

CAMBRIA COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS REGULAR MEETING MINUTES
Thursday, October 26, 2017 4:00 PM

1. OPENING

A. Call to Order

President Rice called the meeting to order at 4:00 p.m.

B. Pledge of Allegiance

President Rice led the Pledge of Allegiance.

C. Establishment of Quorum

A quorum was established.

Directors present: President Rice, Vice President Sanders, Director Bahringer, Director Farmer, and Director Wharton.

Staff present: General Manager Jerry Gruber, District Counsel Timothy Carmel, Administrative Services Officer/District Clerk Monique Madrid, Finance Manager Patrick O'Reilly, and Confidential Administrative Assistant Haley Dodson.

D. Report from Closed Session

District Counsel reported that the Board discussed pending litigation involving Michie vs. CCSD, initiating litigation and that contract negotiations for the General Manager were cancelled.

E. Agenda Review: Additions/Deletions

President Rice asked for any additions or deletions. None were made.

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

Public Comment: Greg Wilson

3. ACKNOWLEDGEMENTS AND PRESENTATIONS

A. The Board will provide a Proclamation to Vice President Greg Sanders

Supervisor Gibson presented a Certificate of Recognition to Vice President Greg Sanders.

General Manager Jerry Gruber presented Vice President Greg Sanders a Proclamation on behalf of the CCSD Board of Directors.

4. PUBLIC SAFETY (Estimated time 5 Minutes per item)

A. Sheriff's Department Report

Senior Deputy Bodine presented a brief PowerPoint on the Hidden Cambria regarding the Homeless. He also provided a summary of recent activities in Cambria for the Sheriff's Department.

B. Cambria Community Services District Fire Department Report

Fire Captain Gibson provided a brief report of recent activities in Cambria.

5. Manager's Report

A. MANAGER'S REPORT

General Manager Jerry Gruber provided a brief summary of the General Manager's report.

B. Ad Hoc Committee Reports and Other Related Board Member Reports (Committee Meetings and Board authorized meetings attended)

Liaison Reports:

Infrastructure Ad Hoc Committee:

Director Bahringer reported they met and discussed a water line that was replaced with plastic pipe.

They still have issues with the CIP list and Wastewater plant. Jason is confident with extending the Stuart Street tank in the intermediate term. He attended the NCAC meeting.

President Rice reported that the Information Technology Committee met to talk about the replacement of the servers and had a presentation from TekTegrity, this item is today's agenda.

Director Farmer reported he attended the Forest Committee meeting and they discussed the fire break that is taking place on the western part of the ranch. The committee has also developed a job description and application for a Forester/Forest Ecologist. There will be a Cambria Community Council grant application meeting at the Santa Rosa Catholic Church on Monday, October 30, 2017 at 6:00 p.m. The Friends of the Fiscalini Ranch Preserve had a lengthy Special Meeting this past Saturday to establish goals and objectives for 2018.

6. CONSENT AGENDA (Estimated time: 15 Minutes)

- A. CONSIDERATION TO ADOPT THE SEPTEMBER 2017 EXPENDITURE REPORT**
- B. CONSIDERATION TO ADOPT THE SEPTEMBER 19, 2017 SPECIAL MEETING MINUTES**
- C. CONSIDERATION OF REJECTION OF BID FOR INSTALLMENT OF THE INFLUENT SCREEN AT THE WASTEWATER TREATMENT PLANT AND TO AUTHORIZE STAFF TO SEEK INFORMAL BIDS ON REVISED INSTALLATION APPROACH**

Director Bahringer moved to adopt the consent agenda with the correction to the September 19, 2017 Special Meeting Minutes, which references Director Thompson being present at September 19th meeting.

Vice-President Sanders seconded the motion.

Roll Call Vote:

Director Bahringer-Aye
Vice President Sanders-Aye
Director Wharton-Aye
Director Farmer-Aye
President Rice-Aye

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

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

A. DISCUSSION AND CONSIDERATION AUTHORIZING STAFF TO APPROVE A CONSULTANT SERVICES AGREEMENT WITH BARTLE WELLS ASSOCIATES TO PREPARE A RATE STUDY FOR WATER AND WASTEWATER RATES AND CAPACITY FEES

General Manager Jerry Gruber introduced the item and turned it over to District Counsel, who provided the Board with a brief summary.

