

Board of Directors San Simeon Community Services District



SPECIAL BOARD MEETING PACKET **June 13, 2023** **Meeting Start Time 6:00pm**

This meeting shall occur in person and Via Zoom.

Prepared by:



GRACE
ENVIRONMENTAL SERVICES

AGENDA
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS SPECIAL BOARD MEETING
1000 MAIN STREET
CAMBRIA, CA 93428
Tuesday, June 13, 2023
6:00 pm

This meeting shall occur In Person and Via Zoom.

Join Zoom for Regular Board Session:
<https://us02web.zoom.us/j/9270537206>

Meeting ID: 927 053 7206

Or One tap mobile:
US: +16699009128, 9270537206#

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

The following commands can be entered via DTMF tones using your **phone's** dial pad while in a **Zoom meeting**: *6 - Toggle mute/unmute. *9 - **Raise hand**.

Webinar ID: 927 053 7206

NOTE: On the day of the meeting, the virtual meeting room will be open 30 minutes prior to the meeting start time. If you wish to submit public comment in the written format you can email 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:

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 May.
- ii. **CHP Report** – Report for May.

- iii. **Superintendent's Report** – Summary of May Activities.
 - iv. **General Manager's Report** – Summary of May Activities.
 - v. **District Financial Summary** – Summary of May Financials.
 - vi. **District Counsel's Report** – Summary of May Activities.
- B. AD-HOC & STANDING COMMITTEE REPORTS:**
- i. **Board Member Report** – Summary of May Activities.
 - ii. **Status Update** – Water/Facilities Committee
 - iii. **Status Update** – Grant Acquisition Committee
 - iv. **Status Update** – Policies and Procedures Committee (no update)
 - v. **Status Update** – Budget Committee

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

4. CONSENT AGENDA ITEMS:

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

- A. REVIEW AND APPROVAL OF MINUTES FOR THE SPECIAL BOARD MEETING ON MAY 23, 2023.**
- B. REVIEW AND APPROVAL OF DISBURSEMENTS JOURNAL.**
- C. ADOPTION OF RESOLUTION 23-469 APPROVING THE PROPOSITION 4 APPROPRIATION LIMIT FOR THE FISCAL YEAR 2023-2024.**
- D. APPROVAL OF THE JF BRENNAN OCEAN OUTFALL CHANGE ORDER TO PROVIDE AN INTEGRITY TEST AS REQUIRED BY THE STATE LANDS COMMISSION.**
- E. APPROVAL OF THE OCEAN OUTFALL REPAIR PERMITS WORK PLAN FOR THE PERMIT APPLICATIONS PREPARED BY PADRE.**
- F. ADOPTION OF RESOLUTION 23- 470 APPROVING REVISED BOARD OF DIRECTORS MEETING AGENDA TEMPLATE.**
- G. ADOPTION OF RESOLUTION 23- 471 ELIMINATING HYBRID MEETING FORMAT.**
- H. ADOPTION OF RESOLUTION 23- 472 ESTABLISHING NEW DAY AND TIME FOR BOARD OF DIRECTOR MEETINGS.**
- I. ADOPTION OF RESOLUTION 23- 473 OF REVISED DEADLINE FOR GENERAL MANAGER REQUESTS FOR QUALIFICATIONS AND OPERATIONS MANAGEMENT REQUEST FOR PROPOSALS.**

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 Chairperson. If a member of the public wishes to speak at this time, Public Comment is limited to three (3) minutes or less per person for each business item, with additional time at the discretion of the Chair.

- A. DISCUSSION AND APPROVAL OF RESOLUTION 23-474 RECOMMENDING THE SAN LUIS OBISPO COUNTY BOARD OF SUPERVISORS APPOINT HOLLY LE TO FILL A VACANCY ON THE SSCSD BOARD OF DIRECTORS.**
- B. DISCUSSION, REVIEW, AND APPROVAL OF REVISIONS TO THE SSCSD POLICIES AND PROCEDURES CONCERNING THE DUTIES AND RESPONSIBILITIES OF THE BUDGET/FINANCE STANDING COMMITTEE.**
- C. DISCUSSION, REVIEW, AND APPROVAL OF A CONTRACT AMENDMENT WITH REGIONAL GOVERNMENT SERVICES AUTHORITY (RGS).**
- D. DISCUSSION, REVIEW, AND APPROVAL TO RESCHEDULE THE JULY 11, 2023 REGULAR BOARD MEETING.**
- E. DISCUSSION AND APPROVAL OF REQUEST TO CAMBRIA COMMUNITY SERVICES DISTRICT FOR MUTUAL AID AGREEMENT.**

6. CLOSED SESSION:

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code § 54956.9: Three (3) Potential Cases

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

8. ADJOURNMENT –

All staff reports or other written documentation, including any supplemental material distributed to a majority of the Board within 72 hours of a regular meeting, relating to each item of business on the agenda are available for public inspection during regular business hours in the District office, 111 Pico Avenue, San Simeon. If requested, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. To make a request for a disability-related modification or accommodation, contact the Office 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.

**3.A. III. SPECIAL PRESENTATIONS AND REPORTS:
SUPERINTENDENT'S REPORT**



SUPERINTENDENT'S REPORT – MAY 2023

Item 3.A.iii

Prepared By: Steve Orellana

1. Wastewater Treatment Plant

- Sampling, testing, and reporting at the Wastewater Treatment Plant was performed as required by the Regional Water Quality Control Board (RWQCB).
- The monthly report was submitted to the State Water Resources Control Board (SWRCB).
- Continued with Standard Maintenance on Reactor/Clarifier #3

2. Water Treatment and Distribution System

- Sampling, testing, and reporting was performed as required by the State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW).
- The monthly report was submitted to the SWRCB, DDW.
- Monthly water meter reading was performed.
- RO Pickling was performed
- Replaced 1 Hotel meter

3. District and Equipment Maintenance

- Staff continues with the scheduled preventive maintenance for the equipment at the facilities.
- Staff responded to 1 service request.

San Simeon Community Services District

Superintendent's Report

May 2023

MONTHLY DATA REPORT

Date	Day	Wastewater Influent Daily Flow	Wastewater Effluent Daily Flow	Well 1 Total Daily Produced	Well 2 Total Daily Produced	Total Daily Water Produced	R.O. Daily Influent Flow	R.O. Daily Effluent Flow	R.O. Daily Brine Flow	Distribution Chloride	Chloride Wells 1 2	Recycled Water Distributed	Water Level Well 1	Water Level Well 2	Rainfall in Inches	State Flows	
05/01/23	Monday	83,805	88,130	57,147	0	57,147	0	0	0	-	-	0	9.8	9.6	0.00	2,563	
05/02/23	Tuesday	50,370	58,360	60,513	1,496	62,009	0	0	0	32	-	0	9.8	9.6	0.00	556	
05/03/23	Wednesday	58,264	59,480	59,915	0	59,915	0	0	0	-	-	0	9.8	9.6	0.00	1,141	
05/04/23	Thursday	50,132	57,740	65,226	0	65,226	0	0	0	-	-	0	9.6	9.4	0.00	855	
05/05/23	Friday	49,981	54,310	54,903	0	54,903	0	0	0	-	-	0	9.7	9.3	0.00	1,416	
05/06/23	Saturday	61,085	67,370	75,623	0	75,623	0	0	0	-	-	0	9.7	9.3	0.00	1,469	
05/07/23	Sunday	64,436	70,810	75,997	0	75,997	0	0	0	-	-	0	9.7	9.2	0.00	1,807	
05/08/23	Monday	54,873	62,190	70,985	0	70,985	0	0	0	-	-	0	9.6	9.2	0.00	555	
05/09/23	Tuesday	42,922	51,100	71,210	0	71,210	0	0	0	-	-	0	9.6	9.3	0.00	903	
05/10/23	Wednesday	49,793	57,020	51,238	1,496	52,734	0	0	0	-	-	0	9.6	9.2	0.00	872	
05/11/23	Thursday	57,111	70,840	54,305	0	54,305	0	0	0	-	-	0	9.7	9.3	0.00	1,180	
05/12/23	Friday	41,528	43,840	70,162	0	70,162	0	0	0	35	-	0	9.6	9.3	0.00	875	
05/13/23	Saturday	52,572	61,680	47,348	0	47,348	0	0	0	-	-	0	-	-	0.00	1,518	
05/14/23	Sunday	68,571	77,260	94,846	0	94,846	0	0	0	-	-	0	-	-	0.00	1,486	
05/15/23	Monday	57,449	65,280	70,985	0	70,985	0	0	0	-	-	0	9.6	9.2	0.00	595	
05/16/23	Tuesday	59,238	67,480	64,777	0	64,777	0	0	0	-	-	0	9.7	9.3	0.00	1,168	
05/17/23	Wednesday	48,680	55,510	70,462	2,319	72,780	0	0	0	-	-	0	9.6	9.4	0.00	883	
05/18/23	Thursday	45,466	54,640	35,306	0	35,306	0	0	0	-	-	0	9.5	9.1	0.00	1,499	
05/19/23	Friday	63,943	70,390	115,342	0	115,342	0	0	0	-	-	0	9.5	9.1	0.00	946	
05/20/23	Saturday	60,989	69,130	63,356	0	63,356	0	0	0	-	-	0	9.5	9.1	0.00	1,503	
05/21/23	Sunday	55,551	58,840	67,470	0	67,470	0	0	0	-	-	0	9.5	9.1	0.00	1,234	
05/22/23	Monday	33,864	45,430	69,190	0	69,190	0	0	0	-	-	0	9.5	9.1	0.00	904	
05/23/23	Tuesday	48,339	55,850	43,982	0	43,982	0	0	0	-	-	0	9.6	9.3	0.00	316	
05/24/23	Wednesday	52,368	58,480	56,175	8,303	64,478	6,641	4,707	1,934	-	-	0	9.5	9.3	0.00	961	
05/25/23	Thursday	51,885	59,960	62,832	0	62,832	0	0	0	32	32	0	9.6	9.4	0.00	6,448	
05/26/23	Friday	42,376	49,550	82,355	0	82,355	0	0	0	-	-	0	9.6	9.3	0.00	20,693	
05/27/23	Saturday	148,155	94,380	58,419	0	58,419	0	0	0	-	-	0	9.6	9.4	0.00	17,688	
05/28/23	Sunday	85,135	83,760	113,546	0	113,546	0	0	0	-	-	0	-	-	0.00	3,582	
05/29/23	Monday	50,640	63,340	98,512	0	98,512	0	0	0	32	-	0	9.5	9.3	0.00	3,581	
05/30/23	Tuesday	64,041	71,650	46,974	0	46,974	0	0	0	-	-	0	9.6	9.4	0.00	3,127	
05/31/23	Wednesday	48,678	54,330	66,497	1,421	67,918	0	0	0	-	-	0	9.6	9.4	0.00	5,242	
TOTALS		1,802,240	1,958,130	2,095,597	15,035	2,110,632	6,641	4,707	1,934			0			0.00	87,566	
Average		58,137	63,165	67,600	485	68,085	214	152	62	33	32	32	0	9.6	9.3	0.00	2,825
Minimum		33,864	43,840	35,306	0	35,306	0	0	0	32	32	32	0	9.5	9.1	0.00	316
Maximum		148,155	94,380	115,342	8,303	115,342	6,641	4,707	1,934	35	32	32	0	9.8	9.6	0.00	20,693

