# SPECIAL MEETING MINUTES

**SAN SIMEON COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS BOARD MEETING**

**Friday, December 16, 2022**

**6:00 pm**

Pursuant to San Simeon CSD Resolution 22-460 and incompliance with AB 361 this meeting occurred as a virtual teleconference using the Zoom app.

**Internet Meeting Location – Via ZOOM**

# REGULAR SESSION @ 6:00 PM

* 1. Chairperson Kellas – Present

Director Diamond – Present

Director de la Rosa – Present

Director Donahue – Present (joined meeting late @ 07:08)

Director Tiwana - Present

# PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Public Comment – None

# SPECIAL PRESENTATIONS AND REPORTS:

* 1. **STAFF REPORTS:**
     1. **Sheriff’s Report –** None.
     2. **CHP Report –** None.
     3. **Superintendent’s Report –** (1:54)Steve Orellanaprovided a summary of November activities**.**
     4. **General Manager’s Report –** (3:38) Steve Orellanaprovided asummary of November activities.
     5. **District Financial Summary –** (5:20) Steve Orellanaprovided a summary of November financials.
     6. **District Counsel’s Report –** None (Jeff Minnery joined the meeting late).
     7. **Board Member Report –** Summary of November Activities.

# AD-HOC & STANDING COMMITTEE REPORTS:

* + 1. **Status Update Budget Committee** – None.
    2. **Status Update Water Committee** – None.
    3. **Status Update Camping Ordinance on District Streets**– None.

Public Comment –

(9:00) Henry Krzciuk commented.

# CONSENT AGENDA ITEMS: (14:30)

* 1. **Review and approval of minutes for the regular meeting on October 11, 2022.**
  2. **Review and approval of minutes for the regular meeting on November 8, 2022.**
  3. **Review and approval of minutes for the special meeting on November 8, 2022.**
  4. **Review and approval of disbursements journal.**
  5. **Adoption of resolution 22-461 a resolution authorizing signatures including facsimile signatures for banking services on behalf of the SSCSD.**

Public Comment –

None

(15:00) Chairperson Kellas made a motion was made to approve consent agenda items as is.

2nd: None

(15:28) Director Donahue asked for the disbursements journal to be pulled. He further stated that he wanted to discuss the GES reimbursement for legal bills. The Board members further discussed this matter.

(18:36) Director Donahue made a motion that the entire consent agenda be pulled on the basis of these legal bills.

(19:56) Director Donahue made a second motion to reconsider clawing back this $141,000.

2nd: Director Tiwana

(21:20) Director Donahue was asked to repeat the motion. He went on to state “this idea of paying Charlie’s legal bills needs to be reconsidered with the idea of potentially clawing back this”. The Chairperson asked for clarification. Director Donahue repeated “ I wish to have the Board reconsider payment of the $141,000.00 paid for Charlie’s legal bills on the basis of Brown Act violations. So that’s what I want to have reconsidered and agendized at another meeting. (22:00) After further discussion between he and Director Tiwana, Director Donahue made a motion to pull this item from the disbursements journal.

Motion: Director Donahue

2nd: Director Donahue (he provided the 2nd for his motion)

Vote: 3/2

Absent: None

Roll Call:

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

(24:00) There was further discussion between the Board members about consent agenda items A-E.

(25:36) Jeff Minnery joined the meeting. There was continued discussion about the remaining consent agenda items.

(28:30) Director Donahue made a motion to discuss the matter of clawing back this money from Charlie at a future date.

2nd: None

Director Donahue repeated his original motion.

(29:50) The Board and legal counsel discussed Chairperson Kellas’s original motion regarding the consent agenda.

(35:50) A motion was made to approve the Consent Agenda Items as is with the review and approval of the disbursements journal for everything that is listed as far as December payments of 2022.

Motion: Chairperson Kellas

2nd: Director Donahue

Vote: 5/0

Absent: None

Roll Call:

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

# BUSINESS ACTION ITEMS: (36:40)

* 1. **Review and approval of the draft audit for fiscal year 2021/2022.**

Public Comment –

(37:20) Henry Krzciuk commented.

