

**MEETING MINUTES**  
**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS REGULAR BOARD MEETING**  
**Tuesday, July 12, 2022**  
**5:00 pm**

Pursuant to San Simeon CSD Resolution 22-449 and incompliance with AB 361 this meeting occurred as a virtual teleconference using the Zoom app.

**Internet Meeting Location – Via ZOOM**

**1. REGULAR SESSION @ 5:05 PM**

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

**2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:**

**Public Comment –**

(3:10) Sherry Brajcich commented on applying to be on the water waitlist and applying for a hardship request.

(7:30) Julie Tacker commented that during the agenda item for future Board meeting agenda items was not being discussed at the meetings. She also spoke about the public being disenfranchised.

(10:40) Henry Krzciuk commented (the first portion of comments were not audible). He went on to speak about Jerry Copeland leaving and how this impacts the GES contract. He stated that Chairperson should be recalled.

(13:35) Karina Tiwana commented about the Board running a deficit each month. She expressed her concern about the District's spending.

(15:20) Marlena Ramey commented on the District's running a deficit.

**A. BOARD DISCUSSION, CONSIDERATION, AND APPROVAL OF PROPOSALS RELATED TO GRANT WRITING SERVICES FOR THE PERIOD OF THREE YEARS. (18:03)**

**Public Comment –**

(18:45) Karina Tiwana commented.

(20:05) Henry Krzciuk commented.

(21:55) Jeff Stolberg commented.

(23:00) Julie Tacker commented.

(26:15) Mike Hanchett commented.

(28:50) Karina Tiwana commented.

Chairperson Kellas introduced the item. Jason Siegen from Criscom was present. Jason presented information related to the retainer fee along with the process Criscom follows to locate grants for their clients. Director de la Rosa spoke about the 30-day termination option that would be part of the contract.

(44:15) There was further discussion between Vice-Chairperson Giacoletti, Director Donahue, and Jason Siegen related to the grant application process.

(47:35) There was a motion to except Criscom Company to work on grant applications on a monthly basis until the Board decides to terminate the contract.

Motion: Chairperson Kellas  
2nd: Director Donahue  
Vote: 4/0

Roll Call:  
Kellas: Yes      Giacoletti: Yes      de la Rosa: Yes      Donahue: Yes

### **3. SPECIAL PRESENTATIONS AND REPORTS: (48:30)**

#### **A. STAFF REPORTS:**

- i. Sheriff's Report** – None.
- ii. CHP Report** – None.
- iii. Superintendent's Report** – (49:22) Charlie Grace provided a summary of June activities.
- iv. General Manager's Report** – (51:40) Charlie Grace provided a summary of June activities.
- v. District Financial Summary** – (56:30) Charlie Grace provided a summary of June financials.
- vi. District Counsel's Report** – (58:15) Jeff Minnery provided a summary of June activities.
- vii. Board Member Report** – (59:55) Chairperson Kellas commented that this was a place holder on the agenda. There was no report provided on this item.

#### **B. AD-HOC & STANDING COMMITTEE REPORTS: (1:00:21)**

- i. Status Update** – Director Donahue provided a summary of the Parking/Camping on District Streets, stating that the Supervisor Gibson's office was working on this matter.
- ii. Status Update** – Vice-Chairperson Giacoletti and Director Donahue provided a summary on the District Insurance Policy Update.

Public Comment – (1:09:30)  
(1:09:50) Julie Tacker commented.

(1:10:15) Director de la Rosa inquired about the well depth average chart. Charlie Grace responded to this question. They further discussed the Pico Avenue Stairs being repaired. They also spoke about the water repair on Avonne Avenue. There was also discussion about the mobile home park owners encroaching on Penn Way.

Public Comment –  
(1:17:04) Julie Tacker commented.  
(1:20:06) Karina Tiwana commented.

(1:23:05) Tina Dickason commented.

(1:27:30) Henry Krzciuk commented.

(1:32:00) Charlie Grace asked Director Donahue to clarify his question about the electricity bills.

#### **4. CONSENT AGENDA ITEMS: (1:32:53)**

**A. REVIEW AND APPROVAL OF MINUTES FOR THE REGULAR MEETING ON JUNE 14, 2022.**

**B. REVIEW AND APPROVAL OF MINUTES FOR THE SPECIAL MEETING ON JUNE 9, 2022.**

**C. REVIEW OF APPROVAL OF MINUTES FOR THE SPECIAL MEETING ON JUNE 29, 2022.**

**D. REVIEW AND APPROVAL OF DISBURSEMENTS JOURNAL.**

**E. ADOPTION OF RESOLUTION 22-452 TO CONTINUE VIRTUAL MEETINGS PURSUANT TO THE PROVISIONS OF AB 361.**

**F. ADOPTION OF RESOLUTION 22-453 REQUESTING CONSOLIDATION OF THEIR BIENNIAL ELECTION WITH THE NOVEMBER 8, 2022 CONSOLIDATED ELECTION.**

**G. ADOPTION OF RESOLUTION 22-454 ADOPTING THE SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT AND AUTHORIZING DISTRICT PARTICIPATION IN THE SAN LUIS OBISPO COUNTY INTEGRATED WASTE MANAGEMENT AUTHORITY (IWMA).**

(1:34:48) Vice-Chairperson Giacoletti asked that meeting minutes for the June 14, 2022 page six (6), she stated that she was opposed to the direction provided to staff.

