

**SPECIAL BOARD MEETING MINUTES
SAN SIMEON COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS REGULAR BOARD MEETING
Tuesday, September 20, 2022
5:00 pm**

Pursuant to San Simeon CSD Resolution 22-456 and incompliance with AB 361 this meeting occurred as a virtual teleconference using the Zoom app.

Internet Meeting Location – Via ZOOM

1. REGULAR SESSION @ 5:00 PM

Chairperson Kellas announced that the Padre item would not be discussed due to lack of a quorum and that there would be no closed session.

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

2. SPECIAL PRESENTATIONS AND REPORTS: (2:00)

A. STAFF REPORTS:

- i. **Superintendent’s Report** – Steve Orellana provided a summary of August activities.
- ii. **General Manager’s Report** – Steve Orellana provided a summary of August activities.
- iii. **District Financial Summary** – Chairperson Kellas provided the August financials report.
- iv. **District Counsel’s Report** – (16:40) Jeff Minnery provided the August legal summary.
- v. **Board Member Report** – None.

3. CONSENT AGENDA ITEMS: (10:20)

A. REVIEW AND APPROVAL OF MINUTES FOR THE REGULAR MEETING ON JULY 12, 2022.

B. REVIEW AND APPROVAL OF DISBURSEMENTS JOURNAL.

C. ADOPTION OF RESOLUTION 22-457 TO CONTINUE VIRTUAL MEETINGS PURSUANT TO THE PROVISIONS OF AB 361.

Public Comment –

(10:47) Henry Krzciuk commented about not being allowed to comment on the staff report items. (Chairperson Kellas allowed public comment on item 2.A.)

(16:10) Julie Tacker commented about District Counsels Report being skipped.

(21:20) Director Donahue made a motion to pull payments to Adamski and Oliveira Environmental Consulting payments from the Disbursements Journal.

(23:30) Vice-Chairperson Giacoletti inquired about the refund to Bob Hather for his waitlist deposit.

Public Comment –

(24:10) Julie Tacker commented.

(27:10) April Dury commented.

(28:00) Michael Hanchett commented.

(29:10) Henry Krzciuk commented.

(30:52) Chairperson Kellas made a motion to accept the consent agenda items on the minutes and the disbursements journal without payment to Adamski, Hather, and OEC.

Motion: Chairperson Kellas

2nd: Director Donahue

Vote: 3/0

Absent: de la Rosa

Roll Call:

Kellas: Yes

Donahue: Yes

Giacoletti: Yes

4. BUSINESS ACTION ITEMS: (31:49)

A. DISCUSSION, REVIEW AND APPROVAL OF A PROPOSAL FROM DUDEK TO PERFORM PUBLIC OUTREACH FOR THE COASTAL HAZARD RESPONSE PLAN NOT TO EXCEED THE AMOUNT OF \$43,420.00.

(32:05) Director Giacoletti commented about the total amount of money paid to Dudek to date. Director Giacoletti, Director Donahue, and Chairperson Kellas further discussed what these additional costs covered.

(35:50) John Davis (Dudek) provided additional information about the proposed public outreach that needed to occur regarding the Coastal Hazard Response Plan (CHRP).

(39:40) There was further conversation regarding the proposal, the Brown Act, and the overall costs outlined in the proposal.

Public Comment –

(41:55) Henry Krzciuk commented.

(45:23) Julie Tacker commented.

(47:44) April Dury commented.

(50:33) A motion was made to accept the proposal from Dudek in the amount of \$43,420.00.

Motion: Chairperson Kellas

2nd: Director Donahue

Vote: 3/0

Absent: de la Rosa

Roll Call:

Kellas: Yes

Donahue: Yes

Giacoletti: Yes

B. DIRECTION TO STAFF REGARDING RELEASE OF UN-REDACTED LEGAL INVOICES. (54:50)

(55:10) Director Donahue commented that he would like to be able to see unredacted legal bills. Director Donahue, Chairperson Kellas, and Jeff Minnery further discussed this matter.