DATA SUMMARY SHEET

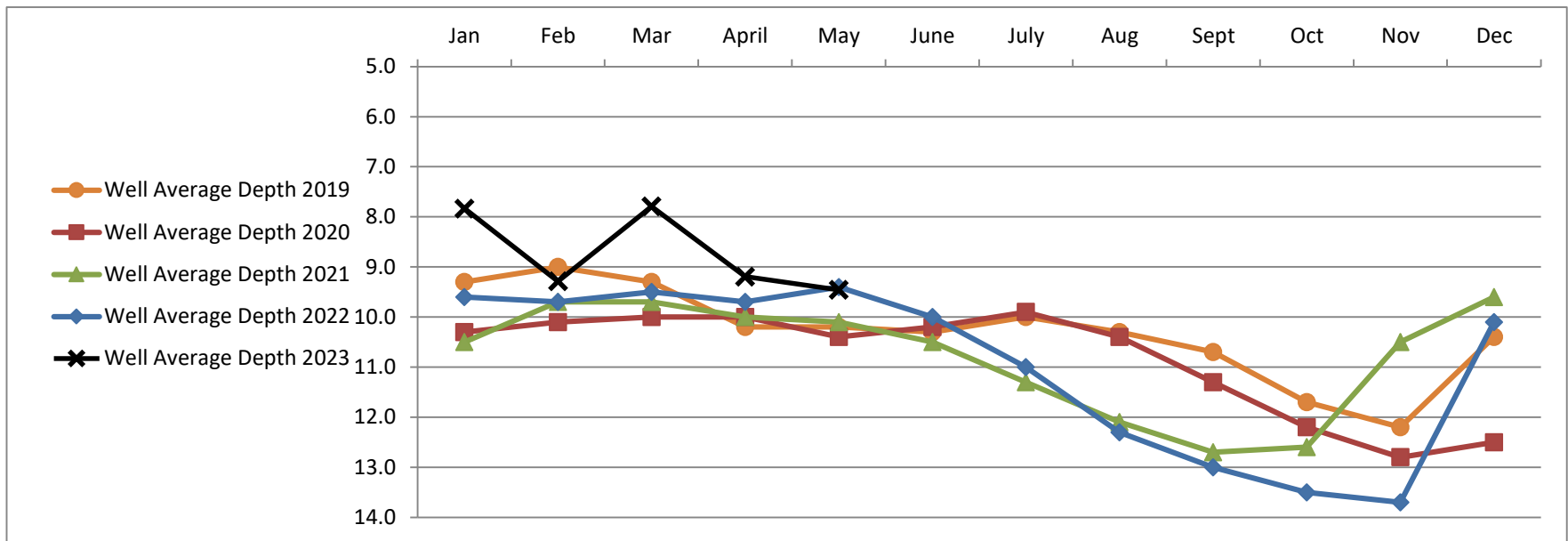
2023													
	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Total for 2023
Wastewater Influent	2,687,609	1,375,627	3,270,293	1,816,264	1,802,240								10,952,033
Wastewater Final Effluent (Month Cycle)	2,830,860	1,510,800	3,331,640	2,025,590	1,958,130								11,657,020
Adjusted Wastewater Influent (- State Flow)	2,154,586	1,251,178	2,665,765	1,749,689	1,714,674								9,535,892
Water Produced (month cycle)	1,493,382	1,427,184	1,517,094	2,030,820	2,110,632								8,579,111
Water Sold	1,312,822	1,550,776	1,310,914	1,699,157	2,195,178								8,068,847
Sewer Influent/Water Produced Ratio	1.80	0.96	2.16	0.89	0.85								N/A
Adusted Sewer/Water Produced Ratio	1.44	0.88	1.76	0.86	0.81								N/A
Well 1 Water Production	7,405	1,020,272	300,472	818,836	2,095,597								4,242,581
Well 2 Water Production	1,485,977	406,912	1,216,622	1,211,984	15,035								4,336,530
Total Well Production	1,493,382	1,427,184	1,517,094	2,030,820	2,110,632								8,579,111
Water Well 1 Avg Depth to Water	8.0	9.5	8.0	9.4	9.6								N/A
Water Well 2 Avg Depth to Water	7.6	9.1	7.6	9.0	9.3								N/A
Average Depth to Water of Both Wells	7.8	9.3	7.8	9.2	9.5								N/A
Change in Average Depth to Water from 2022	-1.8	-0.4	-1.7	-0.5	+0.1								N/A
Average Chloride mg/L at the Wells	48	42	39	32	33								N/A
State Wastewater Treated	533,023	124,449	604,528	66,575	87,566								1,416,141
State % of Total WW Flow	19%	9%	18%	4%	5%								N/A
Recycled Water Sold (Gallons)	0	0	0	0	0								0
Biosolids Removal (Gallons)	4,500	4,500	9,000	0	4,500								22,500
WW Permit Limitation Exceeded	0	0	1	0	0								0
RW Permit Limitation Exceeded	0	0	0	0	0								0
Constituent Exceeded	None	None	Sett Solids	None	None								N/A
Sample Limit	N/A	N/A	3.0	N/A	N/A								N/A
Sample Result	N/A	N/A	4.5	N/A	N/A								N/A
2022													
	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Total for 2022
Wastewater Influent	1,571,222	1,389,949	1,589,863	1,719,101	1,798,328	2,016,224	2,377,922	2,144,776	1,831,090	1,703,468	1,749,106	2,260,766	22,151,815
Wastewater Final Effluent (Month Cycle)	1,649,170	1,498,768	1,725,410	1,871,010	1,996,900	2,172,360	2,440,050	2,149,140	1,989,820	1,877,540	1,939,200	2,434,660	23,744,028
Adjusted Wastewater Influent(- State Flow) *	1,522,839	1,356,607	1,549,685	1,690,058	1,608,515	1,780,084	2,203,484	2,090,258	1,774,814	1,650,919	1,700,028	2,159,699	21,086,990
Water Produced (month cycle)	1,683,299	1,654,800	1,924,903	2,059,394	2,175,259	2,390,458	2,811,134	2,445,960	2,414,544	2,119,832	2,071,137	1,905,829	25,656,550
Water Sold (Gals)	1,415,732	1,638,374	1,582,177	2,019,907	1,868,040	2,180,495	2,417,312	2,435,114	2,202,890	1,756,708	2,076,702	1,491,991	23,085,442
Sewer Influent/Water Produced Ratio	0.93	0.84	0.83	0.84	0.83	0.84	0.85	0.88	0.76	0.80	0.84	1.19	N/A
Adusted Sewer/Water Ratio	0.91	0.82	0.81	0.82	0.74	0.74	0.78	0.85	0.74	0.78	0.82	1.13	N/A
Average Depth of Both Wells	9.6	9.7	9.5	9.7	9.4	10.0	11.0	12.3	13.0	13.5	13.7	10.1	N/A
Change in Average Depth to Water from 2021	-0.9	0.0	-0.2	-0.3	-0.7	-0.5	1.1	1.9	1.7	0.8	3.1	0.4	N/A
Average Chloride mg/L at the Wells	<30	36	35	32	<30	<30	<30	<30	39	115	251	158	N/A
State Wastewater Treated	48,383	33,342	40,178	29,043	189,813	236,140	174,439	54,518	56,276	52,549	49,078	101,067	1,064,826
State % of Total WW Flow	3%	2%	3%	2%	11%	12%	7%	3%	3%	3%	3%	4%	5%
Recycled Water Sold (Gallons)	0	0	0	0	0	0	0	0	0	0	0	0	0
Biosolids Removal (Gallons)	0	4,500	4,500	0	4,500	9,000	13,500	0	4,500	4,500	4,500	0	49,500
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

May 2023

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
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	12.2	12.8	12.5
Well Average Depth 2021	10.5	9.7	9.7	10.0	10.1	10.5	11.3	12.1	12.7	12.6	10.5	9.6
Well Average Depth 2022	9.6	9.7	9.5	9.7	9.4	10.0	11.0	12.3	13.0	13.5	13.7	10.1
Well Average Depth 2023	7.8	9.3	7.8	9.2	9.5							



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**3.A. IV. SPECIAL PRESENTATIONS AND REPORTS:
GENERAL MANAGERS REPORT
CHARLIE GRACE**



GENERAL MANAGER'S REPORT

Item 3.A.iv.

GES Staff Activity – Report on staff activities for the month of May 2023. Regular activities performed by staff include:

Processing of utility payments, customer service duties, answering phone calls, mailing of the regular monthly utility bills. Prepared and distributed notices of vacancy for the Board of Directors positions and mailed weed abatement notices. Distributed a special meeting agenda and packet.

GES Staff also attended to the following items:

- Responded to eleven (11) written public records requests.

Update on District Grants:

LCP Grant – No Update

Update on District Projects and RFP's:

Update on the Pico Creek Instream Flow Study – SLO County is reviewing the Management Plan and Flow Study.

Coastal Hazard Response Plan (CHRP) – Verbal update by Dudek will be provided.

Update on the Rate Study – Suggested Water rates by RCAC and wastewater rates by RDN have been prepared and are ready for review during the next Budget Committee meeting. For lack of a Budget Committee quorum the Board may want to consider scheduling a rate study presentation during the July 2023 Regular Board Meeting.

Update on the Water Tank Project – No updates at this time, the SSCSD may want to consider the services of a Water Resources Manager to advance this project.

Update Pipe Bridge Draft Design 30% review – At the Direction of the SSCSD Board during the March 2023 Regular Board Meeting the project is delayed until Dudek is further along in the WWTP relocation process.

4.A. CONSENT AGENDA ITEM

A. REVIEW AND APPROVAL OF MINUTES FOR THE SPECIAL BOARD MEETING ON MAY 23, 2023.

**MEETING MINUTES
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS SPECIAL BOARD MEETING
1000 MAIN STREET
CAMBRIA, CA 93428
Tuesday, May 23, 2023
5:30 pm**

This meeting occurred In Person and Via Zoom.

1. REGULAR SESSION @ 5:31 PM

- A. Vice-Chairperson Tiwana – Present
- Director Diamond – Present
- Director Donahue - Present

2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Public Comment –

(2:46) Henry Krzciuk commented on electronic payment of PG&E bills.

