

CAMBRIA COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS REGULAR MEETING MINUTES
Thursday, December 12, 2019 2:00 PM

1. OPENING

A. Call to Order

President Pierson called the meeting to order at 2:00 p.m.

B. Pledge of Allegiance

President Pierson led the Pledge of Allegiance.

C. Establishment of Quorum

A quorum was established.

Directors present: David Pierson, Harry Farmer, Amanda Rice, Cindy Steidel and Donn Howell.

Staff present: General Manager John F. Weigold IV, District Counsel Timothy Carmel, Administration Department Manager Monique Madrid and Finance Manager Pamela Duffield.

D. Election of Board of Director Officers

Mr. Weigold introduced the item and provided a brief summary.

i. ELECTION OF BOARD OF DIRECTOR OFFICERS

Director Rice spoke about officer rotation of the Board.

Public Comment:

Mary Maher

Crosby Swartz

Donald Archer

Christine Heinrichs: read Ted Key's statement

Tony Church

Elizabeth Bettenhausen

Gordon Heinrichs

Rita Burton

President Pierson opened nominations for President.

Director Rice nominated Vice President Farmer for President.

Director Howell seconded the motion.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

Public Comment:

Scott Anderson

Elizabeth Bettenhausen
Walt Andrus
Michael Calderwood

President Farmer opened the nominations for Vice President.

Director Pierson nominated Director Steidel for Vice President.

Director Howell seconded the motion.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

ii. DISCUSSION AND CONSIDERATION OF STANDING COMMITTEE APPOINTMENTS

President Farmer asked if Finance Committee Chairperson Steidel wanted to remain the Chairperson. She agreed to remain as the Chairperson.

President Farmer commented he would like to step down from the Resources & Infrastructure Committee and recommended Director Pierson become the Chairman of the Resources & Infrastructure Committee. Director Pierson agreed to take the Chairman position.

President Farmer asked Director Howell if he would like to remain on the Policy Committee. He agreed to remain as the Chairperson.

Public Comment:
Elizabeth Bettenhausen

Director Rice recommended an annual review of committee assignments in January.

Ad Hoc Committees:

Affordable Housing: Vice President Steidel and Director Howell

Audit: Vice President Steidel and Director Pierson recommended elimination of this committee. The Finance Committee has oversight.

Director Howell moved to eliminate the Audit Ad Hoc Committee Assignment.

Director Rice seconded the motion.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

Emergency Services: Director Pierson and Vice President Steidel

Director Rice moved to eliminate the Emergency Services Ad Hoc Committee Assignment from the Committee and Subject Matter Assignments.

Vice President Steidel seconded the motion. The Ad Hoc Committee will meet as necessary with the development of actions that might come from some of the things being pulled together regarding reaction to fire safety within the community.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

Director Rice moved to eliminate the General Manager Search Ad Hoc Committee.

Director Pierson seconded the motion

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

Grants: This will remain a Finance Committee assignment.

SWF: Director Pierson and Director Rice

Director Rice suggests the name be changed to the CDP Committee. She suggests bringing back a clear purpose for the committee. The Board should consider changing the committee members mid-year.

Tyler Incode: President Farmer and Director Howell

Water Efficiency: Resources & Infrastructure Committee

Not listed:

Low Income Water Rates: President Farmer and Director Howell

Director Pierson recommends establishing Studying Regional Wastewater Opportunities as an Ad Hoc Committee Assignment.

President Farmer will make this a future agenda item.

Liaison Assignments:

Cambria Fire Safe Focus Group: Director Pierson

Cambria Forest Committee: President Farmer

Friends of Fiscalini Ranch Preserve: President Farmer

North Coast Advisory Council: Director Pierson

President Farmer moved to appoint Director Pierson as Liaison to the North Coast Advisory Council.

Director Rice seconded motion

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

San Simeon CSD: Director Rice

Director Rice would like to continue as the San Simeon CSD liaison and wishes to be considered for the Regional Wastewater Opportunity Ad Hoc Committee.

Director Pierson suggests appointing Director Rice as the liaison to the California Coastal Commission.

Director Howell moved to appoint Director Rice as the liaison to the California Coastal Commission.