Finance Manager Patrick O'Reilly provided the Board with a PowerPoint presentation.

Public Comment:
Tina Dickason

President Rice moved to approve a contract with Bartle Wells Associates for Task A Project initiation and Data Collection, Task B Ten Year Water & Sewer Financial Plans, Task C Water & Sewer Rates Analysis, and Task D Presentation Reports & Rate Implementation and the estimated expenses.

Director Farmer seconded the motion.

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

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

B. DISCUSSION AND CONSIDERATION TO APPROVE QUOTE AND AUTHORIZE PURCHASE OF NEW COMPUTER SERVER AND RELATED SOFTWARE AND EQUIPMENT

District Counsel announced he had a conflict on the item, excused himself and left the room. General Manager Jerry Gruber introduced the item and provided the Board with a brief summary.

President Rice moved to authorize the purchase of new computer server and the related software.

Director Farmer seconded the motion.

Roll Call Vote:
President Rice-Aye
Director Farmer-Aye
Director Wharton-Aye
Director Bahringer-Aye
Vice President Sanders-Aye

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

C. DISCUSSION AND CONSIDERATION OF ADOPTION OF ORDINANCE 03- 2017 AMENDING CCSD MUNICIPAL CODE SECTION 3.04.030 TO ADD PROVISIONS TO PROVIDE RELIEF FROM FEES AND CHARGES RELATED TO LEAKS

General Manager Jerry Gruber introduced the item and turned it over to District Counsel, who provided the Board with a brief summary.

Director Bahringer moved to adopt Ordinance 03-2017 by title only and waive further reading. The full title is An Ordinance Amending Section 3.04.030 of the Cambria Community Services District Municipal Code Regarding Relief from Fees and Charges Related to Leaks.

Vice-President Sanders seconded the motion.

Roll Call Vote:

Director Bahringer-Aye

Vice President Sanders-Aye

Director Wharton-Aye

Director Farmer-Aye

President Rice-Aye

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

D. DISCUSSION AND CONSIDERATION OF ADOPTION OF RESOLUTION 42-2017 REVISING THE VOLUNTARY LOT MERGER PROGRAM REGARDING REMODEL PROJECTS THAT DO NOT CHANGE THE FOOTPRINT OF THE STRUCTURE ON THE PROPERTY

General Manager Jerry Gruber introduced the item and turned it over to District Counsel, who provided the Board with a brief summary.

Director Bahringer moved to adopt Resolution 42-2017 revising the Voluntary Lot Merger to include lot mergers related to remodel projects that do not change the footprint of the structure on the property.

Vice President Sanders seconded the motion.

Public Comment:

Mike Lyons-passed

Roll Call Vote:

Director Bahringer-Aye

Vice President Sanders-Aye

Director Wharton-Aye

Director Farmer-Aye

President Rice-Aye

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

E. DISCUSSION AND CONSIDERATION OF ADOPTION OF RESOLUTION 41-2017 APPROVING LEASE-LEASEBACK AGREEMENTS WITH MUNICIPAL FINANCE CORPORATION AND ITS AFFILIATES FOR 900 MAIN STREET, CAMBRIA

General Manager Jerry Gruber introduced the item and turned it over to District Counsel, who advised that the District's loan application for financing had been denied.

Public Comment:
David Sassaman
Christine Heinrichs
Bob Kasper
Tina Dickason

District Counsel explained to the Board that they could discuss waiving the financing to purchase the library by adding an agenda item to today's meeting with a 4/5th's vote.

Director Bahringer moved to add this item to the agenda for options to consider purchasing the property.

Vice President Sanders seconded the motion.

District Counsel clarified the motion that the notice of failed financing was received on October 24th and the financing contingency must be satisfied or waived by November 3rd and the motion must include that there is an immediate need to take action and consider waiving the financing contingency in the real property purchase agreement.

Director Bahringer amended his motion to reflect District Counsel's clarification.

