

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

Pursuant to San Simeon CSD Resolution 22-442 and incompliance with AB 361 this meeting occurred as a virtual teleconference using the Zoom app.

Internet Meeting Location – Via ZOOM

1. REGULAR SESSION: 5:02 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 –

(1:20) Henry Krzciuk commented on FPPC complaints against the Chairperson and a threat of apparent conflict of interest.

(5:05) Julie Tacker commented about items she believed to be missing from the meeting agenda. She went on to speak about the GES indemnification vote and asked that it be placed on a future agenda. She also spoke about the Pico Avenue staircase.

(8:44) Director Donahue spoke about the District enacting a no-camping ordinance and the GES contract not being on the agenda.

(11:15) Jeff Minnery suggested that Consent Agenda Item 4E. ADOPTION OF RESOLUTION 22-444 TO CONTINUE VIRTUAL MEETINGS PURSUANT TO THE PROVISIONS OF AB 361 be voted on by the Board.

The Chairperson moved this item and called for public comment.

(12:45) Julie Tacker commented.

(14:45) Bill Michaelson commented.

(15:20) Miguel Sandoval commented.

(16:15) A motion was made to approve District Resolution 22-444.

Motion: Chairperson Kellas

2nd: Director de la Rosa

Vote: 4/0

Absent: 0

Roll Call: Kellas: Yes

Giacoletti: Yes

de la Rosa: Yes

Donahue: Yes

3. SPECIAL PRESENTATIONS AND REPORTS: (17:10)

A. STAFF REPORTS:

- i. **Sheriff's Report** – Commander MacDonald presented the Sheriff's report for March. Director Donahue inquired about complaints related to camping on District streets.

- ii. **CHP Report** – None.
- iii. **Superintendent’s Report** – Jerry Copeland provided a summary of March activities.
- iv. **General Manager’s Report** – Charlie Grace provided a summary of March activities.
- v. **District Financial Summary** – Charlie Grace provided a summary of the March financial activities.
- vi. **District Counsel’s Report** – Jeffrey Minnery provided a summary of March activities.
- vii. **Board Member Report** – None.

B. AD-HOC & STANDING COMMITTEE REPORTS: (36:08)

- i. Status Update Parking on District Streets - Director de la Rosa discussed the potential for a District no camping ordinance. Director Donahue discussed the need for a camping ordinance.
- ii. Status Update Coastal Hazard Response Plan – None.
- iii. Status Update Budget Committee - None
- iv. Status Update Water Committee - None

Public Comment –

(39:30) Henry Krzciuk commented.
 (42:05) Julie Tacker commented.

PUBLIC HEARING ITEM 5.A. CONSIDERATION OF INPUT FROM THE COMMUNITY REGARDING THE VOTING AREAS SCENARIOS AND ADOPTION OF FINAL MAP. (49:50)

David Lopez (Cooperative Strategies) presented information related to the three (3) possible mapping scenarios.

(53:35) Henry Krzciuk commented.

(57:30) Director Donahue commented that scenario three seemed to be the best choice.

There was no action taken on this item.

4. CONSENT AGENDA ITEMS: Items A-D, F, & G (1:02:22)

Charlie Grace recused himself (Item 4D) and left the meeting.

Public Comment –

(1:05:20) – Henry Krzciuk commented.
 (1:07:05) – Julie Tacker commented.
 (1:10:50) – Michael Hanchett commented.

(1:11:25) Chairperson Kellas, Director Donahue, and Director de la Rosa discussed the monthly stipend amount. Additionally, Chairperson Kellas suggested that Item 5H be returned to the budget committee for additional review. Cortney Murguia asked that the Item 5B, “dropped of” be changed to “dropped off”.

(1:15:28) A motion was made to approve Consent Agenda Items A,B,C,D,F, and G as amended.

Motion: Chairperson Kellas
 2nd: Vice-Chairperson Giacoletti

Vote: 3/1
Abstain: Donahue

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

5. BUSINESS ACTION ITEMS:

A. DISCUSSION, REVIEW, APPROVAL OF STREET SIGN LANGUAGE RELATED TO DISTRICT ORDINANCE NO. 122 PARKING ON DISTRICT STREETS. (1:16:00)

Chairperson Kellas introduced the item.

Public Comment –
None

A motion was made to continue with the same parking signs that the District currently has.

(1:17:00) There was discussion between Vice-Chairperson Giacoletti and Chairperson Kellas about the existing signage in the community.

(1:20:18) Charlie Grace returned to the meeting. There was additional conversation between Charlie Grace and the Directors regarding the size of the signs and the possible sign verbiage.

(1:31:38) A motion was made to go with the 12x18 signs and Director Donahue and Vice-Chairperson Giacoletti would send additional ideas for language to staff.

Motion: Chairperson Kellas
2nd: Director de la Rosa
Vote: 4/0
Abstain: 0

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

B. DISCUSSION, REVIEW, APPROVAL RELATED TO ALLOCATION OF COVID-19 RELIEF FUNDING IN THE AMOUNT OF \$135,231.00. (1:32:28)

Chairperson Kellas suggested that this matter should go to the budget committee.

Public Comment –
(1:33:19) Henry Krzcuik commented.
(1:36:28) Julie Tacker commented.
(1:39:29) Michael Hanchett commented.

(1:41:17) Vice-Chairperson Giacoletti agreed that this matter should go back to the budget committee or transfer the money to general checking to cover the March disbursements journal.

(1:42:25) A motion was made for this matter to be returned to the budget committee for further discussion.

Motion: Chairperson Kellas
2nd: Director de la Rosa

Vote: 4/0
Abstain: 0

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

6. CLOSED SESSION: (1:43:00)

Public Comment –

(1:44:00) Henry Krzcuik commented.

(1:46:35) Julie Tacker commented.

(1:49:18) Michael Hanchett commented.

(1:50:45) Director de la Rosa commented about the budget committee meeting and the comments that were made related to the budget committee meeting.

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section §54956.9

Two (2) Potential Case – Cure and Correct, Cease and Desist from Julie Tacker

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section §54956.9 – Ron Hurlbert

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code section §54956.9(d)(1)

Names of Cases – *Robert Hather v. San Simeon Community Services District, et al.*, U.S. District Court Case No. 2:21-cv-04711

Robert Hather v. San Simeon Community Services District, et al., SLO Superior Court Case No. 22CVP-0008.

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

Report on Closed Session: (1:54:10) – All directors except for Director Donahue returned to the open session. Chairperson Kellas stated that District Counsel would respond in writing regarding Item 6A. In reference to Item 6B and 6C there was no reportable action.

7. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS – (1:55:50)

Director de la Rosa asked that the Pico Stairs item be added to a future agenda.

8. ADJOURNMENT – 8:30 PM