Vice President Steidel seconded the motion.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

E. Report from Closed Session

District Counsel reported that the Board continued to provide instructions to labor negotiators and discussed the performance of the General Manager. There was an additional item for anticipated litigation but there is no formal action to report.

F. Agenda Review: Additions/Deletions

President Farmer asked for any additions or deletions.

There were none.

2. ACKNOWLEDGEMENTS AND PRESENTATIONS (Estimated Time: 5 Minutes per item)

A. PROS Chairman's Report

PROS Committee Member Adolph Atencio provided a report for the PROS Commission.

3. PUBLIC COMMENT (Estimated time: 30 minutes. At President's discretion additional comments may be heard at the end of meeting.)

Public Comment:

Elizabeth Bettenhausen

Amanda Rice: speaking as an individual not director and provided information about a non-profit event.

Mark Larson

Christine Heinrichs

4. REGULAR BUSINESS (Estimated time: 15 Minutes per item)

A. DISCUSSION AND CONSIDERATION OF ADOPTION OF RESOLUTION 43-2019 ESTABLISHING THE 2020 CCSD REGULAR BOARD MEETING SCHEDULE

Mr. Weigold introduced the item and provided a brief summary.

Vice President Steidel moved to adopt Resolution 43-2019 establishing the 2020 CCSD Regular Board Meeting schedule, with the exception of cancelling the January 9, 2020

regular meeting and rescheduling for January 22, 2020. All meetings will begin at 2:00 p.m.

Director Pierson seconded the motion.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

B. DISCUSSION AND CONSIDERATION OF INTRODUCTION OF ORDINANCE 03-2019 AMENDING SECTIONS OF THE CCSD MUNICIPAL CODE RELATING TO DELINQUENT WATER BILLS, AND ADOPTION OF RESOLUTION 45-2019 ESTABLISHING A POLICY FOR THE DISCONTINUANCE OF RESIDENTIAL WATER SERVICE IN COMPLIANCE WITH THE WATER SHUTOFF PROTECTION ACT

Mr. Weigold introduced the item and turned it over to District Counsel, who provided a detailed description, including information about adopting the Ordinance and a separate Resolution to adopt the policy to comply with and implement the new requirements.

Director Pierson moved to adopt Resolution 45-2019 establishing a policy for the discontinuance of residential water service in compliance with the Water Shutoff Protection Act and California Health & Safety Code Section 116900, et seq.

Vice President Steidel seconded the motion.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

Director Pierson moved to consider codifying Resolution 45-2019 and to assign it to the Low Income Water Rates Ad Hoc Committee and bring it back to the Board for further discussion no later than March 2020.

Director Rice seconded the motion, but requested they bring it back no later than April 2020.

Director Pierson accepted the amendment to the motion.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

Director Rice moved to introduce Ordinance 03-2019 amending Sections 4.04.080, 4.04.090 and 4.04.100 of the Cambria Community Services District Municipal Code relating to delinquent water bills and waive further reading.

Director Pierson seconded the motion.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

- C.** DISCUSSION AND CONSIDERATION TO APPROVE POLICY COMMITTEE RECOMMENDATION TO ADOPT DRAFT POLICIES 1015: OVERVIEW OF THE DISTRICT CLERK'S ROLE, 1020: BOARD/STAFF COMMUNICATION, AND 1025: CLAIMS AGAINST THE DISTRICT

Mr. Weigold introduced the item and turned it over to Director Howell, who provided a brief summary.

Public Comment:
Christine Heinrichs
Elizabeth Bettenhausen
Gordon Heinrichs

Director Pierson moved to adopt Policy 1020 and 1025 as written from the Policy Committee.

Director Rice seconded the motion.

The Board agreed to not utilize Policy 1015.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

Director Howell moved to extend the meeting to 5:30 p.m.

Director Pierson seconded the motion

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

- D.** DISCUSSION AND CONSIDERATION TO APPROVE POLICY COMMITTEE RECOMMENDATION TO ADOPT DRAFT POLICIES 1030: CODE OF ETHICS, 1035: CONFLICT OF INTEREST, AND 1040: CORRESPONDENCE TO THE BOARD

Mr. Weigold introduced the item and turned it over to Director Howell, who provided a brief summary.

Gordon Heinrichs reported as Vice-Chair of the Policy Committee. He provided information that the Codes may not be understood by those who agree to them.

