

**CAMBRIA COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS SPECIAL MEETING MINUTES**  
Wednesday, August 1, 2018 2:00 PM

**1. OPENING**

**A. Call to Order**

President Rice called the meeting to order at 2:05 p.m.

**B. Pledge of Allegiance**

President Rice led the Pledge of Allegiance.

**C. Establishment of Quorum**

A quorum was established.

Directors present: Amanda Rice, Jim Bahringer, Harry Farmer and David Pierson.

Directors absent: Aaron Wharton

Staff present: General Manager Jerry Gruber, Administrative Services Officer/District Clerk Monique Madrid, Interim Finance Manager Alleyne LaBossiere, and District Counsel Timothy Carmel.

**2. PUBLIC COMMENT ON AGENDA ITEMS**

Public Comment:  
None.

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

**A. DISCUSSION AND CONSIDERATION REGARDING CANCELLING THE AUGUST 30, 2018 PUBLIC HEARING AND RESCHEDULING AND RENOTICING THE PROPOSITION 218 PROTEST HEARING FOR PROPOSED INCREASES TO WATER, SUSTAINABLE WATER FACILITY AND SEWER RATES**

District Counsel introduced the item and explained some issues and concerns causing the need to revisit this matter.

Public Comment:  
Donald Archer  
Sherry Bell  
Tina Dickason  
Christine Heinrichs  
Tom Gray  
Dennis Perry

Board discussion followed.

Vice President Bahringer suggested that the District has met the legal requirements of Proposition 218 and does not need to re-notice individuals.

President Rice suggested information be added to advise the public this is new information.

Director Farmer commented that one of the problems that has happened last month is that the District has endeavored to do a rate increase and apparently has done it as

incompetently as possible. He feels discouraged about what has taken place so far. He believes the ball has been dropped and the guidelines are not the problem. He supports sending a protest form rate increase notice.

Vice President Bahringer moved to keep the original hearing date, consider the notice given as valid and that additional outreach be done to ensure that the public knows how they can protest.

The motion failed for a lack of a second.

Director Pierson moved to set a new hearing date and send out new notices.

Vice President Bahringer seconded the motion with the revision that the notice in the agenda packet be scrutinized and to set a new date.

Board discussion followed.

Roll Call Vote:

Director Pierson- Aye

Vice President Bahringer- Aye

Director Farmer- Aye

President Rice- Aye

Director Wharton- Absent

Motion Passed: 4-Ayes (Pierson, Bahringer, Farmer, Rice) 0-Nays, 1-Absent (Wharton)

Director Pierson suggested the Rate Ad Hoc Committee review the new notice before it goes out.

The Board agreed to have the Rate Ad Hoc Committee review the new notice before it goes out.

Board discussion followed regarding the new hearing date.

District Counsel suggested Thursday, October 4, 2018 for the new hearing.

Vice President Bahringer moved to send a new notice and set the new hearing on October 4, 2018.

Director Pierson seconded the motion.

Roll Call Vote:

Vice President Bahringer- Aye

Director Pierson- Aye

Director Farmer- Aye

President Rice- Aye

Director Wharton- Absent

Motion Passed: 4-Ayes (Bahringer, Pierson, Farmer, Rice) 0-Nays, 1-Absent (Wharton)

Vice President Bahringer moved to adopt the template that is in today's staff report as modified by the ad hoc committee and, if there are no substantial changes, that the ad hoc committee has the authority to make sure everything is spelled right; if there are substantial changes recommended by the ad hoc committee, they have to come back to the Board.

Director Pierson suggested directing the ad hoc committee to beef up the area where work that needs to be done is described, even to the point of including a brief CIP list.

President Rice suggested an amending motion to be more specific about what things are to be changed. She suggested the following changes:

1. Notice alert stating “do not discard - this is an important notice.”
2. Include a statement that no response essentially means supporting the rate increase.
3. Finance and Infrastructure Committees will continue oversight of the funding and ensure that the money is being spent appropriately as part of the diligence of the Board.