(5:08) Gwen Kellas commented on the lack of items on the meeting agenda including the outfall and the rate study.

3. SPECIAL PRESENTATIONS AND REPORTS: (6:42)

Public Comment –

(8:11) Henry Krzciuk commented.

(10:35) Julie Tacker commented.

A. STAFF REPORTS:

i. **Sheriff's Report** – None.

ii. **CHP Report** – None.

iii. **Superintendent's Report** – (14:22) Steve Orellana provided a summary of April activities.

iv. **General Manager's Report** – (15:28) Charlie Grace provided a summary of March and April activities. There was conversation with the Board members and Charlie Grace about items on the GM Report.

v. **District Financial Summary** – (32:06) Charlie Grace provided a summary of April financials.

vi. **District Counsel's Report** – (33:30) Nubia Goldstein provided a summary of April activities.

vii. **Board Member Report** – None

B. AD-HOC & STANDING COMMITTEE REPORTS: (34:50)

i. **Status Update** – (35:53) Director Donahue provided an update Budget/Finances Committee.

- ii. **Status Update** – (36:22) Director Donahue provided an update on the Water/Facilities Committee.
- iii. **Status Update** – (37:24) Director Donahue provided an update on Camping Ordinance on District Streets. Director Donahue stated that signs had been posted on the streets and asked that the committee be dissolved.
- iv. **Status Update** – (38:18) Director Donahue Grant provided an update on the Grant Acquisition Committee.
- v. **Status Update** – None.

Public Comment –
(39:58) Julie Tacker commented.
(41:22) Gwen Kellas commented.
(42:08) Henry Krzciuk commented.

4. CONSENT AGENDA ITEMS: (43:00)

Public Comment –
(43:40) Julie Tacker commented.

A. REVIEW AND APPROVAL OF MINUTES FOR THE SPECIAL BOARD MEETING ON APRIL 25, 2023.

B. REVIEW AND APPROVAL OF DISBURSEMENTS JOURNAL.

(46:18) A motion was made to approve the Consent Agenda Items A and B.

Motion: Director Diamond
2nd: Director Donahue
Vote: 3/0
Absent:

Roll Call:
Diamond: Yes Tiwana: Yes Donahue: Yes

5. BUSINESS ACTION ITEMS: (48:20)

Public Comment –
(47:25) Julie Tacker commented.

A. CONSIDERATION OF CANDIDATES TO REPLACE THE BOARD OF DIRECTOR VACANCY CREATED BY THE RESIGNATION OF GWEN KELLAS AND DANIEL DE LA ROSA AND BOARD APPOINTMENT OF THE NEW DIRECTORS. (49:30)

Charlie Grace introduced the item.

Public Comment –
(51:19) Henry Krzciuk commented.
(52:40) Michael Hanchett commented.
(53:45) Gwen Kellas commented.

(54:30) Julie Tacker commented.

(57:40) There was further discussion between the Board members regarding this item.

(1:00:35) Nubia Goldstein commented that the Board needed to take action on this item.

(1:02:37) A motion was made that staff organize some sort of attractive event as an ice-cream social, coffee or donuts, and such item that you can possibly do and advertise it as you would your own birthday party and set it for a date you would like people to come and inquire as to these positions. Don't get too many donuts and call if you have leftovers. The second part of my motion is that failing the birthday party we contact the supervisor (a question was asked of legal counsel) pursuant to Government Code 1780 the supervisor will have to take-action.

Motion: Vice-Chairperson Tiwana

2nd: Director Donahue

Vote: 3/0

Absent:

Roll Call:

Diamond: Yes Tiwana: Yes Donahue: Yes

(1:04:20) Vice-Chairperson Tiwana asked that the community reach out to the Board of Supervisors.

B. DISCUSSION, REVIEW AND APPROVAL OF A BOOKKEEPER PROPOSAL FOR SSCSD BOOKKEEPING SERVICES. (1:05:40)

Charlie Grace introduced the item.

Public Comment –

(1:07:40) Henry Krzciuk commented.

(1:09:10) Julie Tacker commented.

(1:11:11) Gwen from RGS was present (via Zoom). He responded to questions from the Board and the public.

(1:17:01) Director Donahue asked about the District converting the money market account to an interest bearing account. Gwen responded to this question.

(1:19:20) The meeting resumed.

(1:21:53) A motion was made to have RGS provide the bookkeeping services and also add oversight to make sure we have the \$7500 audit function and that

the Board approve the transfer of the money to an institution that is paying a responsible amount of interest. He continued speaking.

(1:23:28) Director Donahue repeated his motion. A motion was made to retain RGS for bookkeeping and general services.

Director Diamond stated that she wanted to include the optional auditing service.

(1:24:00) The motion was repeated for the third time. A motion was made to retain RGS for bookkeeping and general services and approve the additional auditing service.

Motion: Director Donahue
2nd: Director Diamond
Vote: 3/0
Absent:

Roll Call:
Diamond: Yes Tiwana: Yes Donahue: Yes

(1:24:46) Charlie Grace asked that the Board provide direction to enter into a contract with RGS. The Vice-Chairperson provided direction to District counsel to enter into a contract with RGS.

- 6. CLOSED SESSION: (1:25:20)**
Public Comment –
(1:26:35) Henry Krzciuk commented.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code § 54956.9: Three (3) Potential Cases

Reportable action: (1:27:50) Nubia Goldstein stated that Direction has been provided to staff.

- 7. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS – (1:28:32)**
Director Donahue asked that a future agenda item be transferring money into an interest-bearing account, mutual aid agreement, Hearst easement update, Mouchawar stair update, ocean outfall, 2023 goals, modify the agenda, set aside budget committee meeting update, Nubia should be reporting out on Ordinance 124, electronic payment of bills, the pipe-bridge, profit and loss items, policy and procedures, and reversing the re-districting. Vice-Chairperson asked that eliminating hybrid meetings be discussed, move the regular meeting schedule to the second Thursday of the month, and moving the July Board meeting.

8. ADJOURNMENT @ 8:14 pm

4.B. CONSENT AGENDA ITEM
B. REVIEW AND APPROVAL OF DISBURSEMENT'S JOURNAL

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Paid Amount</u>
Disbursement's Journal for Board Approval: June, 2023 Disbursements					
Check	00/00/00	Bank Fee	Pacific Premier Bank-PPBI	Monthly Bank Fee 00/00/00	\$0.00
Bill Pmt- Check	06/16/23		PG&E	Electricity WWTP Acct 3179514655-9. To be Paid by SSCSD. Bill Dated 05/30/2023	-\$5,288.09
Bill Pmt- Check	06/19/23		PG&E	Electricity Distriict Office Acct 1274026630-4. To be Paid by SSCSD. Bill Dated 05/31/2023	-\$86.60
Bill Pmt- Check	06/19/23		PG&E	Electricity Ro System Acct 8181635836-0. To be Paid by SSCSD. Bill Dated 05/31/2023	-539.96
Bill Pmt- Check	06/19/23		PG&E	Electricity Wells Acct 4010616689-1. To be Paid by SSCSD. Bill Dated 05/31/2023	-1,121.54
Paycheck	06/08/2023		JACQUELINE M DIAMOND	Board Service May 2 through June 1, 2023	-\$92.35
Paycheck	06/08/2023		MICHAEL C DONAHUE	Board Service May 2 through June 1, 2023	-\$92.35
Bill Pmt- Check	06/08/2023		Grace Enviromental Services	Operations Management, Electrical and Maintenance Fees June2023.Inv# 1628. Dated 06/01/2023	-\$60,308.23
Bill Pmt- Check	06/08/2023		CrisCom	Grant research,Writing,and grant related services June, 2023. Inv#271120. Dated 05/19/2023	-\$2,000.00
Bill Pmt- Check	06/08/2023		Lori Mather Video Services	Video Services Scheduled for: 06/13/2023. Inv#06/01/2023	-\$450.00
Bill Pmt- Check	06/08/2023		Grace Enviromental Services	Local Emergency Water Truck/Hauling Reimbursment. Inv# 1632. Dated 06/06/2023	-\$10,226.18
Bill Pmt- Check	06/08/2023		RNM Engineering, Inc	Well's New Generator /design, progress drawing mod. Inv# 23010. Dated 05/25/2023	-\$2,500.00
Bill Pmt- Check	06/08/2023		Environmental Health Services	Cross Connection-Admin Cross. Inv# IN0144116. Dated 05/30/2023	-\$29.10
Bill Pmt- Check	06/08/2023		Environmental Health Services	Cross Connection-Admin Cross. Inv# IN0144311. Dated 05/30/2023	-\$47.70
Bill Pmt- Check	06/08/2023		Karina Tiwana	Reimbursment for lap-top purchase at Costco Wholesale. Bill dated 01/02/2023	-\$610.94
					-\$83,393.04

4.C. CONSENT AGENDA ITEM

**C. ADOPTION OF RESOLUTION 23-469 APPROVING THE PROPOSITION 4
APPROPRIATION LIMIT FOR THE FISCAL YEAR 2023-2024.**



CONSENT AGENDA ITEM STAFF REPORT

ITEM 4.C. ADOPTION OF RESOLUTION 23-469 APPROVING THE PROPOSITION 4 APPROPRIATION LIMIT FOR FISCAL YEAR 2023-2024.

Summary:

The appropriation limit amount calculation is based on information provided from the Department of Finance for the State of California. A copy of the data used to make the amount determination has been included with the staff report. Each year the appropriation limit is placed in front of the Board for their review and approval.

Board Actions:

1. The Board may approve the Resolution.
2. The Board may approve the Resolution, subject to any changes as directed by the Board;

Enc; Letter from State of California
Resolution 23-469

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit

California Revenue and Taxation Code section 2227 requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2023, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2023-24. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2023-24 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2023.**

Please Note: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

JOE SPEPHENSHAW
Director
By:

Erika Li
Chief Deputy Director

Attachment

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2023-24 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2023-24	4.44

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2023-24 appropriation limit.