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

Motion Failed: 2-Ayes (Bahringer, Sanders), 3-Nays (Rice, Farmer, Wharton), 0-Absent

F. DISCUSSION AND CONSIDERATION TO DECLARE DISTRICT-OWNED PROPERTIES SURPLUS AND TO SELL ONE OR MORE OF THEM TO PAY FOR THE PURCHASE AND RENOVATION OF THE LIBRARY BUILDING

General Manager Jerry Gruber introduced the item and provided the Board with a brief summary.

Public Comment:
Mike Lyons
Greg Wilson
John Ehlers
Christine Heinrich
Tina Dickason
Jean Matulis

Diane Brooks written comment was read into the record.
Michael Calderone
Jerry McKinnon

Consensus was reached to direct staff to work with the Historical Society to possibly move the School House to the Center Street Property.

G. DISCUSSION AND CONSIDERATION TO FILL VACANCIES ON AD HOC COMMITTEES AND LIAISON POSITIONS CREATED BY THE RESIGNATION OF MICHAEL THOMPSON

General Manager Jerry Gruber introduced the item and provided the Board with a brief summary.

President Rice suggested Director Wharton fill the vacancies left by the resignation of Michael Thompson.

President Rice appointed Director Wharton to serve as Liaison to the PROS Commission and Fire Safe Focus group with the concurrence of the rest of the Board.

H. DISCUSSION AND CONSIDERATION OF PROCEDURE TO FILL THE VACANCY ON THE CCSD BOARD OF DIRECTORS CREATED BY THE RESIGNATION OF GREG SANDERS, INCLUDING CONSIDERATION OF THE FORMATION OF AN AD HOC COMMITTEE TO DEVELOP SAID PROCEDURE

General Manager Jerry Gruber introduced the item and provided the Board with a brief summary.

President Rice moved to continue the meeting beyond four hours in order to complete this item.

Director Farmer seconded the motion.

Roll Call Vote:
President Rice-Aye
Director Farmer-Aye
Director Wharton-Aye
Director Bahringer-Aye
Vice President Sanders-Aye

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

President Rice recommended Director Wharton and Director Farmer for an Ad Hoc Committee to bring back a recommendation to the Board for approval.

Director Farmer seconded the motion.

Public Comment:
Mike Lyons
Donn Howell
Crosby Swartz

Roll Call Vote:
President Rice-Aye
Director Farmer-Aye

Director Wharton-Aye
Director Bahringer-Aye
Vice-President Sanders-Abstain

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

I. DISCUSSION AND CONSIDERATION TO ELECT A VICE-PRESIDENT OF THE BOARD OF DIRECTORS

General Manager Jerry Gruber introduced the item and turned it over to the Board for discussion.

President Rice opened the nominations for Vice President.

Director Wharton nominated Director Bahringer for Vice President.

The motion failed for a lack of a second.

Director Farmer moved to nominate himself as Vice President.

President Rice seconded the motion.

Director Wharton clarified that this appointment is only for the next month. He received confirmation of his question.

Roll Call Vote:
Director Farmer-Aye
President Rice-Aye
Director Wharton-Aye
Director Bahringer-Nay
Vice President Sanders-Abstain

Motion Passed: 3-Ayes (Farmer, Rice, Wharton), 1-Nays (Bahringer), 0-Absent, 1-Abstain (Sanders)

Director Bahringer moved to continue the meeting to complete open session.

Vice President Sanders seconded the motion.

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

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

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

The General Manager suggested staff continue to evaluate properties for sale to possibly fund Infrastructure and the Safer Firefighter.

President Rice moved to continue the meeting to adjourn to closed session.

Vice President Sanders seconded the motion.

Roll Call Vote:

President Rice-Aye

Vice President Sanders-Aye

Director Wharton-Aye

Director Farmer-Aye

Director Bahringer-Nay

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

9. ADJOURN TO CLOSED SESSION Closed Session shall be held at the District offices located at 1316 Tamsen Street, Cambria, CA.(Estimated time 60 Minutes)

President Rice adjourned the meeting to closed session at 7:30 p.m.

- A.** CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6
Agency Designated Representative: District Counsel Timothy Carmel
Unrepresented Employee: General Manager Jerry Gruber
- B.** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One potential case.
- C.** CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION pursuant to Government Code Section 54956.9(d)(1)
Name of Case: Michie v. CCSD