#### **Public Comment – (1:35:51)**

(1:36:27) Julie Tacker commented.

(1:37:41) Henry Krzciuk commented.

(1:39:54) Director Donahue commented about the trash services and the electricity bills.

(1:42:10) A motion was made to approve Consent Agenda items A-G as is with respect to the question about the June 14, 2022 meeting minutes.

(1:43:34) The motion was repeated. Approve Consent Agenda items with review of the June 14, 2022 minutes.

Motion: Chairperson Kellas  
2nd: Vice-Chairperson Giacoletti  
Vote: 4/0

Roll Call:

Kellas: Yes      Giacoletti: Yes      de la Rosa: Yes      Donahue: Yes

**5. PUBLIC HEARING: (1:44:10)**

**A. INTRODUCTION OF ORDINANCE NO. 124 OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT AMENDING AND MODIFYING THE MORATORIUM OF THE ISSUANCE OF WATER CONNECTIONS WITHIN THE BOUNDARIES OF THE DISTRICT.**

(1:44:47) Director Donahue suggested that Exhibit A was missing.

(1:46:00) Jeff Minnery asked that Board introduce Ordinance 124.

Public Comment –

(1:49:06) Claire commented.

(1:50:20) Henry Krzciuk commented.

(1:54:15) Jeff Minnery provided additional background information on Ordinance No. 124 stating that this Ordinance helped to establish policy related to the waitlist. Vice-Chairperson Giacoletti commented about the need for the Stillwater report to be released and recommended that this matter be delayed. Director Donahue commented about persons waiting to be on the waitlist.

(1:56:57) Cortney Murguia asked the Board who was contractually responsible for tracking and maintaining a water waitlist.

Public Comment –

(2:05:50) Bob Hather commented.

(2:08:06) Sherry Brajich commented.

(2:13:20) Tina Dickason commented.

(2:15:45) Karina Tiwana commented.

(2:18:32) Julie Tacker commented.

(2:22:30) Henry Krzciuk commented.

(2:24:20) Sherry Brajich commented.

(2:25:30) Michael Hanchett commented.

(2:28:30) Chairperson Kellas read comments from David Sansone.

(2:29:58) Director Donahue made a motion to defer introduction of Ordinance No. 124 to a further date. (This motion was summarized because the length of the motion was too long to dictate). Added that he wanted this deferred to the August. 2<sup>nd</sup>: Vice-Chairperson Giacoletti

(2:32:20) Jeff Minnery, Director Donahue, and Chairperson Kellas spoke about the Ordinance.

(2:37:03) Director Donahue repeated a motion to defer this matter until September.

Motion: Director Donahue

2nd: Vice-Chairperson Giacoletti

Vote: 2/2

Roll Call:

Kellas: No    Giacoletti: Yes    de la Rosa: No    Donahue: Yes

(2:39:30) Chairperson Kellas made a motion to approve Ordinance No. 124. (The Ordinance was too long to transcribe.

(2:40:00) There was further discussion between Vice-Chairperson Giacoletti, Director Donahue, Chairperson Kellas about Ordinance No. 124.

(2:47:25) Director de la Rosa proposed that this matter be deferred 6 weeks to allow for time to work through some of the concerns related to this Ordinance. There was further conversation between the Directors and Jeff Minnery about this proposal.

(2:51:03) Director de la Rosa made a motion that this item be tabled until Tuesday August 30, 2022 to further discuss this issue.

Motion: Director de la Rosa

2nd: Vice-Chairperson Giacoletti

Vote: 3/1

Roll Call:

Kellas: Yes    Giacoletti: No    de la Rosa: Yes    Donahue: Yes

**B. PUBLIC OUTREACH AND DISCUSSION REGARDING THE COASTAL HAZARD RESPONSE PLAN (CHRP)/ LOCAL COASTAL PLAN (LCP) PERTAINING TO THE RELOCATION OF THE WASTE WATER TREATMENT PLANT. (2:52:20)**

Charlie Grace introduced the item. Jeff Oliveira from Oliveira Environmental Consulting (OEC) provided background information about the Dudek Plant Relocation memo.