2023-24:

Per Capita Cost of Living Change = 4.44 percent
 Population Change = -0.35 percent

Per Capita Cost of Living converted to a ratio: $\frac{4.44 + 100}{100} = 1.0444$

Population converted to a ratio: $\frac{-0.35 + 100}{100} = 0.9965$

Calculation of factor for FY 2023-24: $1.0444 \times 0.9965 = 1.0407$

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2022 to January 1, 2023 and Total Population, January 1, 2023

County City	<u>Percent Change</u>	<u>--- Population Minus Exclusions ---</u>		<u>Total Population</u>
	2022-2023	1-1-22	1-1-23	1-1-2023
San Luis Obispo				
Arroyo Grande	-1.20	18,140	17,922	17,922
Atascadero	-0.32	29,255	29,161	30,206
El Paso De Robles	-1.02	31,009	30,692	30,692
Grover Beach	-1.24	12,623	12,467	12,467
Morro Bay	-1.34	10,415	10,275	10,275
Pismo Beach	-1.17	7,958	7,865	7,865
San Luis Obispo	1.15	47,247	47,788	47,788
Unincorporated	-0.77	118,814	117,901	121,133
County Total	-0.50	275,461	274,071	278,348

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

Attachment C
Annual Percent Change in Population Minus Exclusions*
January 1, 2022 to January 1, 2023

County	Percent Change 2022-23	--- Population Minus Exclusions --- 1-1-22	1-1-23
San Diego			
Incorporated	-0.15	2,739,485	2,735,305
County Total	-0.13	3,216,536	3,212,379
<hr/>			
San Francisco			
Incorporated	-0.64	836,811	831,493
County Total	-0.64	836,811	831,493
<hr/>			
San Joaquin			
Incorporated	0.62	624,664	628,555
County Total	0.43	780,201	783,538
<hr/>			
San Luis Obispo			
Incorporated	-0.30	156,647	156,170
County Total	-0.50	275,461	274,071
<hr/>			
San Mateo			
Incorporated	-0.42	679,410	676,541
County Total	-0.43	740,711	737,515
<hr/>			
Santa Barbara			
Incorporated	-0.54	301,252	299,629
County Total	-0.60	437,125	434,517
<hr/>			
Santa Clara			
Incorporated	-0.24	1,798,715	1,794,411
County Total	-0.25	1,889,954	1,885,177
<hr/>			
Santa Cruz			
Incorporated	-0.83	135,707	134,584
County Total	-1.09	264,870	261,995
<hr/>			
Shasta			
Incorporated	-0.68	114,356	113,584
County Total	-0.68	180,467	179,237
<hr/>			

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

RESOLUTION NO. 23-469

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON
COMMUNITY SERVICES DISTRICT APPROVING THE PROPOSITION 4
APPROPRIATION LIMIT FOR THE FISCAL YEAR 2023-2024**

WHEREAS, the San Simeon Community Services District (the "District") is a community services district duly formed under California Government Code Section 61000 et seq. to provide community services within the District's service area; and

WHEREAS, Government Code Section 7900 et seq. and Government Code Section 61113 provide that each year, the governing body of each local jurisdiction shall, by resolution, establish its appropriations limit pursuant to Article XIII B of the California Constitution at a regularly scheduled meeting or a noticed special meeting; and

WHEREAS, the State of California Department of Finance provides the annual change in the California per capita personal income and population changes in the unincorporated portions of San Luis Obispo County, which are used to calculate the appropriations limit for the District; and

WHEREAS, the calculation factor for the appropriation limit in Fiscal Year 2023 - 2024 is 1.0364 which is applied to the prior year appropriation limit of \$514,052 to yield an appropriation limit of \$532,763 for the Fiscal Year 2023 – 2024; and

WHEREAS, the San Simeon Community Services District plans to appropriate approximately \$104,331 in direct property tax revenue proceeds during Fiscal Year 2023 - 2024 .

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors for the San Simeon Community Services District approves the Appropriation Limit for the District for Fiscal Year ending June 30, 2024, in the amount of \$532,763. This limit is greater than the expected total tax proceeds appropriation budgeted in the current fiscal year.

ADOPTED by the Board of Directors of the San Simeon Community Services District on _____, 2023, by the following roll call votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

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

ATTEST:

Charles Grace, General Manager of the
San Simeon Community Services District

4.D. CONSENT AGENDA ITEM

D. APPROVAL OF THE JF BRENNAN OCEAN OUTFALL CHANGE ORDER TO PROVIDE AN INTEGRITY TEST AS REQUIRED BY THE STATE LANDS COMMISSION



CONSENT AGENDA ITEM STAFF REPORT

Item 4.D. APPROVAL OF THE JF BRENNAN OCEAN OUTFALL CHANGE ORDER TO PROVIDE AN INTEGRITY TEST AS REQUIRED BY THE STATE LANDS COMMISSION

Summary:

J.F. Brennan was asked to provide pricing for a 5-year integrity assessment of the ocean outfall. This work will include pre-inspection multi-beam survey of the pipeline and surrounding seafloor; development of anchor plots for the diving support vessel; and an engineering review and assessment of the diver survey results.

Recommendation:

It is recommended that the Board approve the change order for J.F. Brennan.

Enc: J.F. Brennan Change Order Request



CHANGE ORDER REQUEST

COR# 001

Project: Ocean Outfall Pipeline Repairs
Date: March 24, 2023
JFB Project Code: 561022
Contract #: 2022-01

To: San Simeon Community Services Dist.
Attention: Charles Grace
Address: 111 Pico Avenue, San Simeon, CA 93452
Phone: 805-431-6253
Email: cgrace@graceenviro.com

From: J. F. Brennan Company, Inc.
 Lauren Collins
Address: 6420 Goodyear Rd. Benicia, CA 94510
Phone: 707-759-0243
Email: lcollins@jfbrennan.com

Description of Change	<p>Brennan was asked to provide pricing for a 5-year integrity assessment of the outfall. This work will include pre-inspection multibeam survey of the pipeline and surrounding seafloor; development of anchor plots for the diving support vessel; and an engineering review and assessment of the diver survey results.</p> <p>Proposed Scope of Work: The California State Lands Commission (CSLC) Lease Number PRC 5208.9 for the San Simeon outfall requires that the Lessee shall inspect the outfall annually and conduct an integrity assessment of the facilities by a California Registered Civil/Structural Engineer every 5 years. The Brennan Team will support the combined annual inspection and 5-year integrity assessment by performing the following scope of work.</p> <ul style="list-style-type: none"> • Conduct a hydrographic multibeam survey of the outfall track, from the closest feasible point nearshore to the offshore termination. • Conduct a hydrographic multibeam survey of the seafloor around the outfall track to identify surficial features, with coverage area ranging 500 feet north and 500 feet south of the outfall track and 500 feet offshore of the outfall termination (the Project Boundary). • Based on the surficial features identified in the hydrographic multibeam survey of the seafloor around the outfall track, develop anchor plots for the diving support vessel that are clear of hard bottom and other sensitive habitat areas. • Upon completion of the diver outfall survey, review the diver inspection data (logs, videos, etc.) and the hydrographic multibeam survey of the outfall track and produce an integrity assessment report signed by a California Registered Civil/Structural Engineer. <p>Deliverables: The following deliverables will be provided:</p> <ul style="list-style-type: none"> • Survey plots showing the outfall alignments in plan view, along with relevant survey data such as exposed sections, spanned sections, and debris objects. • Survey plots showing the area defining the Project Boundary in plan view, along with relevant survey data such as hard bottom debris objects. • An Integrity Assessment Report, signed by a California Registered Civil/Structural Engineer, providing an assessment of the condition of the
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CHANGE ORDER REQUEST

	<p>pipeline along with any recommendations for further survey, inspection or remediation.</p> <p>Deliverables will be provided electronically. Hard copies are available upon request at no additional charge.</p>
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<p>Schedule/Cost Impact</p>	<p>Schedule TBD – Upon approval, survey will be scheduled within 30 days of NTP, weather and vessel availability permitting. Deliverables to be submitted within 14 days.</p> <p>Cost – \$42,525.00 lump sum.</p> <p>Assumptions/Notes –</p> <ul style="list-style-type: none"> • Pricing valid for 90 days. • The only permit known to be required for the survey is the Geophysical Survey Permit. There are no other known permit requirements for any of the activities anticipated in this survey program. This proposal includes costs for the Geophysical Survey Permit and notifications for the survey.
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Respectfully Submitted,

Signature

Friday, March 24, 2023

Date

4.E. CONSENT AGENDA ITEM

E. APPROVAL OF THE OCEAN OUTFALL REPAIR PERMITS WORK PLAN FOR THE PERMIT APPLICATIONS PREPARED BY PADRE.



CONSENT AGENDA ITEM STAFF REPORT

ITEM 4.E. APPROVAL OF THE OCEAN OUTFALL REPAIR PERMITS WORK PLAN FOR THE PERMIT APPLICATIONS PREPARED BY PADRE.

Summary:

The project description/work plan will be used as part of the application process for and to various stakeholder agencies. While each agency's application process may vary, the project description/work plan remains a consistent part of an application.

Recommendation:

It is recommended that the Board approve the workplan prepared by Padre.

Enc: Work plan prepared by Padre

PROJECT DESCRIPTION

SAN SIMEON WASTEWATER TREATMENT PLANT OUTFALL MAINTENANCE AND REPAIR PROJECT SAN LUIS OBISPO COUNTY, CALIFORNIA

Project No. 2202-1401

Prepared for:

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

Prepared by:

Padre Associates, Inc.
369 Pacific Street
San Luis Obispo, California 93401

MAY 2023



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APPENDICES

- Appendix A. San Simeon Community Services District Ocean Outfall Pipeline Repairs Work Plan
- Appendix B. Marine Biological Resource Study
- Appendix C. Essential Fish Habitat Assessment

1.0 INTRODUCTION

The San Simeon Community Services District (SSCSD) is proposing maintenance and repair activities for the continued use of the 8-inch diameter ocean outfall pipeline (Project) in the Pacific Ocean, near San Simeon in San Luis Obispo County, California (Project site) (Figure 1-1). The outfall is included in the lease agreement (PRC 5208.9) with the California State Lands Commission (CSLC) (Figure 1-2). The maintenance and repair efforts include the following components in order of their execution:

- Initial survey of existing site conditions to include a pre-activity dive survey and baseline cathodic protection potential readings;
- Marine biofouling removal on the end structure;
- Grout mattress installation over the pipeline end manifold;
- Pumping of marine cementitious grout into the grout mattress;
- Strategic placement of burlap bags filled with marine cementitious grout under free spanning sections of the outfall pipe;
- Anode and anode bracket installation; and
- Post-installation cathodic protection measurement readings.

Project implementation will require permits from Federal and State agencies for activities within the Coastal Zone, State waters, and Marine Protected Areas/National Marine Sanctuary. The following Project Description has been prepared to support permit applications to describe the proposed outfall maintenance and repair Project.

1.1 PROJECT TITLE

San Simeon Wastewater Treatment Plant Outfall Maintenance and Repair Project

1.2 PROJECT APPLICANT'S NAME AND ADDRESS

San Simeon Community Services District

111 Pico Avenue

San Simeon, California 93452

Contact: Charles Grace

Phone: (805) 431-6253

Email: cgrace@graceenviro.com

1.3 PURPOSE AND OBJECTIVES

The Project purpose is to repair the ocean outfall associated with the San Simeon Wastewater Treatment Plan (WWTP) by re-establishing ballast on the end of the outfall and add support to any spanning areas of the outfall pipe in accordance with existing Federal, State, and local regulations.

