	6

**COASTAL HAZARD RESPONSE PLAN
FOR THE
SAN SIMEON COMMUNITY SERVICES DISTRICT**

B. Narrative

The California Coastal Commission requires a Coastal Hazard Response Plan addressing the future of your District's wastewater treatment plant. The future of your treatment plant is tied to the future of your water supply as well as the future of your customers' residential and commercial properties on the west side of Highway 1.

In addition to those deliverables listed in the request for proposals, a long-term community Plan could consider: a living reef, formation of a geologic hazard abatement (and living reef maintenance) district, freshwater supply, and even emerging trends that could influence property values (such as virtual office work).

1. Brief relevant resumes

The District will be served by three senior professionals on this project, they are:

Mohammed Hasan, P.E., Principal in charge
Mark Capron, P.E., Senior Project Manager
John Mundy, Grade 5, MPA., Project Manager

Their resumes are all included in the following pages, resume section. Only that of Mark Capron, the Senior Project Manager is highlighted below in this section of brief resumes.

Mark E. Capron, PE C 31510 was the wastewater engineer for Ventura Regional Sanitation District (VRSD). During Mr. Capron's tenure, VRSD operated about 10 wastewater treatment plants, a potable water system, and a recycled water system for several special districts and schools. His achievements include convincing 35 property owners in Bell Canyon to fund construction of a grinder pump sewer system serving 150 lots. Many lots had failing septic tank systems. He designed and managed the construction of the sewer system.

Mr. Capron managed the project team improving the sewer system for Malibu Bay Club from failed beach-side septic tanks to mostly below-ground tertiary treatment with UV disinfection. Processes were within 20 feet of residence front doors and bedroom windows with no odor complaints and one (resolved) noise/light complaint.

Mr. Capron managed the project team preparing environmental documents, finding funding, design, construction, and operation of the Saticoy Sanitary District (SSD) wastewater treatment and collection improvements. SSD customers put up \$535,000 while obtaining \$5 million in grants and loans for a plant upgrade and extension of the sewer system to commercial properties. The commercial properties repaid the loan. The grant paid for upgrading SSD's treatment from a community septic tank to secondary with nutrient removal.

Since 2008, Mr. Capron has merged his pre-VRSD ocean engineering and water resource recovery expertise in OceanForesters. The OceanForesters are working with the UN Decade of Ocean Science for Sustainable Development. They are combining living reefs, seafood production ecosystems, and water resource recovery (the sustainable version of “wastewater treatment”).

2. Description of Services

The team of Hasan Consultants and OceanForesters provides these relevant services to produce a long-term community Plan that is resilient and sustainable for your District, the California Coastal Commission, San Luis Obispo County, the Regional Water Quality Control Board, California State Parks, and other relevant regulators and stakeholders:

- a. Details of design, performance, and cost for living reefs appropriate for offshore California. If agreed, these would be provided within 2 months of award allowing time for discussion with other agencies without impacting the February 1, 2022 completion date.

Communities around the Earth are managing and creating living reefs that will continue to protect coasts from wave erosion as sea level rises. Coral and mangroves are the most common living reefs. Neither grow offshore California. A California living reef would consist of creatures which stabilize sand, such as mussels and tube worms. Tube worms and kelp grow in a symbiotic relationship. Because California’s kelp and tube worm forests are depleted, it may be necessary to plant granite stakes in the seafloor at 5 to 10-foot intervals to re-wild tube worms and kelp for an effective living reef. Mounds of mussels also form living reefs, starting on hard objects placed on sandy seafloor.

A living reef and sand stabilizing should appeal to long-range thinkers at the California Coastal Commission. This because, without a living reef, sea level rise eliminates the beach. Ocean waves will be breaking against a cliff. There may be a little sand (the product of cliff erosion) temporarily at the base of the cliff. The San Simeon community might find it useful to join BEACON (Beach Erosion Authority for Clean Oceans and Nourishment) and/or imitate the Broad Beach Geologic Hazard Abatement District, which was formed to address beach erosion.

- b. Detailed estimates of the magnitude of events that would trigger pre-established actions as well as probabilistic estimates of when those trigger events are likely to occur. Estimating the rate of sea level rise is difficult because the rate of glacier melting is a huge unknown (swings of tens of feet for 2100, maybe swings of several feet for 2050). The trigger event could be an actual amount of sea level rise or the prediction of quick (a decade is quick) sea level rise due to structural weakening in either Greenland or Antarctic glaciers.

For example, we may find the treatment plant can be inexpensively hardened to survive what used to be a 500-year storm on top of a to-be-determined amount of sea level rise. The pre-established actions could include having taken an option to buy a property, acquired easements for future construction, completed permitting for future construction and operation, ... The presence of a living reef would affect the size of the trigger events. For example, the trigger without a living reef might be current sea level. The trigger with a living reef might be another foot of sea level rise.

- c. Identifying all reasonable actions, many with simple quantification of parameters, a few with detailed quantifications. The environmental document needs an impressive list of considered options in any case.
- d. All the deliverables as mentioned in the request for proposal's Scope of Work. Our experience includes all sizes of water resource recovery from single family secondary treatment followed by percolation to 10 million gallons per day Title 22 recycled water quality.

Firm's comprehensive experience

Numerous civil engineering projects including water/wastewater systems have been successfully completed by Hasan Consultants. Here is a partial list of the public agencies we have recently served:

- California Public Utilities Commission
- City of Los Angeles
- City of San Fernando
- City of Camarillo
- City of Port Hueneme
- County of Ventura
- City of Ventura
- City of Oxnard
- Ojai Valley Sanitation District
- City of Santa Paula
- City of Ojai
- Oceanview School District
- Ventura Unified School District
- Ventura and Moorpark Colleges
- Ventura Community College District
- United Water Conservation District
- Casitas Municipal Water District
- Ventura Regional Sanitation District

News Story

An example of a news story of Hasan Consultants' project in the local newspaper, Ventura County Star is included in the following pages. This unusual pipeline project was completed for the Casitas Municipal District in an area known for mega slides near La Conchita in the western part of Ventura county. The project has received national attention in drilling magazines for innovative design.

3. Standard rate sheet

Key staff allocation

Hasan Consultants and OceanForesters share the same office building in Ventura, CA. Mr. Mark Capron also assists Hasan Consultants on civil and environmental projects.

The District will be served by three senior professionals on this project:
Mohammed Hasan, P.E., Principal in charge
Mark Capron, P.E., Senior Project Manager

John Mundy, Grade 5, MPA., Project Manager

The hourly rate for each individual is the same, \$200/ hr.

C. References

Mr. Steve Blois Director and Board Secy, Metropolitan Water Dist. of S. California
Past Board Member, L.A. Regional Water Quality Control Board
Director, Calleguas Municipal Water District
(805) 732-0005

Mr. Russ Baggerly Director
Ojai Basin Groundwater Management Agency, Ojai, CA
(805) 640-1207

Dr. Reginald Blaylock Asst. Director, Thad Cochran Marine Aquaculture Center
University of Southern Mississippi, MS
(228) 818-8003

Mr. John Minkel Water and Wastewater Manager
City of Thousand Oaks, CA
(805) 491-8121

Additional references will be submitted as necessary.

D. Confirmation of business organization

Note: A pull-out (unbound) copy of this item, item D, is provided at the end of this proposal.

Hasan Consultants

m.hasan@hasanconsultants.com

Mailing address:

P. O. Box 6385
Ventura, CA 93006

Street address:

2436 East Thompson Blvd.
Ventura, CA 93003

Business License, City of Ventura

Federal Tax ID: 483749910

Phone: (805) 218-5574 cell

Fax: (805) 639-0307

OceanForesters

markcapron@oceanforesters.com

Street address:

2436 East Thompson Blvd.
Ventura, CA 93003

Business License:

Ventura 130014203

California Corporation:

C3259421

Federal Tax ID: 27-1432094
Phone: (805) 760-1967 cell
Fax: None

E. General

Insurances

Hasan Consultants' current insurances are shown on the single page information sheet for the company in the following pages.

No conflicts

Hasan Consultants and Performance Pipeline Technologies, their employees and associates have no past, or present conflict, nor anticipates any conflict that could affect this project work and the ability to complete the O&M services on schedule.

No District Liability

Both Hasan Consultants and OceanForesters clearly acknowledge that the District is not liable for any of our preparation and submittal costs for this proposal. The District may accept or reject any proposal or proposed agreement without limitation. Nothing creates any vested rights in any person

Contact person:

Mohammed A. Hasan, P.E.
Principal Engineer and Owner
Hasan Consultants
m.hasan@hasanconsultants.com
(805) 218-5574 cell

Mailing address:

P. O. Box 6385
Ventura, CA 93006

Street address:

2436 East Thompson Blvd.
Ventura, CA 93003

Mohammed Hasan will be the Principal-in-charge responsible for direct liaison with the District.