(3:02:50) Director Donahue commented that John Davis should have been present at this meeting. He further stated that he had been in contact with Don Howell from the Cambria CSD to ask that Cambria form an ad-hoc committee to discuss joint infrastructure between the two communities.

Public Comment –

(3:08:40) Sherry Brajich commented.

(3:10:20) Tina Dickason commented.

(3:13:15) Henry Krzciuk commented.

(3:25:40) Bob Hather commented.

(3:28:25) Karina Tiwana commented.

(3:32:00) Claire commented.

(3:34:25) Julie Tacker commented.

(3:39:10) Jeff Oliveira (OEC) provided information on CEQA and permitting of the WWTP plant.

(3:40:35) Marlene Ramey commented.

(3:44:25) Henry Krzciuk commented.

(3:45:10) Julie Tacker commented.

(3:46:38) Marshall Pihl commented.

(3:47:40) Director Donahue made a motion to reauthorize their services for the next few months. There was no second.

## **6. BUSINESS ACTION ITEMS: (3:51:50)**

### **B. BOARD DISCUSSION, CONSIDERATION, AND APPROVAL OF PROPOSALS RELATED TO ENVIRONMENTAL PLANNING SERVICES FOR THE PERIOD OF THREE YEARS.**

Chairperson Kellas introduced the item. Crysthal Taylor with Padre was present. Director Donahue stated that he had thoroughly researched this item and he recommended that the District select Padre.

#### **Public Comment –**

(3:58:00) Julie Tacker commented.

(4:00:00) Henry Krzciuk commented.

(4:03:00) Karina Tiwana commented.

(4:07:15) Michael Hanchett commented.

Director Donahue, Crysthal Taylor discussed the various projects within the community. There was additional conversation about the various proposals. Chairperson Kellas stated that there would be a learning curve for a new contractor. Her and Director Donahue further discussed this matter.

(4:13:50) Simon Poulter (Padre) further discussed the experience of Padre related to various coastal projects.

(4:17:20) Director Donahue made a motion to accept the proposal from Padre.

Motion: Director Donahue

2nd: Vice-Chairperson Giacoletti

Vote: 2/2

Roll Call:

Kellas: No    Giacoletti: Yes    de la Rosa: No    Donahue: Yes

(4:19:00) Director de la Rosa asked if it was feasible to have both Oliveira and Padre work together for a set amount of time during the transition period. The Board members discussed this matter.

(4:24:20) A motion was made to hire Padre with Jeff Oliveira as a consultant for the period of six (6) months.

Motion: Director de la Rosa

2nd: Chairperson Kellas

Vote: 4/0

Roll Call:  
Kellas: Yes      Giacoletti: Yes      de la Rosa: Yes      Donahue: Yes

**C. DISCUSSION, CONSIDERATION OF PROPOSALS FROM CANON AND ASHLEY & VANCE ENGINEERING, LLC FOR DESIGN AND SPECIFICATIONS, PROJECT MANAGEMENT, PERMITTING, BID PHASE SERVICES, AND CONSTRUCTION MANAGEMENT OF THE COMMUNITY WATER AND SEWER PIPE BRIDGE REPLACEMENT NOT TO EXCEED THE AMOUNT OF \$ 258,000.00. (4:25:15)**

Charlie Grace introduced the item.

(4:27:10) Vice-Chairperson Giacoletti and Director Donahue discussed the proposal and the elevation of the pipe bridge. Charlie Grace clarified that these elements were related to the design phase of the project. Ian Shoebridge from Ashley Vance and Marshall Pihl from Canon answered questions from the Board. Charlie Grace inquired about specific costs listed in the Ashley Vance proposal. There was continued conversation about the proposals.

**Public Comment –**

(4:47:00) Henry Krzciuk commented.

(4:52:00) Julie Tacker commented.

(4:56:20) A motion was made to approve the proposal from Ashley Vance.

Motion: Director Donahue  
2nd: Vice-Chairperson Giacoletti  
Vote: Chairperson Kellas recused herself.

Roll Call:  
Giacoletti: Yes      de la Rosa: Yes      Donahue: Yes

**7. CLOSED SESSION: (4:58:00)**

Jeff Minnery introduced the item.

**Public Comment –**

(4:59:35) Julie Tacker commented.

(5:02:30) Henry Krzciuk commented.

**A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code § 54956.9. One (1) Potential Case - Cavalier Inn, Inc., et al.

**B. CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS**

Pursuant to Government Code §54956.8: Conference with Real Property Negotiators. Property: (APN: 013.091.027 East end of Pico Avenue); Agency negotiators: District Board of Directors, Charles Grace, and Jeff Minnery. Negotiating Parties: Director de la Rosa, Charles Grace, Jeff Minnery for the District; Ron Hurlbert for the subject property

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

**Report on Closed Session:** There was no reportable action.

**8. ADJOURNMENT – 10:06 PM**