

Pursuant to Government Code Section 54953(e), members of the Policy Standing Committee and staff will participate in this meeting via a teleconference. Members of the public can submit written comments to the Board Secretary at [boardcomment@cambriacsd.org](mailto:boardcomment@cambriacsd.org).



## CAMBRIA COMMUNITY SERVICES DISTRICT

I, Donn Howell, Chairman of the Cambria Community Services District Policy Committee, hereby call a Special Meeting of the Policy Committee pursuant to California Government Code Section 54956. The Special Meeting will be held: **Wednesday, December 8, 2021, 10:00 AM**. The purpose of the Special Meeting is to discuss or transact the following business:

### AGENDA

#### SPECIAL MEETING OF THE CAMBRIA COMMUNITY SERVICES DISTRICT POLICY COMMITTEE

**Wednesday, December 8, 2021, 10:00 AM**

Copies of the staff reports or other documentation relating to each item of business referred to on the agenda are on file in the Office of the Board Secretary, available for public inspection during District business hours. The agenda and agenda packets are also available on the CCSD website at [www.cambriacsd.org](http://www.cambriacsd.org). Please call 805-927-6223 if you need any assistance. If requested, the agenda and supporting documents shall be made available in alternative formats to persons with a disability. The Committee Chairperson will answer any questions regarding the agenda.

**Please click the link below to join the webinar:**

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#### 1. OPENING

A. CALL TO ORDER

B. ESTABLISH A QUORUM

**C. CHAIRMAN'S REPORT****D. COMMITTEE MEMBER COMMUNICATIONS**

Any Committee Member may make an announcement, report briefly on his or her activities, or ask a question for clarification.

**E. PUBLIC COMMENT ON AGENDA ITEMS**

Members of the public may now address the Board on any item on its agenda today.

**2. CONSENT AGENDA**

- A.** Consideration to Approve the October 28, 2021 Regular Meeting Minutes

**3. REGULAR BUSINESS**

- A.** Discussion and Consideration of Policy 1040.2 Regarding Responding to Correspondence to the Board
- B.** Discussion and Consideration of a Request to the Board to Authorize the Policy Committee to Pursue an Annual Evacuation Drill Policy
- C.** Discussion and Consideration of a Potential Board Policy in Response to the Climate Emergency

**4. FUTURE AGENDA ITEMS****5. ADJOURN**

**POLICY COMMITTEE**  
REGULAR MEETING  
Thursday, October 28, 2021 - 2:30 PM

**MINUTES**

A. ESTABLISH QUORUM

A quorum was established.

Committee members present - Donn Howell, Gordon Heinrichs, Claudia Harmon, and Ted Key.

District staff present – General Manager John Weigold and Board Secretary Ossana Terterian.

B. CALL TO ORDER

Chairman Howell called the meeting to order at 2:30 p.m.

C. CHAIRMAN'S REPORT

The Chair announced that the Board expected to fill one of the vacancies on the Policy Committee at its November 10 meeting.

The Chair said that this Committee has made good progress this year. He reported on policies the Committee has recently forwarded to the CCSD Board:

- Policy 2425 Public Records Act Response procedures -- adopted at August 12 Board meeting.
- Policy 2415 Social Media Policy -- Adopted at the September 16 Board meeting (with changes recommended by counsel).
- Implementation procedure for filling Board vacancies, Policy 4150 --- on consent agenda for November 10 Board meeting.
- Policy 1040.2 Answering Correspondence to the Board -- on agenda for discussion & consideration at November 18 Board meeting.
- Policy Committee recommendation that the District have a policy regarding surveillance cameras -- on the Board's December 9 agenda for discussion and consideration.

#### D. AD HOC SUBCOMMITTEE REPORTS

Member Ted Key reported on his research and thoughts regarding a policy on responding to the climate emergency. He contacted general managers at Templeton, Paso Robles/Heritage Ranch, San Miguel, Cayucos, Morro Bay and the city of San Luis Obispo. He said that none of these entities had such a policy in place. In some cases statutory restrictions on procurement were seen as an obstacle. For example, the city of San Luis Obispo is required to always take the lowest bid.

Member Key made the following points:

- All purchasing policies should have an environmental consideration.
- In evaluating procurement decisions there is a need to look beyond the initial cost. It's important, especially in the case of large-ticket items, to do a life-cycle analysis of costs.
- In designing a policy, it is important to remember to call out the good things the District is doing to respond to the climate emergency.
- The Cambria CSD has an opportunity to be a trailblazer in responding to the climate emergency.

The members Heinrich and Harmon made observations agreeing with member Key's report. All three Members expressed a desire to move this matter forward.

Member Harmon moved to put this matter on the agenda for discussion and consideration at the next Policy Committee meeting.

While pointing out that the motion was out of order at this time the Chair assured member Harmon that this matter will indeed be on the agenda for the next meeting.