HASAN CONSULTANTS

Civil Engineering • Environmental Engineering/Planning

hasanconsultants.com

(805) 218-5574

Background

Since 1984, Hasan Consultants, a civil engineering and environmental engineering/planning firm, has provided local clients with consulting services in the areas of water, wastewater and solid waste, land development, environmental assessment, residential construction, commercial modification, surveying and parcel maps, aerial photography, grading, drainage, structural design and repairs, street improvement, underground tanks, toxicity, source control, traffic and transportation, and stormwater permitting. In addition, the staff of Hasan Consultants has experience in preparing EIRs, processing environmental projects and obtaining environmental permits.

Services Offered

- Design
- Plans and Specifications
- Cost Estimates
- EIR Preparation
- Master Plans
- Construction Inspection and Management
- SWPPP Preparation and Permitting
- Drafting and Graphics
- Phase I and II Investigations
- Coordination with Regulatory Agencies
- Grant Application Preparation
- Field review and Monumentation
- Permitting, Sampling and Monitoring
- Risk Management Prevention Plan
- Client Consultation
- Feasibility Studies
- Expert Witness
- Water/Energy audit
- Vulnerability Assessment
- Operator Training

Principal

Mohammed A. Hasan, dual M.S., P.E., R.E.A., F.ASCE, PWLF
Civil and Environmental Engineering/Transportation

Associates

John Mundy, MPA, Grade V
Senior Project Manager

Steven Birge, P.E., P.L.S.
Senior Civil Engineer/Surveyor

Richard Herrera, P.E., T.E., PTOE
Senior Associate, Traffic/Transportation

Mark Capron, M.S., P.E., M.ASCE
Environmental Manager

Max Copenhagen, M.S., CH
Hydrology and Watershed Manager

Wyatt Troxel, B.S., Grade V
Process Control Manager

Current Insurance and Indemnification

Hasan Consultants currently carries full range of insurances. Our general liability insurance limit is \$2,000,000.00. Professional liability limit is \$1,000,000.00.

- General Liability – State Farm Insurance
- Professional Liability – ASCE - Pearl
- Workers Compensation - State Comp Insurance Fund
- Automobile – Mercury Insurance

Minority, Small and Disadvantaged Business

Hasan Consultants is certified as a minority, small and disadvantaged business enterprise.

California Department of Transportation, Certification # CT-020907

California Office of Small and Minority Business, PIN # 419157

California Department of General Services, small business certification

California Public Utilities Commission - WMBE Clearinghouse

Ventura

Thursday, January 17, 2013

Technique touted in La Conchita job

■ **Drilling found to spare money, land**

By **Stephanie Snyder**
stephanie.snyder@vcstar.com
805-437-0216

The Casitas Municipal Water District saved millions of dollars and spared the surrounding environment by using an innovative drilling technology to replace 1,200 feet of damaged

water pipeline that serves parts of the Ventura County beach community.

To replace the pipeline, the water district's board of directors considered options costing up to \$6 million — to build a bridge across the canyon near La Conchita — but decided on the less environmentally invasive directional drilling technique to embed the pipeline in the canyon at an angle. The cost was \$620,000.

"We could have put a bridge there to put across the canyon or we could've gone around; it would have cost three, four, five times more than what we have achieved," said Mohammed Hasan, principal consulting engineer for the project. "The most interesting thing in this project was that we did not disturb anything. No flora or fauna was disturbed."

Speaking to about 50 people Tuesday night at the Coast Geological Society's monthly meeting in Ventura, Hasan said it was the first directional drilling project in the Western United States used to build a large pipeline for drinking water.

The project was completed in April after nearly two months of drilling into the land at an angle using a constantly moving drill rig, Hasan said.

"It's basically a lesson in cooperation, a lesson in ability to think in terms of innovative solutions," Hasan said. "Time, money and also the environmental pollution — all these problems, we solved it."

The original pipeline was constructed in the 1960s. Builders cut down a 70-degree slope of the canyon, creating irreparable damage to the land, Hasan said.

"It's still bald," he said. "Today, environmental regulations will not allow you to cut like this, and it would be so unfair because ... the scars

are still there. We damaged the Earth. That's what happens."

The original line was installed by means of a burial method in the ravine that is no longer viable because of increased regulations and safety issues, said Neil Cole, the water district project manager overseeing the new pipeline.

The water pipeline was damaged in 2005, not because of a landslide that killed 10 people and destroyed 13 homes but because of erosion and debris. A temporary repair was made, but it soon became clear that a full replacement had to be made, Cole said.

Cole said he hesitated about using directional drilling because problems arose when he used the technique on a past project.

"There was some concern on my part ... but it did make the most sense in this case," he said.

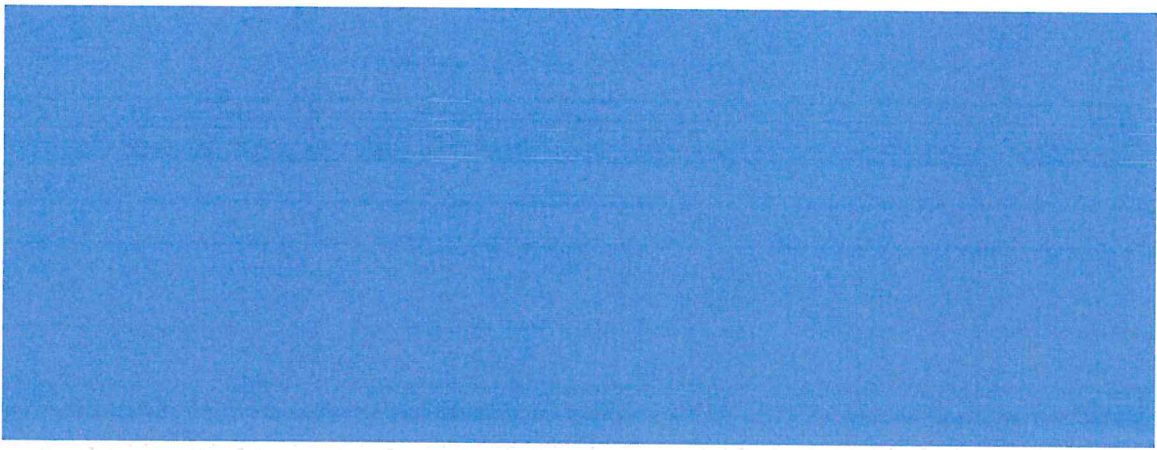
The success of the proj-

ect has convinced Cole that directional drilling will "be used quite a bit" in Ventura County.

Hasan's use of directional drilling has garnered local attention. In addition to Tuesday night's meeting, he will travel to Santa Barbara next week to speak to the American Society of Civil Engineers.

Robert Dame, vice president of the society and a geophysicist for the Interior Department in Camarillo, said he was impressed by Hasan's design to build the pipeline in an "environmentally friendly way."

"The project was pretty interesting; using directional drilling in an area that's fairly challenging from a design standpoint," Dame said. "That project saved the Casitas Water District several million dollars. ... With budgetary constraints, that can be a pretty attractive alternative to doing a surface pipeline."



Résumés

Mohammed A. Hasan, M.S., P.E., PWLF, F. ASCE
Principal
Hasan Consultants

Education

M.S., Environmental Engineering, University of Iowa
M.S., Transportation Engineering, University of Iowa
B.S., Civil Engineering, NED University of Engineering and Technology

License

Professional Engineer (Civil), California
Community College Instructor Credential, California

Membership

, American Society of Civil Engineers- Fellow
American Water Works Association, Distinguished Life Member
California Water Environment Association
American Public Works Association, Leadership Fellow
Channel Counties Water Utilities Association - President
Consult/Net - President
Association of Water Agencies - Director
Association of Environmental Professionals
North American Society for Trenchless Technology
American Society of testing Materials

Experience

Mr. Hasan has over thirty five years of diversified professional experience in engineering, management, research and teaching. Specific areas of expertise include water and wastewater system design, storm water compliance, land development and grading, street improvement, traffic and transportation studies, underground tanks evaluation, site assessment and remediation, hazardous waste management, geohydrological investigation, and regulatory agency compliance. The following is a summary of his experience.

1984-Present Principal Engineer, Hasan Consultants, Ventura, CA

Oversees all projects involving civil engineering, environmental engineering and planning. Areas in which Hasan Consultants specializes include water and wastewater systems, roadway projects, traffic and transportation, drainage and flood control and water supply system design, operation and maintenance. Some of the more extensive and prominent projects which have been prepared under Mr. Hasan include:

Procurement audit of the largest private water company in California for the Public Utilities Commission.

Design and construction management of asphalt overlay of various streets, City of Ojai-residential Streets and parking lots along with specifications and engineers cost estimates.