1.4 PROJECT LOCATION

The Project site is located offshore the San Simeon Wastewater Treatment Plant, which is located at 9245 Balboa Avenue in San Simeon, San Luis Obispo County, just southeast of the Arroyo Del Padre Juan stream mouth (Figure 1-2). The outfall terminus is located at 35°36'39.07"N, 121°8'54.87"W and is within the southern portions of the Monterey Bay National Marine Sanctuary (MBNMS) and the Cambria State Marine Conservation Area/State Marine Park (SMCA/SMP).

The MBNMS in total encompasses approximately 6,094 square miles (15,783 square kilometers) of ocean (NOAA, 2021). The Cambria State Marine Conservation Area (SMCA) is also a State Marine Park and is the State's only dual-designation Marine Protected Area (MPA). It is located within the MBNMS and encompasses the Project area within its southern extent. The Cambria SMCA is approximately 6.26 square miles (16.21 square kilometers) and has a habitat composition of 5.76 square miles (14.92 square kilometers) of rock and 3.98 square miles (10.31 square kilometers) of sand and mud bottom (CDFW, 2023).

Figure 1-1. Project Vicinity

Figure 1-2. Project Site Overview

2.0 BACKGROUND

The Project outfall discharges treated wastewater from the San Simeon WWTP, which services the unincorporated community of San Simeon. The WWTP is located adjacent to the shoreline, approximately 13 to 15 feet above mean sea level and was built in the early 1960s. The concrete-coated outfall pipeline is 8 inches in diameter and 840 feet long and extends offshore, terminating at 35°36'39.07"N, 121° 8'54.87"W, in approximately 20 to 30 feet of water. The outfall is located in a 20-year lease (PRC 5208.9) issued by the California State Lands Commission (CSLC), effective through 2033. The outfall is currently operable but requires repair due to ongoing coastal processes. Such repairs are necessary to rectify corrosion and shifting sand surrounding the pipe which causes point loading and threatens the outfall's structural integrity.

SSCSD conducts annual inspections of the outfall to maintain up to date records of structural integrity and to monitor the need for potential repairs in compliance with lease terms and Regional Water Quality Control Board (RWQCB) Water Quality Certification conditions. During the annual inspection conducted by JF Brennan in October 2022, observations included sections of unsupported pipeline, missing anodes, loose brackets and a delaminated anchor which warrants the need for maintenance and repair activities which are discussed below.

3.0 ENVIRONMENTAL SETTING

The coastal work environment in San Luis Obispo County is subject to wind and swells generally emanating from the northwest, west, and sometimes south. Ocean conditions are moderately rough year-round, with calmer conditions in the summer and fall.

3.1 OFFSHORE ENVIRONMENT

The benthic terrain offshore San Simeon slopes gently until plummeting down the continental shelf approximately 55 miles offshore. This terrain fosters constant flushes of nutrient dense water from the deep sea due to a process referred to as “upwelling”. Upwelling occurs when the wind pushes surface water offshore, pulling cold, nutrient dense water from the deep sea into shallower water. As a result, the offshore environment in the region surrounding the Project area supports an abundance of protected marine life.

The seafloor conditions in the Project site consist of a combination of hard bottom substrate with medium to large-sized cobble and portions of sandy bottom. The area experiences significant sand migration from the beach to offshore, as well as cross-coast migration, which changes the amount of sand cover or exposure of the outfall pipe during various parts of the year. Although visibility was poor in the 2022 dive survey videos along the outfall, the dominant marine macrophytic organisms included understory kelps such as *Laminaria farlowii* and *Pterygophora californica*. Moderate amounts of detached drift kelp (mostly *Macrosistis pyrifera*) was observed along the outfall corridor; however, the size of the kelp canopy varies from year to year and may be present around the outfall terminus. The marine biological resources in the Project site are detailed in Appendix B.

4.0 PROPOSED MAINTENANCE AND REPAIR ACTIVITIES

There are segments of the outfall pipeline associated with the WWTP that have become damaged and exposed over time by shifting sand within the dynamic nearshore environment. Free spanning segments of pipe cause point loading, which weakens the structural integrity of outfall over time. The Project proposes to address these issues by performing a series of maintenance and repair activities discussed herein. The following sections have been prepared pursuant to the San Simeon Community Services District Ocean Outfall Pipeline Repairs Work Plan, included as Appendix A.

4.1 PRE-ACTIVITY PREPARATION

A local work vessel (M/V Surveyor or similar) and commercial divers will be contracted to perform the repair work. Once the Project vessel has arrived on-site, it will anchor over the outfall using a three-point mooring system. A diver will perform a pre-construction survey, in tandem with the outfall's annual inspection survey as required by the RWQCB, to record existing site conditions at the exposed outfall, noting any changes from the previous inspection performed in the Spring of 2022. At this time, baseline cathodic protection potential readings will be taken, and the external marine growth would be removed using a pressurized water jet from the outfall terminus to prepare the area for installation of the grout mattress. Marine growth removal activities will be carried out in accordance with State and Federal regulations and permit conditions.

4.2 GROUT MATTRESS INSTALLATION

Following outfall terminus preparation for maintenance and repair activities, a Fabriform Unimat grout mattress measuring 20 feet long, 5 feet wide and 8 inches thick would be centered over the end cap outfall pipe and temporarily stabilized in place with sandbags (Figure 4-1). Once stabilized, marine cementitious grout¹ would be mixed in a Chemgrout CG500 double hopper grout pump and the grout hose recirculated and primed on the deck of the work vessel. The primed grout hose would be lowered down to a diver in the water to be inserted into the grout pumping port of the mattress. Once in place, the grout hose valve would be opened, initiating the flow of grout to displace the water inside the mattress. Once full, the diver would signal the topside deck crew to close the grout hose valve and recover the hose to deck. Grouting operations would be performed using a "closed loop" system to keep grout from coming in direct contact with surrounding seawater. All remaining left-over grout would be moved to a secondary containment vessel for proper disposal offsite. After the grout-filled mattress and bags are in place, anodes and anode brackets will be installed at the outfall terminus and cathodic protection measurements will be re-taken to confirm that the anodes are adequately protecting the outfall.

4.3 BURLAP GROUT BAG SUPPORT INSTALLATION

Based on recent outfall inspection surveys, there is an estimated maximum of 50 linear non-consecutive feet of free spanning segment(s) along the outfall pipe. However, pre-construction dive surveys described in Section 4.1, which are scheduled to occur immediately

¹ The Project will use Five Star® Cementitious Underwater High-Strength Grout which is an underwater pump grade, cement-based, non-shrink grout for pile restoration and similar applications and meets the performance requirements of ASTM C 1107 and CRD-C 621 specifications for non-shrink grout.

prior to repair activities, will confirm the existing spanning lengths and locations. All free spanning segments would then be supported by strategically placed burlap bags pre-filled with grout that are 18 inches long, 12 inches wide, and 6 inches deep and weigh approximately 50 pounds each. It is expected that the Project would require approximately 150 burlap grout bags to adequately support the free spanning areas.

4.4 ANODE AND ANODE BRACKET INSTALLATION

Anodes and anode brackets will be installed in-kind to replace the existing anodes on the outfall pipe. Cathodic protection measurements will be taken to confirm that the new anodes are adequately protecting the outfall pipe.

4.5 EQUIPMENT AND PERSONNEL REQUIREMENTS

Project activities would be conducted from the M/V *Surveyor*, or similar vessel, a 100-foot supply and work vessel equipped with a crane and diver support equipment. The primary equipment requirements for the Project are summarized in Table 4-1 below.

Table 4-1. Project Equipment List

Diesel Powered Equipment
<p>Work Vessel (2) Detroit Diesel 16V-71 engines</p> <p>Diving Equipment (1) 375 Air Compressor (Tier 4 Final Compliant) (2) Cummins Onan 60kW Generators</p>

4.5.1 Personnel Requirements

Pipeline maintenance and repair work will be completed by a dive crew consisting of 1 dive supervisor, 2 divers, and 2 tenders (5 total). An anchor assist tug with a crew of 2 personnel may also be required.

4.6 PROJECT SCHEDULE

The Project is scheduled to occur during the third quarter of 2023 following the receipt of all applicable agency permits and approvals. Maintenance and repair activities would occur over two to three days with approximately 12-hour shifts each day.

Figure 4-1. Fabriform Unimat Grout Mattress Diagram

5.0 REGULATORY OVERVIEW

5.1 PERMITTING REQUIREMENTS

Based on initial agency consultations, the Project qualifies for a Categorical Exemption, 15301. Existing Facilities under the California Environmental Quality Act (CEQA). Padre will prepare the Notice of Exemption for approval by the California State Lands Commission (CSLC) as the lead agency under CEQA. In addition, the outfall is located within the Monterey Bay National Marine Sanctuary and Cambria State Marine Conservation Area, which requires a letter of authorization from the NOAA and a Scientific Collecting Permit from the California Department of Fish and Wildlife (CDFW) for permission to install the grout mattress and bags.

Due to the nature of the proposed maintenance work, a number of other permits and approvals will be required from resource agencies. These required authorizations are outlined in Table 5-1 below.

Table 5-1. Anticipated Permit Requirements

Agency	Permit/Approval	Regulated Activity	Authority
Federal Agencies			
U.S. Army Corps of Engineers (ACOE)	Section 404 Nationwide Permit Authorization Section 10 Permit	Outfall repair activities in waters of the United States. Obstructions within navigable waters.	Section 404 Clean Water Act (33 USC 1344) Rivers and Harbors Act of 1899
NOAA National Marine Fisheries Service (NMFS)	Section 7 consultation, Marine Mammal Protection Act and Essential Fish Habitat (EFH) Assessment.	Consultation with ACOE regarding potential impacts to Federally listed species, marine mammals and EFH.	16 USCA 1513 50 CFR Section 17
	Letter of Authorization to work within a National Marine Sanctuary	Approval to discharge fill into the National Marine Sanctuary	15 CFR §§922.132(e) and 922.134(b) and procedures defined in the Memorandum of Agreement on water quality protection within MBNMS
U.S. Fish and Wildlife Service (USFWS)	ESA, Section 7 consultation or No Take Concurrence	Consultation with ACOE regarding potential impacts to Federally listed species and species proposed for listing.	16 USCA 1513 50 CFR Section 17
State of California Agencies			
California State Lands Commission (CSLC)		Compliance with Lease terms. CEQA Exemption Approval	
California Coastal Commission (CCC)	Coastal Development Permit (Immaterial Amendment)	Immaterial Amendment to the existing Coastal Development Permit (CDP) 3-19-0020.	California Coastal Act