(1:01:00) Director Donahue made a motion that Board members receive emails with the un-redacted legal bills.

2nd: Vice-Chairperson Giacioletti

Public Comment –

(1:02:00) Henry Krzciuk commented.

(1:05:25) Julie Tacker commented.

(1:09:35) April Dury commented.

(1:11:15) Jeff Minnery commented that the question was not if the Board should see unredacted legal bills but rather how these documents should be provided to the Board. Chairperson Giacioletti commented that the client was the community and questioned the terminology attorney client privilege. There was further discussion regarding this topic.

(1:22:50) A motion was made to provide unredacted legal bills to the Board via a drop box with a password and a watermark to say that they are confidential and a tracking mechanism to say who is pulling the information up. (Jeff Minnery asked if he could take general guidance from the motion – The Board agreed)

(1:25:00) Jeff Minnery reminded the Board that there was an original motion on the table with a 2nd.

(1:26:20) Director Donahue withdrew his original motion. Vice-Chairperson Giacioletti agreed to withdraw her 2nd.

(1:27:10) A motion was made to provide direction to Staff that the unredacted legal bills would be provided to the Board members via a drop box, watermarked, and tracked as far as access.

Motion: Chairperson Kellas

2nd: Director Donahue
Vote: 3/0
Absent: de la Rosa

Roll Call:
Kellas: Yes Donahue: Yes Giacoletti: Yes

(1:27:55) The motion was repeated for Jeff Minnery. Chairperson Kellas restated that unredacted legal bills be made available to the Board unredacted, watermarked, and tracked.

(1:28:35) Director Donahue asked if he could provide a separate motion. This request was declined.

C. DISCUSSION REVIEW AND APPROVAL OF PROPOSAL FROM PADRE ASSOCIATES, INC. FOR THE DISTRICT OCEAN OUTFALL LINE MAINTENANCE PROJECT – PERMITTING SUPPORT \$32,980.00.

(1:29:25)

This item was tabled due to lack of a quorum.

Public Comment – They Chairperson did not call for public comment on this item.

D. DISCUSSION, CONSIDERATION, AND APPOINTMENT OF PERSONS TO SERVE ON THE BUDGET AND WATER COMMITTEES. (1:29:32)

The Chairperson introduced this item. Director Donahue questioned why Mike Hanchett was allowed to be on these committees because he is an employee of the Cavalier. Director Donahue stated that he would not be voting on this item (meaning that there would not be a quorum).

Public Comment –

(1:33:00) Julie Tacker commented.

(1:36:05) Henry Krzciuk commented.

(1:41:40) Director Donahue commented that he agreed that Mike Hanchett was not allowed to be on the committees based on the Policy and Procedures Manual.

(1:42:38) Director Donahue made a motion that we were going to stick with and you have to be a business owner, a resident, or a property owner to be on the committees and that (we) were going to honor that.

Public Comment –

(1:43:27) April Dury commented.

(1:46:35) Director Donahue responded to April Dury's questions. Clarifying that Mike Hanchett should not be on the committees. He asked the Board members if a member of the public who owned a mobile business should be allowed to be on the committees. He and Vice-Chairperson Giacoletti further discussed this item. Director Donahue inquired about amending the Policy and Procedures manual.

This item was tabled.

5. CLOSED SESSION: (1:51:10)

This item was tabled.

(1:51:40) There was discussion related to Item 3.B. Disbursements Journal.

Public Comment –

(1:53:30) Henry Krzciuk commented.

(1:54:52) Julie Tacker commented.

(1:58:00) Mike Hanchett commented.

6. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS – (1:58:50)

Director Donahue asked that legal bill redaction for public view be discussed. Jeff Minnery stated that he could just direction from GES staff on this matter. The Board agreed to this action. Director Donahue withdrew his request.

7. ADJOURNMENT – @ 7:07 PM