Public Hearing, Design and construction management of crosswalks, trail crossings, bike-ped improvements for City of Ojai.

Design, Specifications, Cost Estimates, Construction assistance and Preliminary Engineering Report for Casitas Municipal Water District for the completion of a large canyon pipe crossing, 150' deep. After evaluation of various alternatives, Horizontal Directional Drilling was used for this construction of a twelve hundred feet of 14" pipeline.

Complete Civil and Environmental design for Dole Berry complex on Gonzales Road in Oxnard including storm water pollution prevention.

Design and construction management of \$1.2 million earthquake sewer repair project for the City of San Fernando.

Feasibility study for the City of Fillmore new Foothill pressure zone.

Ventura Unified School District: Various projects including asphalt rehabilitation, grading and hydrologic studies.

Operations and Maintenance Manual, Moorpark Wastewater Treatment Plant, County of Ventura.

Wastewater collection system rehabilitation, City of Camarillo.

Pavement overlay design, specifications and estimates, City of Ojai

City of San Fernando Truman Street Reconstruction project involving design of pavement and consideration of Federal funding to best suit the needs of the City.

Design of campsites at the Lake Piru Recreational Area including water and sewer system conveyance and treatment: this was performed for the United Water Conservation District, Santa Paula. This project included grading, access road paving, construction of restroom facilities and handicap regulation compliance for the Park.

Design and construction management of water distribution system improvement for Channel Islands Beach Community Services District, a \$2.1 million project. By innovative design, Hasan Consultants was able to save the District \$0.5 million.

Water and Wastewater system rehabilitation for Rose Valley Sheriff's detention facility in Ventura County: Provided design and drawings for over 200 inmate housing for the water distribution system including reservoir capacity analyses.

Completed entire environmental study required for discharge of brine into Arundell channel for release to ocean for Harris Water Conditioning, Inc., a water softening company in Ventura.

Completed preliminary environmental site assessment for various firms in the Ventura-Oxnard area.

Environment Site Assessment (Phase I) for the City of San Buenaventura
Redevelopment Agency.

City of San Fernando's underground tank related evaluation and report was completed to address contamination, remediation and possible compliance with statutes.

Preliminary Engineering Report was prepared for five-city fire station of the City of San Buenaventura for underground tank rehabilitation. The report reviewed the immediate environmental activities and their relationship to the tank replacement project.

1979-84 Utilities Superintendent, City of Oxnard, Oxnard, CA

Served as manager of the Utilities Division for the City of Oxnard. Responsible for production, treatment, storage, distribution and maintenance of the City's water supply system. Also responsible for operation and maintenance of both the domestic and industrial wastewater collection and disposal systems. As Project Manager for water and wastewater construction programs, prepared long and short-range capital improvement programs. Prepared the Division budget, which was in excess of 18 million dollars annually. Established Division goals and objectives, managed personnel, and coordinated projects with other government agencies and private contractors.

1974-79 Civil Engineer, Ventura Regional Sanitation District, Ventura, CA

Responsible for preparing the 1976 County Solid Waste Management Plan and for evaluating resource recovery alternatives and recycling of solid waste. Managed hazardous wastes and administered the

County's wastewater reclamation program. Designed and constructed anti-litter stations and recycling centers. Provided technical consultation on operation of existing and development of proposed landfill sites. Trained wastewater treatment facility and solid waste landfill operators. Served as project

manager for the CETA program. Prepared grant applications and source control permits for industrial waste discharges.

1973-74 Engineer, Alderman, Swift and Lewis, Consulting Engineers, South Pasadena, CA

Responsible for designing reservoirs and water distribution systems, flood control and storm drainage facilities. Also worked in traffic engineering field.

Selected Publications

Drought is not a Four-Letter Word, Amazon Books, August, 2015

Negative Carbon via Ocean Afforestation, Special-Negative Carbon Technology issue of Process Safety and Environmental Protection, Elsevier Press, London, U.K. November 2012

Earthquake Damaged Sewer System Saved by Using Trenchless Technology, Proceedings of North American Society for Trenchless Technology, Seattle, WA, April 1997

Buyers Should Check Now or Pay Later, Ventura Sun, Ventura, CA, February 1993.

Problems of Land Disposal of Hazardous Wastes, Proceedings of the 2nd National Conference on Hazardous Materials, San Diego, CA, February 1979.

Resource Recovery from Small Tonnages, Solid Waste Systems, GRCDA, May 1975

Languages

Working knowledge of the languages besides English:
Spanish, Hindi, Bengali, Urdu and Arabic

Interests

Real estate, Rotary, outdoor sports, longevity, family oriented arts and entertainment

John R. Mundy, Grade 5, M.P.A.
Senior Project Manager
Hasan Consultants

Education

M.P.A., National University
B.B.A., National University

Experience

January 2013 – Present Senior Project Manager, Hasan Consultants

Provide consulting services to cities in management and organizational support, strategic planning and policy development, organizational reviews, financial reviews, service and operational reviews and outreach program development. Senior Manager overseeing all projects at Hasan Consultants; consulting and directing managers and engineers.

January 2004 – January 2013 Las Virgenes Municipal Water District General Manager

Responsible for the overall management of the district's water, wastewater and recycled water enterprises through 119 employees. Combined Operating and Capital budget exceeded \$60 million annually. Worked with the board of directors in conducting strategic planning and formulating policies in meeting the district's core mission. Engaged regularly with the public and community leaders in furthering the service needs of the communities served.

November 1996 - December 2003 Las Virgenes Municipal Water District Director of Facilities and Operations

Led the planning, organization and direction of 75 staff members in treatment, production and quality control of the potable and recycled water systems, wastewater collection and treatment, wastewater recycling and biosolids reuse, and maintenance of all district facilities and equipment. Evaluated and recommended consultants for evaluation and design of facilities and operations.

Directed the preparation of O&M and CIP budgets exceeding \$39 million annually. Directed and participated in development and implementation of district goals and objectives with staff and the board of directors. Formulated and implemented

departmental rules/procedures/policies. Directed preparation of technical/regulatory reports, meet and coordinate with regulatory agencies, and directed development of departmental training programs. Directed the preparation and presentation of Board reports and agenda items. Acted on behalf of the general manager in his absence.

November 1991 – November 1996 City of Santa Monica Utilities Manager

Management/budgeting/planning of the city's Water and Sewer Systems, Industrial Waste Inspection and Storm Water Programs, Utility Billing Office and City Cemetery. Directed the preparation of O & M and Capital Improvement budgets exceeding \$35 million annually. Managed the development of rates, revenue, and expense projections for water, sewer and cemetery enterprises. Developed and presented budgets, appropriation requests, utility rate revisions and municipal code changes to the City Council.

January 1986 - November 1991 City of Ventura Water Superintendent

Directed resource planning, operations, maintenance, and customer service and conservation activities of the city's water system. Developed and implemented division policies and procedures, reviewed development projects for impacts on water systems. Directed preparation of O&M and CIP budgets exceeding \$8 million annually.

February 1974 – November 1985 Ramona Municipal Water District Assistant General Manager & Director of Operations (January 1984 December 1985)

Oversaw district operations. Developed annual operating and CIP budgets exceeding \$8 million annually. Prepared agenda and recommendations to the board of directors.

Other Positions Held

Wastewater Superintendent & Lead Operator
Lab Tech/Water Plant Operator
Equipment Maintenance Mechanic

Certifications

Water Treatment Plant Operator Certificate; Grade 5
Wastewater Treatment Plant Operator Certificate; Grade 5
California Community College Teaching Credential

Affiliations

American Water Works Association
American Public Works Association
Water Pollution Control Federation

Military

United States Army, 1970-1973, Honorable Discharge
<http://www.linkedin.com/pub/john-r-mundy/10/50b/396> - name

Mark Capron, M.S., P.E., M.ASCE
Senior Project Manager
OceanForesters

Education

B.S., Civil Engineering, University of California, Berkeley, CA 1976
M.S., Structural/Ocean Engineering, University of California, Berkeley 1981
U.S. Navy Dive School, Officer's Basic Diving 1982

Experience

2008-Present President of OceanForesters, Inc.

OceanForesters is organizing regional Programme proposals for the UN Decade of Ocean Science for Sustainable Development (2021-2030). The OceanForesters Programme "Science Enables Abundant Food (SEAFood with Healthy Oceans)" merges living reefs, SEAFood ecosystem lifeboats, and water resource recovery. (The term "wastewater treatment" is outdated.)

The U.S. Department of Energy Advanced Research Projects Agency – Energy (ARPA-E) funded two OceanForesters-organized teams to find ways to grow seaweed-for-biofuel inexpensively and sustainably. The same knowledge of emerging water resource recovery industry technologies that are important to global scale ocean forests that appeals to ARPA-E will be important to the HCTP Master Plan:

- a) nutrient recycling – organic to inorganic C, N, and P conversions, ammonia and phosphate recovery and concentrating, etc.
- b) energy processes and the efficiency of nutrient recovery with that process – hydrothermal liquefaction, anaerobic digestion, supercritical carbon dioxide cycles, supercritical oxidation, etc.

