

Pursuant to Governor Newsom's Executive Order N-29-20, 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 Deputy District Clerk at boardcomment@cambriacsd.org.



POLICY COMMITTEE

REGULAR MEETING

Thursday, October 29, 2020 - 2:30 PM

AGENDA

Join Zoom Meeting

<https://zoom.us/j/93273504594?pwd=K3FtMkhZOWxYaVNmOEwzdHJXTnNQQT09>

Meeting ID: 932 7350 4594

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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. 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.

A. ESTABLISH QUORUM

B. CALL TO ORDER

C. CHAIRMAN'S REPORT

D. AD HOC COMMITTEE REPORTS

1. PUBLIC COMMENT

Members of the public may now address the Committee on any item of interest within the jurisdiction of the Committee but not on its agenda today. Future agenda items can be suggested at this time. In compliance with the Brown Act, the Committee cannot discuss or act on items not on the agenda. Each speaker has up to three minutes.

2. CONSENT AGENDA

A. Consideration to Approve the September 24, 2020 Regular Meeting Minutes

B. Consideration to Approve the Draft Policy on Grants

3. REGULAR BUSINESS

A. Discussion and Consideration of a CCSD Policy and Procedure for Filling a Vacancy on the Board of Directors

B. Discussion and Consideration Regarding Outdoor and Street Lighting

C. Discussion of District Policy or Policies Regarding Cambria's Homeless Population

4. FUTURE AGENDA ITEMS

5. ADJOURN

POLICY COMMITTEE**REGULAR MEETING**

Thursday, September 24, 2020 - 2:30 PM

MINUTES**A. ESTABLISH QUORUM**

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

B. CALL TO ORDER

A quorum was established.

Committee Members present: Donn Howell, Gordon Heinrichs, John Nixon, Ted Key, Claudia Worthen and Leslie Richards.

Staff present: General Manager John Weigold and Deputy District Clerk Haley Dodson.

- C. CHAIRMAN'S REPORT:** Chairman Howell confirmed that the Board of Directors reviewed the policy/code change on transfer of water meter positions affecting contiguous properties and that the Board could not agree to the proposed changes as presented. The proposal will return to a Board agenda in the future, following a review and report from an Ad Hoc subcommittee of Chairman Howell and members Key and Richards.

D. AD HOC COMMITTEE REPORTS:

*Managing/Responding to Correspondence to the Board – Member Key reviewed current practice, and the Committee recommended that the Board first should present a proposal, which the Committee could use in developing a draft policy and procedure.

*Homelessness – Member Worthen distributed and presented a report with recommendations. Research will continue, and the Ad Hoc Committee will present a policy proposal at a future Committee meeting.

- 1. PUBLIC COMMENT:** No public comment.

2. CONSENT AGENDA

- A. Consideration to Approve the August 27, 2020 Regular Meeting Minutes

Committee Member Richards moved to approve the consent agenda.

Committee Member Heinrichs seconded the motion.

Motion Passed - Ayes – 5; Nays – 0.

Ayes: Heinrichs, Richards, Key, Nixon, Worthen.

3. REGULAR BUSINESS

- A. Discussion and Consideration of the Policy Committee's Mission Statement and Recommend Approval of Same to the Board of Directors for Inclusion in the Committee's Bylaws:
Motion to approve the proposed mission statement (proposed by Chairman Howell), with the third sentence removed, made by Member Worthen; seconded by Member Key.
Motion passed – Ayes – 5; Nays – 0.
Ayes: Heinrichs, Richards, Key, Nixon, Worthen.
(Note: the Committee agreed that the deleted third sentence would receive consideration as a part of a possible policy on policies.)
- B. Discussion and Consideration of the District's Policy on Applying for Grants: Motion to approve the draft proposal, with the amended sentence (See attached draft with change in red.), made by Member Richards; seconded by Member Heinrichs.
Motion passed – Ayes – 5; Nays – 0.
Ayes: Heinrichs, Richards, Key, Nixon, Worthen.
- C. Discussion and Consideration of a CCSD Policy and Procedure for Filling a Vacancy on the Board of Directors: The Committee discussed input from the Board of Directors on the draft policy, noting in particular that the Board would like to see the procedures section of the draft policy become clearer and with examples of how a ranked-order system of voting works.
Motion to table action on the proposed policy made by Richards; seconded by Heinrichs.
Motion passed – Ayes - 4; Nays – 1.
Ayes: Heinrichs, Richards, Key, Nixon; Nays – Worthen.
- D. Discussion and Consideration of a Policy Regarding Street Lighting: Not action. Item will appear on the October agenda.
- A. **FUTURE AGENDA ITEMS:** Chairman Howell reviewed a list of future agenda items, arranged by month, and will send the Committee members a revised list.