* 1. **Discussion regarding purchasing of laptops for Board Members and cybersecurity policies for the district.** (38:47)

Chairperson Kellas introduced the item.

(39:53) There was discussion among the Board members regarding this item.

Public Comment –

(47:45) Henry Krzciuk commented.

(50:09) A motion was made that we take this back to staff and suggest that they investigate the cost of I don’t think a whole laptop is necessary but maybe an I-Pad and a cell phone, I don’t think that the I-Pad needs to have anything more on it than 365 and Adobe because we don’t use anything else. But my motion is to take the suggestions from Director Tiwana and have cell phones and I-Pads directly for the associated District.

Motion: Chairperson Kellas

2nd: Director Tiwana

(51:19) There was further discussion regarding the motion.

(52:00) A motion was made for staff to come up with an individual director budget cap that allows them to purchase their personal laptops, I-pads and phone to work only with District material and at the end it will be returned back to the District.

Motion: Chairperson Kellas

2nd: Director Donahue

Vote: 5/0

Absent: None

Roll Call:

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

* 1. **Discussion, review and approval for chairperson kellas to respond to mouchawar letter regarding their position and EDUs on the SSCSD waitlist.** (53:06)

Chairperson Kellas introduced the item.

(57:23) There was further discussion between the Board members regarding this matter.

Public Comment –

(1:00:26) Henry Krzciuk commented.

(1:01:51) There was additional discussion between the Board members regarding this matter.

(1:05:50) A motion was made to direct counsel Minnery to draft a simple letter to Ms. Paquette explaining the complexities of the situation and asking for her patience to wait for a response.

Motion: Chairperson Kellas

2nd: Director Donahue

Vote: 5/0

Absent: None

Roll Call:

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

* 1. **Direction to staff regarding the resignation of adamski, moroski, madden, cumberland, and green, LLP.** (1:06:40)

Chairperson Kellas introduced the item.

(1:12:00) The Board further discussed this matter with legal counsel.

Public Comment –

(1:25:30) Henry Krzciuk commented.

(1:28:00) The Board continued discussion regarding this item.

Public Comment –

(1:31:30) Julie Tacker commented.

(1:34:27) The Board further discussed this matter with legal counsel.

(1:39:20) A motion was made to have a closed session to have the two candidates speak their piece, make their pitch for why they should be San Simeon district legal counsel and that we do this at the earliest possible convenience of the Board and administration.

(1:40:10) Director Donahue repeated that he would like to have an open session, a special session, and a closed session, where we actually interview the two candidates and we can arrange this with our General Manager so that we can see this on Zoom, so they can make their presentations, and we can all look at their websites, look at their history, and look at what they have done, and look at their resumes, and so forth, and we can make a decision, and I think this should be done forthwith…(continued talking).

(1:41:00) There was further discussion between the Board about setting a date for the special meeting. It was suggested that the meeting be held at 6:00 pm on Tuesday December 20, 2022.

Public Comment –

(1:44:00) Mike Cruz commented.

(1:45:45) A motion was made to have the special meeting held on December 20, 2022. Legal counsel advised that a motion was not needed. Staff was directed to schedule a special meeting.

* 1. **Election of the Chairperson and Vice-Chairperson for the 2023 Calendar Year.** (1:47:40)

Chairperson Kellas introduced this item.

Public Comment –

(1:51:50) Henry Krzciuk commented.

(1:54:28) Julie Tacker commented.

(1:56:15) A motion was made to appoint Jacqueline Diamond as the Chairperson and Karina Tiwana as the Vice-Chairperson.

Public Comment –

Motion: Chairperson Kellas

2nd: Director de la Rosa

Vote: 5/0

Absent: None

Roll Call:

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

1. **BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS** – Director Donahue asked that an item to direct Dudek to focus on non-residential sights (south of Castillo) be added to the agenda.

# ADJOURNMENT – @ 8:01 PM