OceanForesters led teams have won three "paid travel to present at ASCE Headquarters" awards in the 2016 and 2017 American Society of Civil Engineers' Innovation Contest. Both the 2016 "Best Overall" award and the 2017 award blend water resources recovery and ocean forestry.

FreshMining plans to recover metals from the ash leftover after Hydrothermal Liquefaction of biosolids.

2009-September 2018 Ideas and Engineering for City of Thousand Oaks Treatment Plant.

Environmental Manager of Hasan Consultants, and founder of FreshMining.

Mr. Capron served as a part-time employee of the City of Thousand Oaks acting as Ideas and Engineering (a scientist-engineer) at HCTP. Mr. Capron helped HCTP staff select appropriate existing and emerging technologies, design, and build many repairs and process improvements. HCTP's construction tools included HCTP staff and less-than-\$45,000 informal (three-bid minimum) construction contracts. A less-than-10% sample of projects:

- Increasing HCTP hydraulic capacity from 16 mgd to over 30 mgd with a vacuum pump that uses about two kWh/year. This project won a "presentation at WEFTEC" and the first such winner featured in Water Environment & Technology for the WEF Operator Ingenuity Contest.
- When a consultant recommended 8 to 10 turnovers/day to cure foaming issues in the anaerobic digesters, the HCTP team installed one (of five) larger mixing pump on a VFD. Unexpectedly, foaming was cured and biogas production remained the same by dialing down to 1-2 turnovers/day. The project switched from five bigger pumps to a VFD on each pump and obtained an energy saving rebate from Southern California Edison.
- Improved and standardized measurement of flow out of each of the six bioreactors. The four deep bioreactors have level sensors mounted on the weir gates so that changing the water level does not require resetting the zero-flow distance.
- Improved performance of the deep bioreactors with contracted computational fluid dynamics of the anoxic zones leading to: "doors" for each baffle wall, V-port knife gate air throttle valves, permanent ladders, inexpensive mixing of the mixed liquor channel, and tuning of the simple sidestream filtrate treatment.
- Found SENTRY-BOD and arranged a free "beta-test".

1989-2010 Senior Engineer, Ventura Regional Sanitation District, Ventura, CA

While Senior Engineer for Ventura Regional Sanitation District (VRSD), Mr. Capron completed several projects with VRSD-awarded construction contracts including:

- Installing pumps and over-the-top pipes converting the existing aeration basins into nutrient removal bioreactors (a multi-year trial prior to a capital improvement conversion);
- The hopper for the dewatering building;
- The truck scales for the new dewatering building.

Elsewhere at VRSD and for Triunfo Sanitation District (TSD), Mr. Capron was responsible for envisioning, finding funding, environmental documentation, detailed design, construction, and maintenance of water, recycled water, wastewater, and energy facilities. As TSD's engineer, he managed extensions of the TSD recycled water system and its transfer of ownership to Calleguas Municipal Water District.

While at VRSD, Mr. Capron led a team winning the California Water Environment Association's Engineering Innovation Award, the Ventura County Business Times' "Public Service Deal of the Year," and the American Public Works Association, Ventura County Chapter's "Project of the Year" for the \$5 million Saticoy Wastewater Improvements. The Saticoy project included the first use of GeoTubes for biosolids dewatering. He led a team installing a \$3 million invisible and odorless on-site wastewater treatment plant within 20 feet of bedroom windows for the Malibu Bay Club, using an energy conserving process. He solved a public health crisis by convincing 35 property owners to fund a \$750,000 sewer pipeline extension, which can serve 120 properties in the area with existing homes on failing septic tanks. Successfully demonstrated the nutrient removal capabilities of individual home-sized on-site wastewater treatment systems with 50% grant funding at the request of the California Water Resources Control Board.

1986-1989 Senior Project Engineer, Naval Civil Engineering Laboratory, Port Hueneme, CA

Responsible for recognizing naval facilities needs and connecting those needs with new technologies, procuring funding, and conducting research and development on new products. My team demonstrated that a relatively light netting fence could prevent suicide-bomb boats from getting close to Navy ships by using the terrorist's own speed against them.

1976-1986 Engineering Management Positions, U.S. Navy Civil Engineer Corps, Puerto Rico, Gulfport, MS, Guam, Mare Island, CA, Berkeley, CA, Brunswick, ME, Port Hueneme, CA

Responsible and in training for managing the US Navy's infrastructure construction and ensured safe conditions for the construction divers as the Diving Officer at Naval Civil Engineering Laboratory. As an assistant officer in charge of construction at Naval Air Station Brunswick, Maine, my change order rate was among the lowest in the Atlantic Division while managing \$20 million a year construction-in-place. Provided general engineering expertise to resolve nuclear safety issues for the Public Works Department while nuclear submarines were refueled at Mare Island Naval Shipyard.

Membership

Water Environment Federation, and California Water Environment Association
American Society of Civil Engineers
American Geophysical Union

Publications

- “Restoring pre-industrial CO₂ levels while achieving Sustainable Development Goals” *Energies* (2020).
- “Secure Seafloor Container CO₂ Storage.” OCEANS’13 MTS/IEEE San Diego Technical Program #130503-115 (2014)
- “Negative carbon via Ocean Afforestation” Special – Negative Carbon Technology issue of Process Safety and Environmental Protection, Elsevier Press, November 2012
- “Holistic Approach Needed” *Water Environment & Technology*, May 2009
- “Suggesting Judge Wiki,” UK Parliament Engineering: turning ideas into reality-Innovation, Universities, Science and Skills Committee, March 2009
- “Plankton Power” *Civil Engineering*, March 2008

Patents

Granted or pending, including:

- Hybrid Hydrothermal Liquefaction with Anaerobic Digestion.
- Dozens of innovations associated with Ocean Forestry.
- Concentrating the ammonia from anaerobic digestion from 1,000 mg/L to 10% ammonium sulfate for easier storage and use as fertilizer.
- Combining unique heating and mixing into unusually cost-effective geosynthetic anaerobic digesters for food waste, manure, and wastewater.
- Open ocean algal-biofuel, “Systems and Methods for off shore energy production with carbon dioxide sequestration.”
- Improving CCHP with integrated heat-to-electricity engines and absorption chillers.
- The US Navy acquired four patents and four technical bulletins while preserving rights to Mark E. Capron inventions.

Proposal Review Rating Sheet

Companies are rated on a scale from 1 - 10 in each category for an overall score of 80

Criteria	Rating	Rating
	Dudek	Hassan
Ability of the consultants to perform the specific tasks outlined in the RFP	10	10
Qualifications of the specific individuals who will work on the project	10	9
Quantity and quality of time key personnel will be involved in their respective portions of the project	9	10
Reasonableness of the fee requested to do the work; comparability of fee to similar services offered by other qualified consultants (except where fee is to be negotiated later)	10	10
Demonstrated record of success by the consultant on work previously performed for the District or for other public agencies or enterprises	10	10
The specific method and techniques to be employed by the consultant on the project or problem	10	10
Ability of the consultant to provide appropriate insurance in adequate amounts, including errors and omissions if applicable	10	10
Responsiveness to the RFP	10	10
Total Score:		

79 79

Murguia 1/4/21

Proposal Review Rating Sheet

Companies are rated on a scale from 1 - 10 in each category for an overall score of 80

Criteria	Rating	Rating
	Dudek	Hassan
Ability of the consultants to perform the specific tasks outlined in the RFP	10	10
Qualifications of the specific individuals who will work on the project	10	10
Quantity and quality of time key personnel will be involved in their respective portions of the project	Unknown	Unknown
Reasonableness of the fee requested to do the work; comparability of fee to similar services offered by other qualified consultants (except where fee is to be negotiated later)	8	9
Demonstrated record of success by the consultant on work previously performed for the District or for other public agencies or enterprises	N/A	N/A
The specific method and techniques to be employed by the consultant on the project or problem	N/A	N/A
Ability of the consultant to provide appropriate insurance in adequate amounts, including errors and omissions if applicable	10	10
Responsiveness to the RFP	10	10
Total Score:	48	49

Kellas

Proposal Review Rating Sheet

Companies are rated on a scale from 1 - 10 in each category for an overall score of 80

Criteria	Rating	Rating
	Dudek	EMC HASSAN (86)
Ability of the consultants to perform the specific tasks outlined in the RFP	8	7
Qualifications of the specific individuals who will work on the project	9	7
Quantity and quality of time key personnel will be involved in their respective portions of the project	9	7
Reasonableness of the fee requested to do the work; comparability of fee to similar services offered by other qualified consultants (except where fee is to be negotiated later)	8	8
Demonstrated record of success by the consultant on work previously performed for the District or for other public agencies or enterprises	8	8
The specific method and techniques to be employed by the consultant on the project or problem	8	7
Ability of the consultant to provide appropriate insurance in adequate amounts, including errors and omissions if applicable	8	8
Responsiveness to the RFP	8	8
Total Score:	66	60


 1/4/21

5. E. Business Items



BUSINESS ACTION ITEM STAFF REPORT

Item 5.E. Authorization for District Staff to obtain Alpha Electric to install a new Blower Variable Feed Drive (VFD) not to exceed the amount of \$8,000.00.