Agency	Permit/Approval	Regulated Activity	Authority
Central Coast Regional Water Quality Control Board (RWQCB)	Section 401 Water Quality Certification	Discharge of dredged or fill material into waters of the United States. Regulation of wastes discharged into State waters.	Section 401 Clean Water Act Rivers and Harbors Act of 1899 Porter-Cologne Water Quality Act
California Department of Fish and Wildlife	Scientific Collecting Permit	Disturbance of marine resources in MPA	California Code of Regulations Title 14, Section 632

6.0 APPLICANT PROPOSED IMPACT AVOIDANCE MEASURES

SSCSD has designed the current Project to minimize the potential for impacts and disturbance to the marine environment. The following Project-incorporated plans and measures will be incorporated into the Project design and implementation:

- **AMM 1: Environmental Awareness Training.** A biologist will present an environmental awareness training for all Project personnel to familiarize workers with surrounding common and special-status species and their habitats, applicable regulatory requirements, and measures that must be implemented to avoid or minimize potential impacts to biological resources.
- **AMM 2: Notice to Mariners.** SSCSD will ensure that its contractor submits to the U.S. Coast Guard (USCG) a request to publish a Local Notice to Mariners, 14 days prior to operation, that includes the following information:
 - Type of operation (i.e., diving operations, construction)
 - Location of operation, including latitude and longitude and geographical position if applicable
 - Duration of operation, including start and completion dates (if these dates change, the Coast Guard needs to be notified)
 - Vessels involved in the operation
 - VHF-FM Radio Frequencies monitored by vessels on scene
 - Point of Contact and 24-hour phone number
 - Chart Number for the area of operation
- **AMM 3: Anchoring Plot.** Based on bathymetric surveys, anchoring locations will be pre-plotted and located within sand substrates. If pre-construction dive surveys identify sensitive habitats within the pre-plotted areas, the anchor locations will be moved to avoid any sensitive habitats or special status species.
- **AMM 4: Marine Wildlife Contingency Plan Implementation.** A Project Marine Wildlife Contingency Plan (MWCP) will be implemented during all offshore Project activities. A Marine Wildlife Monitor (MWM) shall be present on the offshore Project vessel to monitor designated avoidance zones and have the authority to halt Project activities that may impact marine wildlife.
- **AMM 5: Pre-Construction Marine Biological Dive Surveys.** No more than 90 days prior to commencement of Project activities, a qualified-scientific diver will conduct a pre-construction marine biological dive survey of the outfall pipe and adjacent seafloor within the work areas and pre-plotted anchor locations to identify any sensitive species or hardbottom habitat. If sensitive species or hardbottom habitats are identified, the appropriate agencies will be contacted and/or anchor locations shall be relocated to avoid impacts to these protected

species. Adjustments to Project methodologies in sensitive habitats may be implemented prior to commencing work activities.

- **AMM 6: Oil Spill Response and Contingency Plan Implementation.** The facilities existing Oil Spill Response and Contingency Plan (OSRCP) will be implemented during all Project activities in the event of a release of oil or contaminants.

7.0 REFERENCES

California Department of Fish and Wildlife (CDFW). 2023. Cambria State Marine Conservation Area and State Marine Park, and White Rock State Marine Conservation Area. Accessed at <https://wildlife.ca.gov/Conservation/Marine/MPAs/Cambria-White-Rock#:~:text=Cambria%20State%20Marine%20Conservation%20Area%20%28SMCA%29%2C%20which%20is,which%20runs%20along%20the%20coast%20to%20the%20south> on March 30, 2023.

National Oceanic and Atmospheric Administration (NOAA). 2021. Monterey Bay National Marine Sanctuary Final Management Plan. Office of National Marine Sanctuaries.

APPENDIX A

San Simeon Community Services District Ocean Outfall Pipeline Repairs Work Plan

APPENDIX B

Marine Biological Assessment

APPENDIX C

Essential Fish Habitat Assessment

4.F. CONSENT AGENDA ITEM

F. ADOPTION OF RESOLUTION 23-470 APPROVING REVISED BOARD OF DIRECTORS MEETING AGENDA TEMPLATE



CONSENT AGENDA ITEM STAFF REPORT

ITEM 4.F. ADOPTION OF RESOLUTION 23-470 APPROVING THE REVISED BOARD OF DIRECTORS MEETING AGENDA TEMPLATE.

Summary:

Currently, the San Simeon Community Services District (“District”) Board of Directors (“Board”) uses an agenda for its regular Board meetings that can result in meetings that are inefficient. In order to address that inefficiency and ensure that the public can participate fully in District meetings, the proposed resolution establishes a revised agenda format for all regular District Board meetings. This item has been placed on the agenda by the Vice-Chairperson for discussion and adoption by the Board.

Board Actions:

1. The Board may approve the Resolution.
2. The Board may approve the Resolution, subject to any changes as directed by the Board; or
3. The Board may reject the Resolution in its entirety.

Enc: Resolution 23-470

RESOLUTION NO. 23 - 470

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON
COMMUNITY SERVICES DISTRICT ESTABLISHING A REVISED AGENDA FORMAT
FOR DISTRICT BOARD OF DIRECTORS MEETINGS**

WHEREAS, under the Ralph M. Brown Act (Gov. Code, §§ 54950 et seq.) all meetings of the San Simeon Community Services District (“District”) Board of Directors (“Board”) are open and public, and meeting agendas are made available to the public to provide notice and an opportunity to comment on District activities; and

WHEREAS, Board meeting agendas ensure that the District’s business is conducted in an efficient and orderly manner at Board meetings; and

WHEREAS, a revised meeting agenda format will increase governmental transparency by facilitating the public’s effective participation in District meetings; and

WHEREAS, a revised meeting agenda format will also increase government efficiency by ensuring that District meetings follow an established order; and

WHEREAS, the Board seeks to revise its meeting agenda format.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Simeon Community Services District that the agendas for regular meetings of the District’s Board shall be revised to conform with the agenda template provided as Exhibit A, attached hereto and incorporated herein by this reference.

ADOPTED by the Board of Directors of the San Simeon Community Services District on _____, 2023, by the following roll call votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

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

ATTEST:

Charles Grace, General Manager of the
San Simeon Community Services District

SAN SIMEON COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS REGULAR BOARD MEETING AGENDA

Thursday, [MONTH AND DAY], [YEAR]

6:00 pm

LOCATION

Agendas: Agenda packets and other written documentation are available for public inspection 72 hours prior to the regularly scheduled meeting at the San Simeon CSD office, located at 111 Pico Avenue, San Simeon, during normal business hours. Any agenda-related writings or documents provided to a majority of the Board of Directors after distribution of the agenda packet are available for public inspection at the same time. Agendas are also posted at: www.sansimeoncsd.org.

Public Comment: The Board of Directors welcomes and encourages participation in Board meetings. Public comment will be allowed for each individual agenda item. Members of the public wishing to speak may do so when recognized by the Chairperson. **Public Comment is limited to three (3) minutes** or less per person for each agenda item, with additional time at the discretion of the Chair. Public comments should be directed to the Board as a whole and not directed to individual Board members or District staff.

Notice regarding Americans with Disabilities Act:



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting or if you need the agenda or the documents in the agenda packet provided in an alternative format, please contact District staff at (805) 927-4778 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made (28CFR 35.102-35.104 ADA TITLE II).

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Any member of the public may address the Board relating to any matter pertaining to District business and within the Board's authority to take action, provided the matter is not on the Board's agenda. **Comments are limited to three (3) minutes** or less with additional time at the discretion of the Chairperson. The public wishing to address the Board on items that do not appear on the agenda may do so; however, the Board will take no action other than referring the item to staff for study and analysis and may place the item on a future agenda.

5. CONSENT CALENDAR ITEMS:

All items are approved by a single action. Any item may be removed from the Consent Calendar for separate discussion upon request from a member of the public, District staff or a Director. Public comment on the Consent Calendar will take place prior to the Board’s vote on the Consent Calendar items. Unless an item is pulled for separate consideration by the Board, the following items are recommended for approval without further discussion.

- A. XXX
- B. XXX
- C. XXX

6. SPECIAL PRESENTATIONS

- A. XXX
- B. XXX
- C. XXX

7. PUBLIC HEARINGS

Public comments at the conclusion of each public hearing item are limited to three (3) minutes per person per item.

- A. XXX
- B. XXX
- C. XXX

8. BUSINESS ACTION ITEMS:

Public comments at the conclusion of each business action item are limited to three (3) minutes per person per item.

- A. XXX
- B. XXX
- C. XXX
- D. XXX
- E. XXX
- F. XXX
- G. XXX

9. DISTRICT STAFF & COMMITTEE REPORTS:

Public comments at the conclusion of District staff and committee reports are limited to three (3) minutes per person per item.

A. STAFF REPORTS:

- i. **District Superintendent’s Report** – Summary of [month] Activities.
- ii. **General Manager’s Report** – Summary of [month] Activities.

- iii. **District Financial Summary** – Summary of [month] Financials.
- iv. **District Counsel’s Report** – Summary of [month] Activities.

B. AD-HOC & STANDING COMMITTEE REPORTS:

- i. **Budget/Finance Committee** – status update
- ii. **Water/Facilities Committee** – status update
- iii. **Grant Acquisition Committee** – status update
- iv. **Policies and Procedures Committee** – status update

10. NON-DISTRICT REPORTS:

Public comments at the conclusion of non-district reports are limited to three (3) minutes per person per item.

- A. Sheriff’s Report** – verbal/written report
- B. CHP Report** – vernal/written report

11. CLOSED SESSION:

Public comments on the closed session agenda are limited to three (3) minutes per person per item. The Board will adjourn to Closed Session to address the following item(s):

- A. XXX**
- B. XXX**

12. RECONVENE AND REPORT OUT OF CLOSED SESSION

13. BOARD COMMENTS:

This section is intended as an opportunity for Board members to make brief announcements, request information from staff, request future agenda item(s) and/or report on their own activities related to District business. No action is to be taken until an item is placed on a future agenda.

14. ADJOURNMENT TO THE NEXT REGULAR MEETING OF XXXXX, XX, 20XX

4.G. CONSENT AGENDA ITEM

G. ADOPTION OF RESOLUTION 23-471 ELIMINATING HYBRID MEETING FORMAT



CONSENT AGENDA ITEM STAFF REPORT

ITEM 4.G. ADOPTION OF RESOLUTION 23- 471 ELIMINATING HYBRID MEETING FORMAT.

Summary:

During the COVID-19 State of Emergency in California, the San Simeon Community Services District (“District”) Board of Directors (“Board”) held its Board meetings either entirely virtually or in a hybrid environment of both virtual and in person attendance. On February 28, 2023, the Governor ended the COVID-19 State of Emergency in California, meaning a quorum of the SSCSD Board of Directors are now required to meet in person. Since its March 14, 2023, meeting the Board has set up equipment for a hybrid meeting option for members of the public and Board members. The proposed Resolution would eliminate the hybrid meeting environment for members of the public and the District’s Board to attend meetings virtually. The District would still allow Board members to teleconference into meetings as provided in Government Code section 54953, subdivisions (a) and (b). Under the proposed Resolution, consultants and other professional service providers for the District would still be able to attend Board meetings virtually. This item has been placed on the agenda by the Vice-Chairperson for discussion and adoption by the Board of Directors.