#### E. COMMITTEE MEMBER COMMUNICATIONS

There were none.

## 1. PUBLIC COMMENT

There was no public comment.

## 2. CONSENT AGENDA

- A. Consideration to Approve the September 30, 2021 Regular Meeting Minutes

Committee member Heinrichs moved for approval of the minutes as printed.

Committee member Key seconded the motion.

Motion passed – Ayes – 3 Nays – 0, Chair not voting.

## 3. REGULAR BUSINESS

- A. Discussion of Board Ad Hoc Subcommittee Report on Policy Inventory

Chair Howell presented this item. He reported that the Board in response to the Report's recommendations unanimously passed the following motion: "District policies are to be presented in a public document titled 'CCSD Policy Handbook'. Policies will be organized by topic following the framework of the California Special District Association (CSDA) Policy Handbook. CCSD policies not analogous to particular CSDA models are to be organized by CSDA topic areas (e.g., 'General', 'Board of Directors', 'Inventory & Property Management') but will have CCSD-assigned numbers."

Member Heinrichs said that there should be a fourth category – "Policy Committee review" – added to the existing three, "No Action," "Staff review," and "Board review."

Member Heinrichs objected to the exclusion of personnel policies from the report [and from the Policy Committee's consideration]. In response, Chair Howell explained that personnel policies -- CSDA policies in the 30000 area – weren't discussed in the Board Ad Hoc Subcommittee Report nor have they been brought before the Policy Committee because they are largely

governed by MOU's with the labor unions. And, as such they are not subject to change except through negotiation with the unions. The three Committee Members present strongly disagreed with Chair Howell's position. They felt it was important that the District's personnel policies be brought forth and discussed in a public forum so that the public's views could inform future labor negotiations.

Member Harmon stated that [as a result of the Board Ad Hoc subcommittee's work] the committee should be disbanded for a while as "... we don't have anything to do."

Member Key said that our end-product so far seems "a bit ethereal." He would like to be able to see and hold an actual body of work.

Member Heinrichs noted that when the Committee was first constituted, it commenced working through the CSDA Policy Handbook addressing each policy in order. After the first several policies were forwarded to the Board and adopted, the Committee's direction changed. He feels that was a mistake and that the Committee should return to working down the list, that is, dealing with the policies in the order as they are presented in the Handbook.

In the Subcommittee Report there are two listings of policies. One, "Policy Handbook Checklist," is a list of policy by action category. The other, "CCSD Policy Inventory," is an inventory of the District's policy documents in policy number order. Member Heinrichs has provided the committee with highlighted versions of these lists indicating those items the Policy Committee should consider or that should be "kicked back" to the Policy Committee. In many cases, where 'staff review' is called for the Policy Committee can do the work that staff doesn't have time to do.

To aid the Committee Members' understanding of the report and to help them evaluate it, Chair Howell said he will send to each of them a copy of the original inventory spreadsheet from which the Board Ad Hoc

Subcommittee Report was derived. Chari Howell urged the Members to spend some time reviewing that original spreadsheet.

#### B. Review Potential Agenda Items for the Next Year

Member Key:

- Finish modification to municipal code 08.04,100 (specifying 50 feet contiguous street frontage)
- Complete the CCSD Policy Handbook – a compendium of CCSD Policies
- Get a list from the Board of what they want us to do

Member Heinrichs:

- Work on the policies he has highlighted on the lists in the Board Ad Hoc Subcommittee report, especially those items listed as for staff review but that staff has no time to work on.

Member Harmon:

- Work on responses to the Climate Crisis.

#### C. Discuss and Consider Sending a Request to the Board to Authorize Policy Committee to Pursue an Annual Evacuation Drill Policy

Member Heinrichs introduced this item.

Member Key said that an evacuation drill will require a lot of coordination. He wonders “are we to produce a policy that will drive some procedures? Or, are we putting together a compendium of procedures to arrive at a policy?”

Member Harmon asked, “what about the Fire Safe Focus Group?” Member Heinrichs responded “no! it must be the CCSD community policy.”

Member Heinrichs moved that the “Policy Committee recommend that the CSD assign an organization to take responsibility for coordinating an annual evacuation drill.”

Member Harmon seconded the motion.

Motion passes Ayes - 3 -- Nays - 0, Chair not voting.

## 4. FUTURE AGENDA ITEMS

Aside from Discussion & Consideration of a Policy on Responding to the Climate Emergency referenced in Item D “Ad Hoc Subcommittee Reports” above, there were no additional future agenda items suggested.

## **5. ADJOURN**

Chairman Howell adjourned the meeting at 4:30 p.m.