Summary:

One of the variable feed drives at the waste-water treatment needs to be replaced. This item controls power to the blower that provides oxygen for the microorganisms.

Section 19.00 of the Policy and Procedures manual requires that:

C. Solicitation of Three Verbal Quotes for Expenditures Exceeding \$5,000 but Not Exceeding \$10,000.

When any expenditure is expected to exceed \$5,000 but not exceed \$10,000, the General Manager, or said designee, shall solicit a minimum of three (3) verbal quotes to provide the goods or services. Written entries documenting that three verbal quotes were solicited shall be made in the project file.

Staff contacted three vendors. Attached is the estimate from Alpha Electric.

Recommendation:

Staff requests approval for the Alpha Electrical quote not to exceed the amount of \$8,000.00.

Enc: Quote from Alpha Electric



QUOTE*

Date: 1/29/21
Customer: San Simeon CSD - WWTP
Subject: Replace 60 HP Blower VFD
Scope: Remove existing defective VFD and replace with new Yaskawa 60 hp VFD. This may require replacing some wire, flex conduit, etc.

Material:	1 - Yaskawa P1000 60 HP 480 VFD	\$4,668.75
Tax:		\$ 338.48
Does not include Freight		
Additional Material:	(This may or may not be needed)	\$ 287.00
Labor:		\$1,072.00
Initial Service Call:		<u>\$ 634.50</u>
Total:		\$7,000.73

QUOTE # 466SCSD

Payment is due upon completion. AES accepts all major credit cards. A 3.5% convenience fee will be added to all credit card payments.

Kevin Piper / CEO
Alpha Electrical Service
PO Box 1978
Atascadero, CA 93423
cell 805-235-4728
kevin@alphaelectrical.com
www.alphaelectrical.com

* Quote is valid for 30 days unless a written exception is made by AES. All invoices are due and payable upon receipt. All balances 30 days past due shall be subject to finance charge of 1.5% per month.
Per California code of Regulations Title 8, Chapter 2. Sub Chapter IV all electricians are Certified Journeyman General Electricians.

This proposal is intended only for the personal and confidential use of the designated recipients named above. Any review, distribution or copying of this document by anyone other than designated recipient is strictly prohibited.

5. F. Business Items



BUSINESS ACTION ITEM STAFF REPORT

Item 5.F. Discussion and direction to staff repair or replacement of Waste Water Treatment Plant (WWTP) blower 5 motor.

Summary:

Blower 5 motor located at the waste-water treatment plant needs to either be replaced or repaired.

Section 19.00 of the Policy and Procedures manual requires that:

C. Solicitation of Three Verbal Quotes for Expenditures Exceeding \$5,000 but Not Exceeding \$10,000.

When any expenditure is expected to exceed \$5,000 but not exceed \$10,000, the General Manager, or said designee, shall solicit a minimum of three (3) verbal quotes to provide the goods or services. Written entries documenting that three verbal quotes were solicited shall be made in the project file.

Staff contacted three vendors. Attached are the estimates from CGS Engineering Corporation.

Repair (rewinding) the motor: \$ 7,423.21

Replace the motor: \$ 9,340.04

Recommendation:

Staff requests direction from the Board on this matter on whether to repair or replace the blower 5 motor.

Enc: CGS Engineering Corporation repair quote
 CGS Engineering Corporation replace quote

CGS Engineering Corporation Quote:

Repair Work



Estimate

P.O. BOX 303
Buellton, CA 93427
(805) 686-4450
Office@CGSEngineeringCorp.com
CA Lic. 1061630

ESTIMATE NO. 103.B
DATE 2/1/2021
CUSTOMER ID 1004-20

TO
San Simeon Community Service District
Affn: Jerry Copeland
111 Pico Ave.
San Simeon, CA93452

JOB		PAYMENT TERMS	
Blower #5 Rewind Existing Motor			
DESCRIPTION	QUANTITY	AMOUNT	TOTAL
Labor			
Labor x2	2 days	\$1,282.00	\$2,564.00
Service Vehicle & Tools			
Crew Truck X2	2 days	\$100.00	\$200.00
Material or Outside Service			
Rewind Existing Motor and New Coupling: see attached	LS	\$3,464.00	\$3,464.00
Insurance and Markup			
See Attached Breakdown	LS	\$1,195.21	\$1,195.21
TOTAL DUE			\$7,423.21

CGS Engineering Corporation thanks you for the opportunity to present our proposal

NOT AN INVOICE

San Simeon Blower #5 Rebuild Motor Bid Date 02/01/21

2/1/2021
11:32 AM

Bid Item	Description	Quantity	Unit Price	Total Price	Add/Cut	Equipment	Materials	Breakout			Profit	Mob
								Labor	Subs			
1	Removal of Existing Motor	1.00 LS	\$1,570.75 / LS	\$ 1,570.75		100 \$	- \$	1,282 \$	- \$		143 \$	46
2	Reinstall Rebuilt Motor	1.00 LS	\$5,852.46 / LS	\$ 5,852.46		100 \$	3,464 \$	1,282 \$	- \$		836 \$	170

Total Add/Cut \$ -

Line Item Mobilization	Equipment	Materials	Labor	Subs	Profit	Mob
\$ -	200 \$	3,464 \$	2,564 \$	- \$	979 \$	216
Totals \$						

Total Project Cost \$ 7,423.21



Ships Monday morning

1	High-Torque Set Screw Flexible Shaft Coupling	2	\$211.55	\$423.10
	Steel Hub, 6-1/16" Long, 5-1/2" OD, for 2-1/8" Shaft Diameter	Each	Each	
	3565N9			
	For Shaft Dia.			
	2 1/8"			

Delivers by next week

Need this sooner?

2	High-Torque Set Screw Flexible Shaft Coupling	1	200.69	200.69
	Medium Split Spider, 6000 rpm, -60 Degree to 350 Degree F	Each	Each	
	3565N52			

Ships Monday morning

3	Steel Spider Cover	1	91.84	91.84
	for 3-33/64" Hub OD	Each	Each	
	3565N64			

Ships Monday morning

4	Oversized 18-8 Stainless Steel Machine Key Stock	1	16.34	16.34
	1/2" x 1/2", 12" Long	Each	Each	
	98493A187			

Ships Monday morning

5	26-Piece 18-8 Stainless Steel Slotted Shim Set	2	31.33	62.66
	Trade Size Bb	Each	Each	
	97235K817			

Merchandise

\$794.63

Applicable shipping and tax will be added.

Your order is subject only to our terms and conditions, available at www.mcmaster.com or from our Sales Department.

LAHR ELECTRIC MOTORS, INC.

Estimate

119 W. Mill Street
 Santa Maria, CA 93458

Date	Estimate #
2/1/2021	4012253

Name / Address
CGS Engineering PO Box 303 Buellton, CA. 93427

Description	Qty	Cost	Project
			Total
Repair existing motor: Marathon, CVC326TSTDP4001ED L, E713, 60, 3555, 326TS, ODP Rewind labor & materials and bearings: Note: above quote does not reflect tax, freight or any necessary machine work		2,390.64	2,390.64
----- Brand new replacement motor: New replacement motor: Note: above quote does not reflect tax or freight. Allow 5-7 days delivery		4,985.00	4,985.00
		8.75%	0.00
		Total	\$7,375.64

Customer Signature _____

CGS Engineering Corporation Quote:

Replace Item



Estimate

P.O. BOX 303
Buellton, CA 93427
(805) 686-4450
Office@CGSEngineeringCorp.com
CA Lic. 1061630

ESTIMATE NO. 103.A
DATE 2/1/2021
CUSTOMER ID 1004-20

TO
San Simeon Community Service District
Attn: Jerry Copeland
111 Pico Ave.
San Simeon, CA 93452

JOB		PAYMENT TERMS	
Blower #5 New Replacement Motor			
DESCRIPTION	QUANTITY	AMOUNT	TOTAL
<u>Labor</u>			
Labor x2	1 day	\$1,282.00	\$1,282.00
<u>Service Vehicle & Tools</u>			
Crew truck x2	1 day	\$100.00	\$100.00
<u>Material or Outside Service</u>			
New Motor and Coupling: see attached	LS	\$6,286.00	\$6,286.00
<u>Insurance and Markup</u>			
See Attached Breakdown	LS	\$1,672.04	\$1,672.04
TOTAL DUE			\$9,340.04