4. ADJOURN:

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

Draft Policy on Grants – CCSD

The following draft policy reflects revisions to existing policy intended to achieve a balance between the General Manager and staff requests to reduce approval/authorization steps in the process of applying for grants with the Board of Directors interests in asserting authority over approval/authorization steps in the process of applying for grants. The policy approved by the Board on August 13 (“CCSD Policy on Applying for Grants for the SST Projects Included in the SST Program”) is the base document for this draft policy. However, this draft policy would apply to grants affecting all CCSD projects, programs, and services.

POLICY 2170 – GRANTS

2170.1 Purpose

2170.1.1 Grants are defined as contracts or agreements whereby the Cambria Community Services District (“CCSD”) receives funding from an outside agency or organization to support a District project, program, or service, and for which the District has fiduciary oversight responsibility.

2170.1.2 It shall be the policy of the CCSD to identify and apply for grants that provide additional financial resources to the District to assist in carrying out its projects, programs, and services. This policy has been adopted by the CCSD Board of Directors to clarify responsibility and authority for applying for grants and to assure that all grants awarded to the CCSD have been thoroughly researched, are financially feasible for the District, and do not create unforeseen financial or other burdens.

2170.2 Applying for grants

2170.2.1 The General Manager has sole responsibility, acting within the limits of the General Manager’s fiscal approval authority, including required matching funds, to authorize and approve applications for grant funding to support budgeted projects, programs, and services, subject to the provisions of this policy.

2170.2.2 The General Manager shall inform the Board of Directors of all grant applications as soon as possible following submission. Applications for grant funding that require matching funds above the General Manager’s fiscal approval authority shall require Board approval prior to submission. The Board of Directors **shall have final approval of all grants awarded to the District**, including any required resolutions and budget adjustments. The General Manager shall establish procedures to assure that the processing of grant applications is timely and effective, that the prospective grants directly support the purposes of the District, and that the terms of the grant can be implemented and managed in an efficient and effective manner.

Draft #7 – September 19, 2020

Policy 4150 CCSD Policy and Procedures for Filling Vacancies on Board of Directors by Appointment

4150.1 WHEN A VACANCY OCCURS ON THE BOARD OF DIRECTORS:

4150.1.1 The CCSD shall notify the San Luis Obispo County Registrar of Voters' office of the vacancy no later than **15 days** following either the date on which the District Board is notified of the vacancy or the effective date of the vacancy, whichever is later. **Government Code § 1780(b)**

4150.1.2 The remaining CCSD Board members have **60 days** immediately subsequent to either the date on which the District Board is notified of the vacancy or the effective date of the vacancy, whichever is later, to either fill the vacancy by appointment or by calling a special election. **Government Code § 1780(c)(d)(1)**

4150.2 BOARD APPOINTMENT TO FILL A VACANCY -- REQUIREMENTS

4150.2.1.1 If the Board decides to appoint someone to fill the vacancy, the Board first must post a notice of the vacancy in **three or more** conspicuous places in the District at least **15 days** before the appointment is made. **Government Code § 1780(d)(1)**

4150.2.1.2 The Board must notify the San Luis Obispo County Registrar of Voters' office of the appointment no later than **15 days** after the appointment is made. **Government Code § 1780(d)(1)**

4150.2.2.1 If the vacancy occurs in the first half of a term of office and at least **130 days** prior to the next general District election, the person appointed to fill the vacancy shall hold office until the next general District election that is scheduled **130 or more days** after the date the District Board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office. **Government Code § 1780(d)(2)**

4150.2.2.2 If the vacancy occurs in the first half of a term of office, but less than **130 days** prior to the next general district election, or if the vacancy occurs in the second half of the term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office. **Government Code § 1780(d)(3)**

4150.2.3 If the Number of Directors Falls Below a Quorum

4150.2.3.1 Notwithstanding any other provision of this section, if the number of remaining members of the District Board falls below a quorum, then, at the request of

Regular Business Item 3A Attachment

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the District Board President or a remaining member of the District Board, the San Luis Obispo County Board of Supervisors shall promptly appoint a person to fill the vacancy, or may call an election to fill the vacancy. **Government Code § 1780(h)(1)**

4150.2.3.3. The Board of Supervisors shall only fill enough vacancies by appointment or by election to provide the District Board with a quorum. **Government Code § 1780(h)(2)**

4150.3. PROCEDURES TO FILL A BOARD VACANCY BY APPOINTMENT

Notwithstanding any provisions of Sections 4150.1-2 above, the following procedures shall direct the process of filling vacancies on the Board of Directors by appointment.