Vice President Bahringer doesn't support all of #3. He suggests the standing committees will be monitoring the expenditure (water, wastewater or SWF) funds. The CIP list would go beyond good practice. He supports the re-notice alert. He doesn't support #2.

Director Farmer would like to see a statement in the mailer that a non-response is considered a yes vote.

President Rice stated there's not a majority to go that direction.

Vice President Bahringer moved that we send the notice out as in the agenda packet, with minor modifications as suggested by Director Pierson, to include the fact that the Infrastructure and Finance Committees will be monitoring the expenditure of any funds that are gained through the notice and that the outside of the envelope state that it's a revised notice and that a form be provided on the District's website and state in the notice that the form is available in the office.

Director Pierson seconded the motion.

Roll Call Vote:  
Vice President Bahringer- Aye  
Director Pierson- Aye  
Director Farmer- Nay  
President Rice- Aye  
Director Wharton- Absent

Motion Passed: 3-Ayes (Bahringer, Pierson, Rice) 1-Nay (Farmer), 1-Absent (Wharton)

Director Farmer moved to include a protest form in the mailer.

President Rice seconded the motion.

Roll Call Vote:  
Director Farmer- Aye  
President Rice- Nay  
Director Pierson- Nay  
Vice President Bahringer- Nay  
Director Wharton- Absent

Motion Failed: 1-Aye (Farmer) 3-Nays (Rice, Pierson, Bahringer), 1-Absent (Wharton)

Vice President Bahringer moved to direct staff to send a separate letter to each person that has protested as of this date, explaining the options they have.

President Rice seconded the motion.

Board discussion followed.

Vice President Bahringer withdrew his motion.

Vice President Bahringer moved to add language within the new 218 notice that states if you have previously filed a protest with the district, you need to refile a notice with this notification.

Director Pierson seconded the motion.

District Counsel suggested not sending separate letters to people who have already protested, if you state clearly in the new notice that if you have already protested, it's not going to count, and you will need to protest again.

Roll Call Vote:

Vice President Bahringer- Aye

Director Pierson- Aye

Director Farmer- Aye

President Rice- Aye

Director Wharton- Absent

Motion Passed: 4-Ayes (Bahringer, Pierson, Farmer, Rice) 0-Nays, 1-Absent (Wharton)

**B. DISCUSSION AND CONSIDERATION TO APPROVE REAL PROPERTY TRANSFER AGREEMENT WITH THE LAND CONSERVANCY OF SAN LUIS OBISPO COUNTY FOR THE TRANSFER OF THREE (3) LOTS**

The General Manager introduced the item and asked for questions.

District Counsel provided a brief summary of the item and referenced the MOU and stated this was previously continued from the last regular Board meeting.

Board discussion followed.

Daniel Bohlman was present to answer questions.

Vice President Bahringer moved to accept the lots if owner agrees to take on the removal of the tree that is a hazard to the neighboring property and cover the cost of the tree removal prior to the close of escrow and if not, then bring it back to the Board for consideration.

Director Pierson seconded the motion.

Roll Call Vote:

Vice President Bahringer- Aye

Director Pierson- Aye

Director Farmer- Aye

President Rice- Aye

Director Wharton- Absent

Motion Passed: 4-Ayes (Bahringer, Pierson, Farmer, Rice) 0-Nays, 1-Absent (Wharton)

**4. MANAGER REPORTS**

**A. General Manager's Report**

General Manager Jerry Gruber provided a brief summary of the General Manager's report and a PowerPoint presentation of infrastructure improvements made with funds received as a result of the last rate increase.

**B. Finance Manager's Report**

Interim Finance Manager Alleyne LaBossiere provided a brief summary of the Finance Manager's report.

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

The General Manager strongly encouraged the Board to consider attending the CSDA annual conference, although it's the same time as the regular Board meeting. He suggested possibly changing the date of the September regular Board meeting in order attend.

President Rice stated it may not be the right year to be spending money on director travel, even though we need board training.

Director Pierson asked if there will be a closed session in August.

President Rice answered yes.

Public Comment:  
Jerry McKinnon

**6. ADJOURN**

President Rice adjourned the meeting at 4:00 p.m.