CGS Engineering Corporation thanks you for the opportunity to present our proposal

NOT AN INVOICE

San Simeon Blower #5, New Motor Bid Date 02/01/21

2/1/2021
10:43 AM

Bid Item	Description	Quantity	Unit Price	Total Price	Add/Cut	Breakout					
						Equipment	Materials	Labor	Subs	Profit	Mob
1	Removal of Elec Motor	1.00 LS	\$844.60 / LS	\$ 844.60		100	-	641	-	79	25
2	Installation of Elec Motor	1.00 LS	\$8,495.44 / LS	\$ 8,495.44		-	6,286	641	-	1,321	247

Total Add/Cut \$ -

Line Item	Mobilization	Totals	Equipment	Materials	Labor	Subs	Profit	Mob
	\$ -	\$ 100	\$ 100	\$ 6,286	\$ 1,282	\$ -	\$ 1,400	272

Total Project Cost \$ 9,340.04



Ships Monday morning

1	High-Torque Set Screw Flexible Shaft Coupling Steel Hub, 6-1/16" Long, 5-1/2" OD, for 2-1/8" Shaft Diameter 3565N9 For Shaft Dia. 2 1/8"	2 Each	\$211.55 Each	\$423.10
---	---	-----------	------------------	----------

Delivers by next week

Need this sooner?

2	High-Torque Set Screw Flexible Shaft Coupling Medium Split Spider, 6000 rpm, -60 Degree to 350 Degree F 3565N52	1 Each	200.69 Each	200.69
---	--	-----------	----------------	--------

Ships Monday morning

3	Steel Spider Cover for 3-33/64" Hub OD 3565N64	1 Each	91.84 Each	91.84
---	--	-----------	---------------	-------

Ships Monday morning

4	Oversized 18-8 Stainless Steel Machine Key Stock 1/2" x 1/2", 12" Long 98493A187	1 Each	16.34 Each	16.34
---	--	-----------	---------------	-------

Ships Monday morning

5	26-Piece 18-8 Stainless Steel Slotted Shim Set Trade Size Bb 97235K817	2 Each	31.33 Each	62.66
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Merchandise

\$794.63

Applicable shipping and tax will be added.

Your order is subject only to our terms and conditions, available at www.mcmaster.com or from our Sales Department.

LAHR ELECTRIC MOTORS, INC.

Estimate

119 W. Mill Street
 Santa Maria, CA 93458

Date	Estimate #
2/1/2021	4012253

Name / Address
CGS Engineering PO Box 303 Buellton, CA. 93427

			Project
Description	Qty	Cost	Total
Repair existing motor: Marathon, CVC326TSTDP4001ED L, E713, 60, 3555, 326TS, ODP Rewind labor & materials and bearings: Note: above quote does not reflect tax, freight or any necessary machine work		2,390.64	2,390.64

Brand new replacement motor: New replacement motor: Note: above quote does not reflect tax or freight. Allow 5-7 days delivery		4,985.00	4,985.00
		8.75%	0.00
		Total	\$7,375.64

Customer Signature _____

Phone # (805) 922-8326

Fax # (805) 925-2864

sales@lahrelectric.com

5. G. Business Items



BUSINESS ACTION ITEM STAFF REPORT

Item 5.G. Consideration of request from Robert Hather for an intent to serve letter 013-091-027

Summary

Attached is a request for a will-serve letter submitted to the District on behalf of Robert Hather dated November 24, 2020. The request, which was previously included in the December 9, 2020 agenda material, seeks to establish a foundation regarding why the District must issue Mr. Hather a will-serve letter based on the “Hardship” provision included in District Ordinance 102.

Recommendation

The recommendation to continue this item to a future Board agenda is based on the inability to develop findings that would be in conformance with the moratorium and allow a will-serve letter to be provided at this time based on the hardship provision in Ordinance 102. Attached is section V of Ordinance 102.

Discussion

Although the attached request includes more information than customary in a request for a will-serve letter, it should be recognized that Mr. Hather initially sought a will-serve letter in 2019. And while the request does identify actions that the Board has directed in 2020 to address the moratorium, the request seeks to compel the Board to issue a will serve letter immediately.

As your Board is aware, the District’s moratorium has been in existence since 1986 and facts and circumstances have changed. Most notably, the District and community have successfully implemented permanent water conservation savings and the District has constructed infrastructure improvements that enhance the District’s water treatment capabilities. Nevertheless, Ordinance 102, Section V (attached) includes nine (9) factors, at a minimum, that the Board must consider relating to a hardship determination. Additionally, Section V requires that “granting of any hardship shall remain in harmony with the general purpose and intent of this ordinance.”

Moreover, as the applicant recognizes, your Board has directed staff and legal counsel to identify the requirements to rescind or modify the moratorium for the District to issue any will-serve letters. Recent agenda items have also identified some of the important issues that will need to be resolved, including but not limited to developing findings that

would be needed to support Board actions. Legal requirements are being evaluated but are still subject to certain due diligence efforts before recommendations can be provided to your Board. In addition, evaluating the necessary findings is underway since those findings must be supported by facts to substantiate the legal validity of any future recommendations.

At this time, technical review is focusing on the determinations included in the District's Master Water Plan and the District's Water Conservation Plan. As a result, Board review of the Master Water Plan and Water Conservation Plan is anticipated for the District's Board meeting in February. If any updates or amendments to those plans are needed to provide objective support for necessary findings, those recommendations will also be provided to your Board in February. It is important that reviewing the Master Water Plan and Water Conservation Plan proceed as a next step. Doing so will help ensure that information in those plans can support findings, or if amendments to those plans are necessary, then recommendations can be developed so your Board can provide appropriate direction.

Handouts from Members of the Public

Coastal Hazards Response Plan (CHRP) – Due February 1, 2022

Representative Workplan

1. Orientation and Discovery – Review of SSCSD Documents, Studies, Master Plan, Orientation
2. WWTP Capacity Analysis – Present, future – full buildout, peak demand including 15,000 GPD Hearst, Brine with full build out, updated Master Plan if available, etc.
 - a. Checkpoint and review at Board meeting and/or water committee
3. Treatment Options (with and without outfall) and Site Possibilities (in town, very limited – two or three sites)
 - a. Alternatives with and without outfall lines, sites, shared regional facility etc.
 - b. Prelim design for alternative evaluations including water recycling, lift stations, pipelines, etc.
 - c. Rough Order of Magnitude Costs Estimates for Alternatives including property costs
 - d. Environmental impacts
 - e. Alternatives Summary - Pros and Cons of alternatives
4. Board and Open Public Review Period for Alternatives - Narrowing of treatment alternatives and sites for detailed analysis -- hopefully top two, three at most
 - a. Shortlist of Alternatives agreed upon
5. Checkpoint with California Coastal Commission – Goal - list of finalist options
 - a. Checkpoint document created
 - b. Review with CCC staff
 - c. Incorporation of CCC feedback and Board review
 - d. May require interim plan modification and second review with CCC
 - e. Acknowledge CCC input with updated interim plan
6. Detailed Alternatives Evaluation
 - a. Prelim Design including lift stations etc.
 - b. Property/Land acquisition
 - c. Pricing
 - d. Challenges
7. Detailed Environmental Analysis
8. Decommissioning and Site Restoration Plan for Present Wastewater Treatment Plant
 - a. Decommissioning
 - b. Site cleanup
 - c. Migration/Cutover Plan and Costs
 - d. Restoration plan with costs
9. Financial Analysis

- a. Funding Options
- b. Rate impacts
- c. Other

10. Other Agency Input

11. Implementation Timeline

12. Composite Final Alternatives Summary

- a. Technical
- b. Environmental
- c. Site Restoration
- d. Property
- e. Costs
- f. Financing
- g. Rate Impacts
- h. Implementation Timeline
- i. Other agency input
- j. Alternative challenges

13. Board and Open Public Review Period for 30 Days

- a. Other Agency review

14. CHRP – Final update

15. CHRP Submission to California Coastal Commission

February 10, 2021

Dear Board of Directors,

Please consider these comments as they relate to your February 11, 2021 agenda **Item 5.B. Consideration of updates to the policy & procedures manual**, my comments relate specifically to the 13.02 General Rules Governing Committees and the timing of the additional bullet point. ***“Committee members must be registered San Simeon voters, property owners, or own a business that operates within the District boundary.”***

Please provide the legal basis for this change.

Additionally, Ms. Fry is a consultant for the District and should not be a voting member of the Budget Committee, or any other committee. Historically, your District has also had the auditor on the committee; again this is inappropriate.