Director Rice requested to push Policy 1030 to a future public meeting.

Director Howell moved to postpone policy 1030 to the first January meeting and include how to approach it, whether it be with a town hall meeting or something else.

Director Pierson seconded the motion.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

District Counsel requests removal of the sentence “the referenced and incorporated regulation, and the attached appendixes designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Cambria Community Services District” from the policy.

Director Pierson moved to adopt Policy 1035 and 1040 as written from the Policy Committee, with District Counsel’s recommendation of removing the referenced sentence from Policy 1035.

Director Rice seconded the motion with the amendment of revising the Policy Title to Correspondence to the Board & Staff and revising the Policy to read:

1040.1 All written or electronic correspondence addressed to or cc’d to the Board of Directors is to be sent to the District office. Copies of the written or electronic correspondence and written responses in reply thereto, if any, shall be distributed to each member of the Board, together with the next regular agenda or at the next regular meeting of the Board, depending on date of receipt or response. Individual Board members may receive correspondence addressed to him or her in his or her official capacity. However, Board members and staff are not permitted to use agency resources for sending or receiving personal correspondence.

Director Pierson withdrew his motion.

Director Rice withdrew her second motion.

Director Pierson moved to adopt Policy 1035 as written from the Policy Committee, with District Counsel’s recommendation of removing the referenced sentence from Policy 1035 and directing Policy 1040 back to the Policy Committee.

Director Rice seconded the motion.

Director Rice would like the Policy Committee to review correspondence to the General Manager or to the Clerk of the Board and issue of correspondence to the Board as whole.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

E. DISCUSSION AND CONSIDERATION TO APPROVE POLICY COMMITTEE RECOMMENDATION TO ADOPT A POLICY REGARDING USE OF ELECTRONIC DEVICES DURING BOARD MEETINGS

Mr. Weigold introduced the item and turned it over to Director Howell, who provided a brief summary.

Public Comment:
Christine Heinrichs
Claudia Harmon

Director Rice moved to extend the meeting to 6:15 p.m.

Director Pierson seconded the motion

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

Director Rice moved to approve the proposed Use of Electronic Devices during Board Meetings policy.

Director Howell seconded the motion with the amendment of not using electronic devices directly or through intermediaries to communicate with one another with staff or with the public.

Director Rice amended her motion to include changing the third paragraph after the word secretly and add during a public meeting.

Director Howell agreed to the amendment.

Director Rice withdrew her motion.

Director Rice moved to bring the policy back with the proper numbering and minor language issues fixed for the January consent agenda.

Director Howell seconded the motion.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

F. DISCUSSION AND CONSIDERATION TO FILL VACANT SEAT ON THE POLICY COMMITTEE

Mr. Weigold introduced the item and provided a brief summary.

Public Comment:
Elizabeth Bettenhausen: read a written letter from Policy Committee member Ted Key.

Director Pierson moved to accept new applications, review them and vote in January to elect a new member. Current applications are still valid.

Vice President Steidel seconded the motion.

Motion Passed Unanimously Ayes - 5 Nays - 0 Absent - 0

Roll Call Vote:

Ayes: Farmer, Howell, Pierson, Rice, Steidel

5. FUTURE AGENDA ITEM(S) (Estimated time: 15 Minutes)

President Farmer asked for any future agenda items. There were none.

6. ADJOURN TO CLOSED SESSION (Estimated time: 60 Minutes)

A. Public Comment

President Farmer asked for public comment.

Public Comment:

Christine Heinrichs

Elizabeth Bettenhausen

President Farmer adjourned the meeting to closed session at 5:47 p.m.

B. PUBLIC EMPLOYMENT PERFORMANCE EVALUATION, pursuant to Government Code Section 54957(b)(1)

Title: General Manager

C. CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6 Agency Designated Representatives: General Manager, John F. Weigold, IV and Che Johnson; Employee Group: International Association of Fire Fighters (IAFF)

D. CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6 Agency Designated Representatives: General Manager, John F. Weigold, IV and Che Johnson; Employee Organization: Services Employee International Union

E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Name of case: Benedetti v. CCSD

F. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Name of case: Madrid v. CCSD; Case No. 19CV-0719

G. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)