Board Actions:

1. The Board may approve the Resolution.
2. The Board may approve the Resolution, subject to any changes as directed by the Board; or
3. The Board may reject the Resolution in its entirety.

Enc: Resolution 23-471

RESOLUTION NO. 23 - 471

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON
COMMUNITY SERVICES DISTRICT ELIMINATING THE HYBRID BOARD MEETING
ENVIRONMENT FOR THE DISTRICT'S BOARD OF DIRECTORS MEETINGS**

WHEREAS, the Board of Directors ("Board") of the San Simeon Community Services District ("District") seeks to hold all meetings in person, rather than in the hybrid virtual environment it has used since the beginning of the COVID-19 public health emergency; and

WHEREAS, Government Code section 54953, subdivision (e) allows for teleconferenced participation in Board meetings by the Board and members of the public, without compliance with other provisions of the Brown Act, where certain conditions exist; and

WHEREAS, one of the necessary conditions for continued use of teleconferenced participation of a quorum of the Board at Board meetings, is a declaration of a state of emergency; and

WHEREAS, on February 28, 2023, Governor Newsom ended the State of Emergency related to COVID-19; and

WHEREAS, where a state of emergency does not exist, Government Code section 54953, subdivision (b)(3) requires that a quorum of the Board meeting in person; and

WHEREAS, the facilitate the order conduct of the District's business and to comply with the requirements under the Brown Act, the Board has determined that it will meet in person, with no option for hybrid attendance by the public or Board members.

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

1. Board members and members of the public shall attend District Board meetings in person.
2. Board members may attend District Board meetings via teleconference as provided under Government Code section 54953, subdivisions (a) and (b).

ADOPTED by the Board of Directors of the San Simeon Community Services District on _____, 2023, by the following roll call votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

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

ATTEST:

Charles Grace, General Manager of the
San Simeon Community Services District

4.H. CONSENT AGENDA ITEM

H. ADOPTION OF RESOLUTION 23-472 ESTABLISHING NEW DAY AND TIME FOR BOARD OF DIRECTOR MEETINGS



CONSENT AGENDA ITEM STAFF REPORT

ITEM 4.H. ADOPTION OF RESOLUTION 23-472 ESTABLISHING NEW DAY AND TIME FOR BOARD OF DIRECTOR MEETINGS.

Summary:

The San Simeon Community Services District (“District”) Board of Directors (“Board”) currently holds its regular Board meetings on the second Tuesday of each month at 5 p.m. To ensure that a quorum of Board members can attend the regular monthly Board meetings, it is necessary to move the date for the Board’s regular meetings. The proposed Resolution would change the regular monthly meetings to the first Thursday of each month at 6 p.m. This item has been placed on the agenda by the Vice-Chairperson for discussion and adoption by the Board of Directors.

Board Actions:

1. The Board may approve the Resolution.
2. The Board may approve the Resolution, subject to any changes as directed by the Board; or
3. The Board may reject the Resolution in its entirety.

Enc: Resolution 23-472

RESOLUTION NO 23 - 472

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON
COMMUNITY SERVICES DISTRICT ESTABLISHING A NEW DATE FOR THE
DISTRICT'S REGULAR MONTHLY MEETING OF THE BOARD OF DIRECTORS**

WHEREAS, the Board of Directors ("Board") of the San Simeon Community Services District ("District") currently holds its regular monthly meeting on the second Tuesday of each month, beginning at 5:00 pm; and

WHEREAS, to accommodate the schedules of the current Board and ensure that the Board has a quorum to conduct business, the Board has determined that the current regular monthly meeting should occur on a different day of the month; and

WHEREAS, the Board finds that changing the regular meeting date is in the District's best interest to facilitate regular attendance of the Board and the public at the District's regular monthly Board meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Simeon Community Services District that the regular monthly Board of Directors meeting shall occur on the first Thursday of each month at 6 p.m.

ADOPTED by the Board of Directors of the San Simeon Community Services District on _____, 2023, by the following roll call votes:

AYES:
NOES:
ABSENT:
ABSTAINED:

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

ATTEST:

Charles Grace, General Manager of the
San Simeon Community Services District

4.I. CONSENT AGENDA ITEM

**Item 4.I. ADOPTION OF RESOLUTION 23- 473 REVISED DEADLINE FOR
GENERAL MANAGER REQUESTS FOR QUALIFICATIONS AND OPERATIONS
MANAGEMENT REQUEST FOR PROPOSALS.**



CONSENT AGENDA ITEM STAFF REPORT

ITEM 4.I. ADOPTION OF RESOLUTION 23-473 OF REVISED DEADLINE FOR GENERAL MANAGER REQUESTS FOR QUALIFICATIONS AND OPERATIONS MANAGEMENT REQUEST FOR PROPOSALS.

Summary:

The SSCSD Board of Directors previously approved the position of general manager RFQ and water/wastewater operations RFP during its March 28, 2023, special Board meeting. Both the RFQ and RFP were issued on May 3, 2023, with submission deadlines on August 3, 2023, at 5 p.m. The Board has already received multiple submissions. At the request of Vice-Chairperson Karina Tiwana, the proposed Resolution would shorten the submission deadline to **at 5 p.m.** for the general manager RFQ and the water/wastewater operations RFP. This item has been placed on the agenda by staff for discussion and adoption by the Board of Directors.

Board Actions:

1. The Board may approve the Resolution.
2. The Board may approve the Resolution, subject to any changes as directed by the Board; or
3. The Board may reject the Resolution in its entirety.

Enc: Resolution 23-473

RESOLUTION NO. 23 - 473

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT AUTHORIZING SHORTER SUBMISSION DEADLINES FOR THE POSITION OF GENERAL MANAGER REQUEST FOR QUALIFICATIONS (“RFQ”) AND THE WATER/WASTEWATER OPERATIONS REQUEST FOR PROPOSAL (“RFP”)

WHEREAS, the current contract for duties of general manager and water/wastewater operations will expire on January 31, 2024; and

WHEREAS, the Board of Directors (“Board”) of the San Simeon Community Services District (“District”) has issued a request for proposals to provide water/wastewater operation services (“RFP”) and a request for qualifications for the position of general manager (“RFQ”) on May 3, 2023; and

WHEREAS, both the RFP and RFQ must currently be submitted no later than August 3, 2023, based on the current contracts for those services expiring on January 31, 2024; and

WHEREAS, the District has already received multiple submissions, and to allow adequate time for review of the proposals and any necessary transition of duties, the Board seeks to shorten the submission deadlines for the RFP and RFQ; and

WHEREAS, the shorter deadline for submissions will allow the Board to begin the selection process and conduct interviews sooner; and

WHEREAS, the change in deadline for the RFQ and RFP via a public process provides notice to all potential bidders of the change in the submission deadline.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Simeon Community Services District that the submission deadline for the request for qualifications for the position of general manager and the request for proposals for the water/wastewater operations is changed from August 3, 2023, at 5 p.m. to at 5 p.m.;

ADOPTED by the Board of Directors of the San Simeon Community Services District on _____, 2023, by the following roll call votes:

- AYES:
- NOES:
- ABSENT:
- ABSTAINED:

Chairperson, Board of Directors of the

San Simeon Community Services District

ATTEST:

Charles Grace, General Manager of the
San Simeon Community Services District

5.A. BUSINESS ACTION ITEM

**A. DISCUSSION AND APPROVAL OF A RESOLUTION RECOMMENDING THE SAN LUIS
OBISPO COUNTY BOARD OF SUPERVISORS APPOINT HOLLY LE TO FILL A VACANCY
ON THE SSCSD BOARD OF DIRECTORS**



BUSINESS ACTION ITEM STAFF REPORT

ITEM 5.A. DISCUSSION AND APPROVAL OF RESOLUTION 23-474 RECOMMENDING THE SAN LUIS OBISPO COUNTY BOARD OF DIRECTORS APPOINT HOLLY LE TO FILL A VACANCY ON THE SSCSD BOARD OF DIRECTORS.

Summary:

On April 3, 2023, San Simon Community Services District (“District”) Board of Director member (“Director”) Gwen Kellas resigned from the District’s Board of Directors (“Board”). Director Kellas’ resignation was effective immediately. Through the November 3, 2020, general election, Ms. Kellas was elected to serve a four (4) year term as a member of the Board, which was set to expire in December 2024. As such, Ms. Kellas resigned during the second half of her term of office as Director.

Government Code section 61042, subdivision (c) provides that in a community services district (“CSD”), any vacancy in the office of a member elected to the board of directors shall be filled pursuant to Government Code section 1780.¹ Section 1780, subdivision (b) requires the District to notify the San Luis Obispo County (“County”) elections official (“Elections Official”) of the vacancies no later than fifteen (15) days after the Board is notified of the vacancy or the effective date of the vacancy, whichever is later. The Elections Official was notified of the vacancies on or about April 20, 2023. Section 1780, subdivision (c) provides that the remaining members of the Board may fill the vacancy by appointment or by calling for an election.

Section 1780, subdivision (d)(1) provides that if the Board elects to fill the vacancy by appointment, the appointment must be made within sixty (60) days after the date the notice became effective or was received, whichever is later.

The District advertised the vacancy on the Board and made efforts to solicit interest for the position. However, at the time of the Board meeting on May 23, 2023, the District had not received any applications to fill the vacancy. Pursuant to state law, the appointment must be made by June 2, 2023.

On May 31, 2023, the District received an application for the vacant Board seat from Ms.

¹ All further references are to the Government Code, unless otherwise provided.

Holly Le. Pursuant to Government Code section 1780, subdivision (f)(1), if the vacancy is not filled by the Board by appointment, or if the Board has not called for an election, the County Board of Supervisors may appoint a person to fill the vacancy, or call for an election to fill the vacancy. Since the Board did not have the opportunity to make the appointment and the matter will now be before the County Board of Supervisors, the Board can request for the appointment of Ms. Le.

County staff and County Counsel have recommended the Board formally request the appointment of Ms. Le. District staff has prepared a resolution memorializing this request for the Board's consideration.

Board Actions:

1. The Board may approve the Resolution.
2. The Board may approve the Resolution, subject to any changes as directed by the Board; or
3. The Board may reject the Resolution in its entirety.