~~4150.3.1 Procedure to appoint using voting results from last scheduled election~~

~~Should a vacancy occur no later than 12 months past the last scheduled election of Directors, CCSD Directors shall fill a vacancy by appointing the candidate from the last scheduled election who had received the greatest number of votes behind the candidate(s) who won the election, provided that candidate received at least 10% of total votes cast. If this method is not available because a vacancy occurs after 12 months since the last scheduled election, or if the candidate no longer meets minimum qualifications, including vote minimum, or is no longer available, the following procedures shall apply.~~

Commented [DH1]: The BOD asked us to delete this paragraph and renumber the remaining ones. They felt it was too close to the election -- especially when the slate is already known. I suggest we keep the number 4150.3.1 as 'reserved'. Then this paragraph can be brought forward later at a more appropriate time.

4150.3.1 Reserved

4150.3.2 Procedure to appoint from a pool of volunteers

4150.3.2.1 Applications

CCSD shall adopt a uniform application form that presents minimum requirements for serving on the Board of Directors and the process the Board will use to make an appointment. Applications will be available to residents at the time a vacancy is announced publicly, and applicants shall return completed applications to the CCSD Office no later than 30 days following the public announcement of a vacancy.

4150.3.2.2 Board interviews of eligible applicants

All applicants who meet minimum requirements, as determined by CCSD staff review of submitted applications, shall be eligible for consideration of appointment and for interviews by the Board of Directors at a special meeting of the Board. In advance of the special meeting, the Board shall prepare and agree upon a single set of questions that shall be asked of each applicant. Applicants waiting for interview shall be sequestered. Board members may ask only follow-up questions of applicants for clarification of responses to the uniform set of questions.

Regular Business Item 3A Attachment

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Members of the public in attendance at the special meeting may address the Board only ~~during the public comment section of the agenda~~ after all applicants have been interviewed.

Commented [DH2]: Tim Carmel says that special meetings don't have a dedicated public comment period. So, it seems best to specify when public comment will be permitted. "after all applicants have been interviewed" is just my suggestion.

4150.3.2.3 Board selection of appointee(s)

A. Following interviews of the applicants, the Board shall select the applicant for appointment using a ranked choice method of selection, followed by motion and action by the Board to confirm the appointment. For the ranked choice process of selection, each Board member shall designate by ~~(open) secret~~ ballot their ranked order choices (1,2,3, and so forth). An applicant wins outright if ranked first by more than half of the voting Directors. Otherwise, the applicant in last place, the one with the fewest first choices, is eliminated, and the voting Directors who ranked that applicant as their "number 1" will have their votes count for their next ranked choice. This process continues until an applicant wins with more than half of the votes. Following the ranked choice order selection of an applicant for appointment, The Board, through motion and action, shall vote to confirm the appointment.

Commented [DH3]: We do need to delete "secret." I wonder if it would be sufficient to just say "by ballot."

B. If, however, the ranked choice method of selection yields a stalemate (no majority for a first place choice applicant), the Board shall declare a stalemate and refer action and decision for filling the vacancy to the San Luis Obispo County Board of Supervisors, who may either appoint to fill the vacancy or call for a special election, per Government Code 1780 (F) (G) (H).

Regular Business Item 3A Attachment

1. Directors rank candidates from first choice to last choice.
2. Candidate with most first place choices is selected.
3. If tied, candidate with most first and second place choices is selected.
4. If still tied, candidate with most first, second and third place choices is selected.
5. If still tied, process continues until all choices are counted.
6. If two or more candidates are still tied, county will decide.

Using Gordon's 9-24-20 example completed ballot:

CANDIDATE	BOD 1	BOD 2	BOD 3	BOD 4
JOE	1	5	4	2
MARY	4	1	2	4
BOB	2	3	1	5
SALLY	3	2	3	3
MIKE	5	4	5	1

Counting first place choices, Joe, Mary, Bob and Mike are tied.

Counting first and second place choices, Joe, Mary and Bob are tied.

Counting first, second and third place choices, Bob has three; Joe and Mary have two. Bob is selected.