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**Policy Standing Committee Report to the Board** [date \_\_\_\_\_]**Re: Proposed Policy Number 1040.2****Issue:**

Handling and responding to Letters and Emails to the Board

**History:**

At the February 2, 2020 CCSD Board meeting the Policy Committee presented *Policy 1040 – Correspondence to the Board and Staff* to the Board. The policy was adopted by a unanimous vote. During the Board's discussion, director Amanda Rice asked that the Board consider a policy for who replies if an email or letter is sent to the entire Board of Directors.

Accordingly, the Policy Committee has undertaken to explore existing practices and to formulate such a policy for consideration by the Board.

**Research:**

CSD Employee Haley Dodson was exemplary in assisting the Committee by responding to many questions we had regarding the process with consultation by General Manager and Council. The following are those answers summarized.

Letters, which seem to have a very small monthly volume (one letter a month) reach the admin office and are forwarded on to the district clerk. When letters are received, they are scanned to email and forwarded to the Board and General Manager. Letters may also be included in the Board members' meeting package.

The board can be notified this way but cannot do a "reply all" to avoid Brown Act issues. Same for emails copied to all members.

Email to individual board members require no action by staff as they would not see them unless the sender requests forward to all members. Again, board members may not do a "reply all."

All email letters to the Board comment address are read during public comment at the relevant Board meeting and a confirmation is sent to the sender.

As to letters and emails addressed to individual Directors, the Director can choose to respond or not. Further, response time can vary widely depending on the Director's perception of the nature of the issue.

**Conclusions:**

It appears to us that the established staff process/procedure is operational and working.

We can find no policy regarding letters and emails sent to the entire Board but that are clearly not intended as public comment.

Additionally, we can find little policy guidance for directors in answering letters addressed to them at the District office and emails that they receive individually at their District email address.

In this last situation regarding individual emails we note that there is some guidance to be had from the District's current bylaws (adopted 2/11/2021), sections 5.3, 6.1, 6.2, and 7.5.

5.3 Individual Directors have the right to disagree with ideas or opinions, while being respectful. Once the Board of Directors takes action, Directors should not create barriers to the implementation of said action.

6.1 The Board of Directors is the unit of authority within the CCD. Apart from their normal function as a part of the unit, Directors have no individual authority. As individuals, Directors may not commit the CCSD to any policy, act or expenditure.

6.2 . . . Directors do not represent any fractional segment of the community, but are rather a part of the body which represents and acts for the community as a whole.

7.5 When presented with questions or complaints from citizens or staff related to operational or personnel matters, Board Members should listen to the concerns expressed and either: (1) confer with the General Manager or District Counsel, as appropriate; or (2) refer the individual to the General Manager for resolution of their concerns.

We also note that relevant guidance to individual directors' behavior online may be provided in the District social media policies that are currently being developed by the General Manager.)

**Recommendation:**

Proposed Policy 1040.2

## **Policy 1040.2 – Answering Correspondence to the Board**

### **1040.2.1 Introduction**

#### 1040.2.1.1 Purpose

The intent of this policy is to help promote and enhance the quality of communication between the CCSD and the community it serves. As such, it provides guidance as to how Directors should respond to correspondence received by them as individuals or by the CCSD Board as a whole.

### **1040.2.2 General Requirements**

#### 1040.2.2.1 Timely acknowledgement:

All correspondence should be acknowledged within two business days of receipt.

#### 1040.2.2.2 Limitations imposed by the Brown Act:

To avoid the creation of a meeting as defined by the Brown Act, Directors must never do a “reply all” to an email addressed or copied to multiple Directors.

#### 1040.2.2.3 Providing Guidance for the Public:

Guidance should be provided to the public via the District Website as to how to contact the District and what expectations they should have regarding a response. The public should also be informed that any correspondence to the Board relating to the conduct of the District’s business is a public record and could be subject to inspection and copying through a public records request.

### **1040.2.3 Letters & emails addressed to the Board as a whole**

This section refers to correspondence addressed to the Board as a whole or to all Directors, each individually.

#### 1040.2.3.1 No individual Director may respond except as directed by the Board President.

1040.2.3.2 If the Board President decides that an answer is appropriate, the correspondence shall be answered by the President or the President’s designee. The designee can be the General Manager or another Director.

#### 1040.2.3.3 All Directors shall be copied on any response.

Commented [AUT1]: Yes.

### **1040.2.4 Letters & emails addressed to individual Directors**

This section refers to correspondence received by a single Director and that Director believes that he or she is the sole recipient. All other cases shall be handled as correspondence addressed to the Board as a whole (see 1040.2.3 above).

1040.2.4.1 If the subject matter relates to questions or complaints about operational matters, the Director should forward the correspondence to the General Manager for resolution.

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1040.2.4.2. In all other cases:

Whether to respond and how to respond is up to the individual Director, provided that the following guidelines are observed.

A) Individual Directors shall clearly indicate that they are representing only themselves and are not speaking for the Board as a whole.

B) Directors must observe the rules of individual conduct, as detailed in the current Board Bylaws and any applicable, current social media policies adopted by the District.