As you can see from the minutes of January 14, 2021 where your board considered the appointment of committee members at time stamp 1:04:15 Chair Kellas had made a motion, which was unnecessary, the agenda item clearly states these are the “Chair appointment of standing committee members.” See excerpt from minutes here:

6. C. Chair appointment of standing committee members per District policy # 4060.30.

(57:45) Gwen Kellas introduced the item. The two (2) committees are Budget and Water. Current committee members or members of the public wanting to be on the water committee –

(58:49) Michael Hanchett asked to remain on the committees. No changes. Current committee members or members of the public wanting to be on the budget committee – (59:42) Daniel de la Rosa asked to be replaced as a budget committee member. Julie Tacker asked to be on both the water and budget committees. April Dury asked to be on the budget committee.

(1:03:10) Chairperson Kellas named the committees:

(1:04:15) Water – Russell, Hanchett, Price, Tacker, and de la Rosa. Budget – Fry, Hanchett, Tacker, Dury, and Maurer. Chairperson Kellas made a motion to except the committee members as stated. There was no second. [emphasis added]

Public Comment –

(1:05:19) Bob Hather commented. Michael C. Hanchett commented on having committee members that were not residents and had no financial or quality of life interest in the community. Jerry Copeland commented. Cortney Murguia commented. Michael R. Hanchett commented. Director de la Rosa agreed with Michael C. Hanchett's comments. This item was deferred until the February Board meeting.

Based on the newly proposed policy, it appears your board intends on blocking two women who applied to be on committees at the January meeting from being appointed.

While it is none of anyone's business where we live; Ms. Dury and I do reside outside of San Simeon (as do others who regularly participate and care about San Simeon). To change your policy in this way, *at this time*, it is apparent you are discriminating against us as women. Both women who were briefly appointed on January 14, 2021 will now be ineligible for committee assignments if you amend the policy as proposed.

Furthermore, the membership as proposed excludes residents of San Simeon who are not registered voters – with only 190 registered voters in San Simeon you will exclude hundreds of people from the pool of potential committee members.

Additionally, to include business owners as a requirement of committee membership presents potential conflicts of interest as commercial properties pay different water and sewer rates than the residents of the District.

Considering the comments provided by Mr. Hanchett (included in the agenda packet related to this item) it is evident the district is changing its long-standing policy to specifically block Ms. Dury and myself from serving on committees.

Thank you for your consideration.

Sincerely,



Julie Tacker
P.O. Box 6070
Los Osos, CA 93412
805-235-8262

February 10, 2021

Input to SSCSD Board Meeting February 11, 2021

Agenda Item 5.D: Direction to staff regarding the responses from the request for proposal related to the Coastal Hazard Response Plan (CHRP).

I know a lot of companies were contacted to get only two responses and that is disappointing. There is less than a year to complete the CHRP but it can still be done.

I believe the attached representative workplan and "second envelope" cost estimate should be used as an additional basis for qualifications-based-selection.

Potential suppliers would demonstrate that they have the skills and experience in each of the areas in the representative workplan and the resources available during this period to execute the plan. This would be demonstrated by providing supporting narrative for the specific workplan tasks.

In a second sealed envelope, they should provide estimated hours by skill type and hence estimated total pricing to execute the workplan. This combination of qualifications narrative and cost estimate is called the two-envelope approach.

One views the workplan capabilities/qualifications first and selects the leader. The second envelope is then opened to see if the cost appears appropriate and affordable. (Normally, one should have a cost estimate developed prior to bidding but...)

Preferably, the request for proposals would be reissued with the above workplan and cost estimate requirement. This would be done through the County to improve participation. It would be posted to one or two online bid systems that are the main way bids are posted today. Companies monitor these sites.

At an absolute minimum, the workplan should be given to present bidders to see if they have all the qualifications, experience, and resources available to execute this demanding plan. They would also submit a second sealed envelope with hours by skill/consultant and total cost estimate.

Again, the preferred approach is to reissue with the workplan and second cost estimate envelope as part of the request for qualifications. The bid would be posted online by the County on behalf of the District. Lacking that, the two bidders should now be given the request for more information via the workplan and second envelope hours and cost estimate.

The present request for qualifications lacks specificity. Further, the community deserves to have some idea of the cost of the work. Cost needs to play some role in the ultimate selection for our financially limited community.

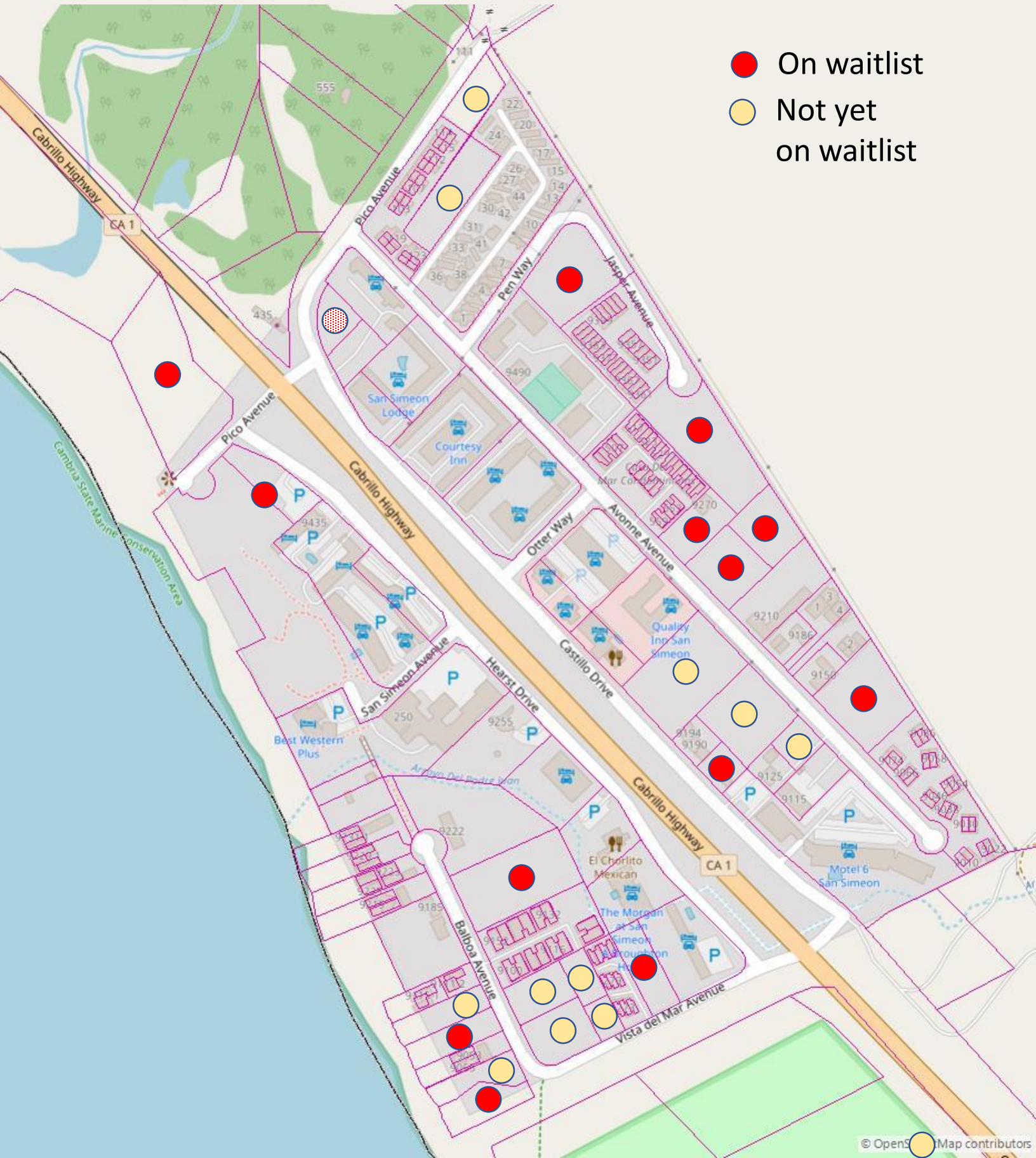
Sincerely,

A handwritten signature in black ink, appearing to read "Hank Krzciuk". The signature is fluid and cursive, written in a dark ink on a white background.

