

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

Internet Meeting Location - ZOOM

1. REGULAR SESSION @ 3:00 PM

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| A. Chairperson Kellas – Present
Director Carson – Present
Director Maurer – Present
Director de la Rosa – Present
Director Giacoletti - Present | General Manager, Charlie Grace
District Counsel, Jeff Minnery |
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2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Public Comment –

Julie Tacker commented on the District office being closed.

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

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

3. SPECIAL PRESENTATIONS AND REPORTS:

A. STAFF REPORTS:

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

B. PUBLIC COMMENTS ON SPECIAL PRESENTATIONS AND REPORTS:

Public Comment – (11:44)

Julie Tacker commented.

Hank Krzciuk commented.

4. CLOSED SESSION:

Public Comment on Closed Session – (16:07)

Julie Tacker commented.

Henry Krzciuk commented.

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

There was no reportable action.

5. CONSENT AGENDA ITEMS:

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

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

C. Review and approval of Disbursements Journal.

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

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

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

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

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

Chairperson Kellas recommended tabling 20-419.

Public Comment – (26:10)

April Dury commented.

Julie Tacker commented.

Henry Krzciuk commented.

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

Motion: Chairperson Kellas
2nd: Director Maurer
Vote: 4/1
Abstain: Giacoletti
Roll Call:

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

6. BUSINESS ACTION ITEMS:

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

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

2nd: Director Carson

Public Comment – (36:19)
Julie Tacker commented.
Henry Krzciuk commented.
April Dury commented.
David Sansone commented.

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

Motion: Chairperson Kellas
2nd: Director de la Rosa
Vote: 5/0
Roll Call:

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

Michael Donahue commented.

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

Chairperson Kellas introduced the item.

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

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

Public Comment – (45:53)

Henry Krzciuk commented.

Julie Tacker commented.

April Dury commented.

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

Director Maurer agreed on the 6 PM start time

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

Motion: Chairperson

2nd: Director de la Rosa

Vote: 5/0

Roll Call:

Kellas: Yes

Carson: Yes

Maurer: Yes

de la Rosa: Yes

Giacoletti: Yes

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

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

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

Michael Hanchett asked to remain on the committees.

No changes.

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

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

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

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

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

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

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

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

Public Comment – (1:05:19)

Bob Hather commented.

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

Jerry Copeland commented.

Cortney Murguia commented.

Michael R. Hanchett commented.

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

This item was deferred until the February Board meeting.

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

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

Public Comment – (52:28)

Julie Tacker commented.

Henry Krzciuk commented.

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

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

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

Public Comment – (1:12:23)

Henry Krzciuk commented.

Julie Tacker commented.

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

Motion: Chairperson Kellas

2nd: Director Carson

Vote: 5/0

Roll Call:

Kellas: Yes

Carson: Yes

Maurer: Yes

de la Rosa: Yes

Giacoletti: Yes

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

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

Public Comment – (1:17:00)

Henry Krzciuk commented.

Julie Tacker commented.

Mike R. Hanchett commented.

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

Motion: Chairperson Kellas

2nd: Director Carson

Vote: 5/0

Roll Call:

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

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

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

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

Public Comment – (1:32:53)

Julie Tacker commented.

Bob Hather Commented.

Director Carson commented that Bob Hather was following the process laid out in the Ordinance. He commented on his understanding of available water and that members of

the public were trying to block the installation of the tanks. He stated that he felt the Board should consider Mr. Hather's request.

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

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

2nd Public Comment – (1:43:53)

Mike R. Hanchett commented.

Jeffrey Stolberg commented.

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

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

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

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

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

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

Motion: Chairperson Kellas

2nd: Director de la Rosa

Vote: 4/1

Roll Call:

Kellas: Yes

Carson: No

Maurer: Yes

de la Rosa: Yes

Giacoletti: Yes

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

8. ADJOURNMENT @ 5:54 PM