Enc: Resolution 23-474

RESOLUTION NO. 23 - 474

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON
COMMUNITY SERVICES DISTRICT ESTABLISHING A NEW DATE FOR THE
DISTRICT'S REGULAR MONTHLY MEETING OF THE BOARD OF DIRECTORS**

WHEREAS, On April 3, 2023, San Simon Community Services District ("District") Board of Director member ("Director") Gwen Kellas resigned from the District's Board of Directors ("Board"); and

WHEREAS, Government Code section 61042, subdivision (c) provides that in a community services district ("CSD"), any vacancy in the office of a member elected to the board of directors shall be filled pursuant to Government Code section 1780; and

WHEREAS, Government Code Section 1780, subdivision (d)(1) provides that if the Board elects to fill the vacancy by appointment, the appointment must be made within sixty (60) days after the date the notice became effective or was received, whichever is later; and

WHEREAS, the District advertised the vacancy on the Board and made efforts to solicit interest for the position; and

WHEREAS, at the time of the Board meeting on May 23, 2023, the District had not received any applications to fill the vacancy.

WHEREAS, pursuant to state law, the appointment must be made by June 2, 2023; and

WHEREAS, on May 31, 2023, the District received an application for the vacant Board seat from Ms. Holly Le, attached hereto as **Exhibit A**; and

WHEREAS, pursuant to Government Code section 1780, subdivision (f)(1), if the vacancy is not filled by the Board by appointment, or if the Board has not called for an election, the San Luis Obispo County Board of Supervisors may appoint a person to fill the vacancy or call for an election to fill the vacancy; and

WHEREAS, since the Board did not have the opportunity to make the appointment and the matter will now be before the San Luis Obispo County Board of Supervisors, the Board can request for the appointment of Ms. Le; and

WHEREAS, the Board finds that it is in the best interest of the Board to fill the current vacancy and eliminate the need for an election and supports the appointment of Ms. Le.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Simeon Community Services District to recommend that the San Luis Obispo County

Board of Supervisors appoint Ms. Holly Le to the fill the vacancy on the Board as the result of the resignation of Ms. Gwen Kellas on April 3, 2023.

ADOPTED by the Board of Directors of the San Simeon Community Services District on _____, 2023, by the following roll call votes:

AYES:
NOES:
ABSENT:
ABSTAINED:

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

ATTEST:

Charles Grace, General Manager of the
San Simeon Community Services District

SAN SIMEON COMMUNITY SERVICES DISTRICT



APPLICATION FOR VACANT BOARD OF DIRECTOR SEAT

Name: Holly (Hoa) Le

Phone # [REDACTED]

Address: [REDACTED]

Email [REDACTED]

Please list experience you have that would benefit your serving on the SSCSD Board.

My academic background and work experience would benefit my serving on the Board although I do not have direct experience in community service. My diverse academic background, a law degree and science degree, has equipped me the ability to understand unique challenges that come with managing an unincorporated town like San Simeon, the analytical skills to identify and develop innovative solutions to address these challenges, the flexibility to navigate different situations to arrive at solutions that would promote co-operation and/or reconcile differences between local needs and county-wide regulations.

My work experience as federal employee in a unique field that utilizes both legal and technological knowledge should enable me to focus, prioritize and explore various matters and options that benefit our community.

Why do you want to be a Director on the SSCSD Board?

After having lived here for over three years and witnessed issues facing our little town, I hope to bring positive changes, however small to our town and its residents. I would also like to foster a sense of community and the desire for cooperation among our residents, which currently seems essentially absent, so that we could work together as a team to find practical solutions to our problems. After the storms this year, team work is ever more important as our little coastal town is more vulnerable to environmental destabilization than others, while we have little resources with our small population. However, I do believe our little town can live big if we can work together.

Yes

I am a registered voter residing in the above named jurisdiction. If appointed, I will qualify and accept the above stated office and serve to the best of my ability.

Yes

I am aware that any person who files or submits for filing a declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine or imprisonment, or both, as set forth in Election Code § 18203.

Area Applying for (circle one):



B

C

D

E

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Athile

Signature of candidate

05/31/2023

Date

Application received by

Date

5.B. BUSINESS ACTION ITEM

B. DISCUSSION, REVIEW, AND APPROVAL OF REVISIONS TO THE SSCSD POLICIES AND PROCEDURES CONCERNING THE DUTIES AND RESPONSIBILITIES OF THE BUDGET/FINANCE STANDING COMMITTEE



BUSINESS ACTION ITEM STAFF REPORT

ITEM 5.B. DISCUSSION, REVIEW AND APPROVAL OF REVISIONS TO THE SSCSD POLICIES AND PROCEDURES CONCERNING THE DUTIES AND RESPONSIBILITIES OF THE BUDGET/ FINANCE STANDING COMMITTEE

Summary:

Vice Chair Tiwana has requested the Board review and consider changes to the SSCSD Policies and Procedures concerning the duties and responsibilities of the Budget/Finance standing committee.

Each standing committee is comprised of one or two Board members and three to five members of the public subject to Board approval.

The SSCSD Policies and Procedures states the following:

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.

Board Actions:

1. The Board may direct staff to revise the Policies and Procedures concerning the budget/finance committee policies.
2. The Board may keep the Policies and Procedures in the current format.

5.C. BUSINESS ACTION ITEM

C. DISCUSSION, REVIEW, AND APPROVAL OF A CONTRACT AMENDMENT WITH REGIONAL GOVERNMENT SERVICES AUTHORITY (RGS)



BUSINESS ACTION ITEM STAFF REPORT

ITEM 5.C. DISCUSSION, REVIEW AND APPROVAL OF A CONTRACT AMENDMENT WITH REGIONAL GOVERNMENT SERVICES AUTHORITY (RGS).

Summary:

On May 23, 2023, at a special Board meeting, the San Simeon Community Services District Board of Directors (“Board”) approved a contract with RGS for financial operational services. Based on the District’s need for specialized services in preparing and presenting the Board with a District budget for fiscal year 2023-2024, the Vice-Chairperson requested RGS prepare an amendment to the contract to increase the not-to-exceed amount to perform these services. The proposed amendment modifies Section 3 Compensation of the contract to increase the not-to-exceed amount by \$17,000 to a revised total of \$52,000. All other terms and conditions of the Agreement shall remain in full force and effect.

Board Actions:

1. The Board may approve the proposed Amendment.
2. The Board may approve the proposed Amendment with revisions, and subject to approval by RGS.
3. The Board may reject the Amendment.

Enc: Contract Amendment



**REGIONAL
GOVERNMENT
SERVICES**

SERVING PUBLIC AGENCIES SINCE 2002

**AMENDMENT NO. 1 TO MANAGEMENT AND ADMINISTRATIVE
SERVICES AGREEMENT**

This first amendment to the Management and Administrative Services Agreement between the **SAN SIMEON COMMUNITY SERVICES DISTRICT** (“Agency”) and Regional Government Services Authority, hereinafter called “RGS” is made and entered into this 5th day of June, 2023.

RECITALS

The Agency and RGS entered into an Agreement for services dated June 1, 2023. This Amendment is entered into with reference to the following facts and circumstances:

- A. Section 3, Compensation, is amended to increase the Not To Exceed (NTE) amount by \$17,000, to a revised total of \$52,000.
- B. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Additional Services Amendment to be executed on the date first above written by their respective officers duly authorized in that behalf.

Dated: _____

Dated: _____

Agency

RGS

Charles Grace, General Manager

Sophia Selivanoff, Executive Director

5.D. BUSINESS ACTION ITEM

**D. DISCUSSION, REVIEW, AND APPROVAL TO RESCHEDULE THE JULY
11TH REGULAR BOARD MEETING**



BUSINESS ACTION ITEM STAFF REPORT

ITEM 5.D. DISCUSSION, REVIEW, AND APPROVAL TO RESCHEDULE THE JULY 11, 2023 REGULAR BOARD MEETING.

Summary:

During the May Board meeting, Director Diamond stated that she would be unable to attend the July 11, 2023 Board meeting. Since there are currently only three Board members, the absence of Director Diamond, would result in the inability of the Board to have a quorum. This item was placed on the agenda to allow the Board to discuss a date to hold a meeting in July.

Recommendation:

GES Staff is looking for direction from the Board on this matter.

5.E. BUSINESS ACTION ITEM

E. DISCUSSION AND APPROVAL OF REQUEST TO CAMBRIA COMMUNITY SERVICES DISTRICT FOR MUTUAL AID AGREEMENT



BUSINESS ACTION ITEM STAFF REPORT

ITEM 5.E. DISCUSSION AND APPROVAL OF A REQUEST TO CAMBRIA COMMUNITY SERVICES DISTRICT FOR MUTUAL AID AGREEMENT.

Summary:

On June 1, 2023, Vice Chair Tiwana and District Counsel met with representatives from the Cambria Community Services District to discuss the possibility of a mutual aid agreement between Cambria and the San Simeon Community Services District (“SSCSD”). The purpose of a mutual aid agreement is to memorialize an arrangement between the two agencies to provide assistance to the other in the event of a local emergency or catastrophic event.

Mutual aid agreements are arrangements between public agencies to provide resources and facilities in the event of emergencies such as natural disasters, floods, fires, earthquakes, and other similar circumstances. These agreements formalize the cooperation between the parties to provide mutual assistance and are designed to facilitate the rendering of aid to an agency stricken by an emergency whenever its respective resources are overwhelmed or inadequate.

Cambria representatives requested the SSCSD Board of Directors agendaize a discussion and take a formal vote to request a mutual aid agreement with Cambria, which should include a list of possible conditions and terms to be included in the agreement.

Possible terms and conditions can include:

- Each party will develop a plan to establish an effective mobilization of resources and facilities to address any type of disaster.
- Each party agrees to provide resources and facilities and render services to the other party in accordance with the adopted mutual aid operational plans.
- No party shall be required to deplete its own resources, facilities, and services in providing aid to the other party.
- The responding party’s obligation to provide mutual aid is subject to and contingent upon staffing and equipment availability and financial limitations, as determined in the responding party’s sole and absolute discretion.
- Mutual aid costs may be reimbursed or provided at no cost, subject to mutual

approval of the parties.

- Each party will maintain the necessary insurance, or self-insure, its activities in connection with the mutual aid agreement.
- All mutual aid extended under the arrangement must comply with all applicable provisions of law.
- The responsible local official in whose jurisdiction an incident requiring mutual aid has occurred shall remain in charge at such incident including the direction of such personnel and equipment provided to that individual through the operation of such mutual aid plans.
- Either party may terminate the agreement with sufficient notice to the other (examples: 20, 40, 60 days prior written notice).
- Each party agrees to defend, indemnify and hold harmless the other party, and its officials, employees, or agents from and against any damages arising out of alleged negligence, intentional or willful misconduct in carrying out the agreement.

Board Actions:

1. The Board may approve the preparation of a formal request to Cambria for a mutual aid agreement with approved terms and conditions.
2. The Board may request additional information be brought before the Board at a future meeting.
3. The Board may reject the proposal and take no further action.