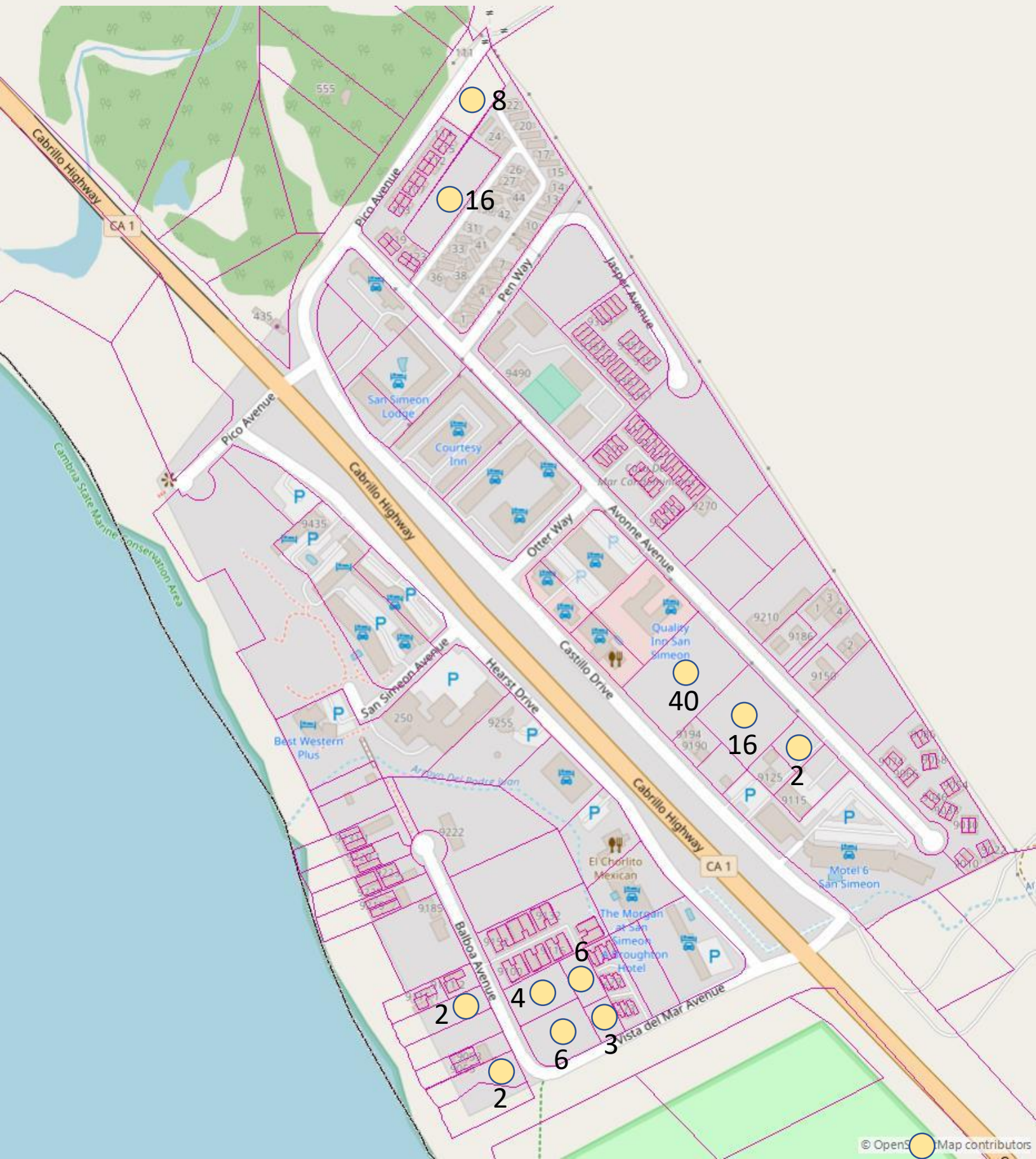
Hank Krzciuk
San Simeon Resident

Total Full Buildout = 1,500 EDU's

Present 1,057, Plus 334 EDU's on Waitlist; and estimated additional not on waitlist - 100 EDU's



Remaining Lots (Not presently on Wait List)
Yellow Dots with estimated EDU's
Total of 100 Equivalent Dwelling Units



**San Simeon CSD Water Sewer Connection Waitlist
Exhibit "A" Hook Up Waiting List**

9/28/2020

Water Wait List Reconciliation

Position Number	APN Number	Name	Deposit Amount	Date Added	Request from Property Owners	Multiplier (CF/YR)	Retail requested	Restaurant requested	Motel Units requested	Resident units requested	Irrigation meters requested
1		Cavalier Inn Inc. ¹	2 0.00	1/25/1972	4 145 Motel & 2400 sq ft. restaurant		0.0	1.0	145.0	0.0	0.0
2	013-071-018	Evans	\$425.00	11/16/1975	Retail		1.0	0.0	0.0	0.0	0.0
3	013-391-001	Mouchawar	\$30,445.00	6/1/1979	35 Motel		0.0	0.0	35.0	0.0	0.0
4	013-031-022	V& H Holdings ⁵	\$1,200.00	11/21/2013	1 Residence		0.0	0.0	0.0	1.0	0.0
5	013-402-012	Hurlbert for Tides of San Simeon	\$2,280.00	9/6/1990	6 Condos + 1 irrigation meter		0.0	0.0	0.0	6.0	0.5
6	013-402-013	Seifert ⁷	\$2,280.00	3/9/2001	6 Condos		0.0	0.0	0.0	6.0	0.0
7	013-402-006	Tyo ⁶	\$6,840.00	12/11/2013	3 Residences		0.0	0.0	0.0	3.0	0.0
8	013-071-009	Hather and/or Hulbert ⁹	\$3,420.00	10/8/2014	15 Residences (added 5 Edu's on 11/2019)		0.0	0.0	0.0	15.0	0.0
9	013-091-030	Sansone, Inc. ⁸	\$6,498.00	7/11/2018	30.5 (30 Multi-Family Edu's + .5 Irrigation)		0.0	0.0	0.0	30.0	0.5
10	013-091-032, 013-071-023/024/025	Sansone, Inc.	\$14,706.00	7/11/2018	64.5 (64 Multi-Family EDU's + .5 Irrigation)		0.0	0.0	0.0	64.0	0.5
11	013-031-049	Sansone, Inc.	\$2,796.00	7/11/2018	10.5 (10 Multi-Family EDU's + .5 Irrigation)		0.0	0.0	0.0	10.0	0.5
Total							1.0	1.0	180.0	135.0	2.0

- 1 Cavalier Inn Inc. acquired the rights and obligations of Dalton through bankruptcy proceedings in July 1989.
- 2 The deposit of Dalton was forfeited when he failed to comply with the Terms of Agreement with the District.
- 3 The Date of the agreement between the District and Dalton.
- 4 Per agreement, remaining balance of project after Mouchawar foreclosure on 105 units.
- 5 V&H Holdings purchased property and wait list position #4 From Raymond Long.
- 6 John & Ann Tyo Purchased property and wait list position #7 from Eva Redwood-Chavez
- 7 Seifert purchased the property from Ramirez in 2004.
- 8 Sansone, Inc submitted one payment in the amount of \$24,000.00 for positions 9,10 & 11
- 9 Hather added 5 EDUs w/ a deposit in the amount of \$1140 on 11/2019
- 10 Sansone added 2 EDUs w/ a deposit in the amount of \$54 (there was a Cr. Bal. prior) on 9/2020

retail multiplier (see calculations below):	2.2	8,829.0				
See below restaurant multiplier (range 2.3 to 19.8 for 6 accounts) avg: 10.1 (this is used)	40,770.0		40,770.0			
motel unit multiplier = 0.73 EDU / motel unit	2,956.5			532,170.0		
residential multiplier:	4,050.0				546,750.0	
irrigation multiplier:	2,025.0					4,050.0
		8,829.0	40,770.0	532,170.0	546,750.0	4,050.0
total gallons:	8,471,616.1					
CF/Year for all uses:	1,132,569.0					
Convert to AF/ Year (divide by 43,560):	-26.0		(this is 51.8% of the 50.2 AF available)			
AF available:	50.2					
Water available after list has been met:	24.2	which equals	279.6	EDU's		

SUMMARY:	
140.0	AcFt Permit Available
126.0	AcFt avail after 10% Water Loss
-70.3	AcFt Current 3 yr avg Use (from our records)
55.7	AcFt remaining Available (math)
-5.6	10% contingency (math)
50.2	AcFt avail after 10% Contingency (math)
-26.0	AcFt Wait List Demand (from this sheet)
24.2	AcFt available less any RO losses (math)

Restaurant Avg. Calc:	
	8.9
	18.9
(data from Phoenix study "Restaurant Accou	19.8
	5.8
	2.3
	4.7
S.T.	60.4
Used for Cavalier Average:	10.1

Retail Commercial Account Avg. Calc:	
	0.6
	7.3
(data from Phoenix study "Commercial	0.8
	1.9
	0.3
S.T.	10.9
Used for Evans Average:	2.2

Cavalier and Evans (Visitor Serving uses)
51.4% % of the total estimated consumption **
**** this complies with the North Coast Area Plan by SLO County, page 7-71**

San Simeon CSD Water Sewer Connection Waitlist
Exhibit "A" Hook Up Waiting List