

Pursuant to Governor Newsom's Executive Order N-29-20, members of the Board of Directors 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@cambridcsd.org](mailto:boardcomment@cambridcsd.org).



## CAMBRIA COMMUNITY SERVICES DISTRICT

**Thursday, June 11, 2020 - 2:00 PM**

### AGENDA

#### REGULAR MEETING OF THE CAMBRIA COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

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

<https://zoom.us/j/98922826098?pwd=OTArTEFMSmxRSm83aE5yK3pYUmc5UT09>

**Password: 986172**

**Or iPhone one-tap:**

US: +16699006833,,98922826098# or +12532158782,,98922826098#

**Or Telephone:**

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099

**Webinar ID: 989 2282 6098**

International numbers available: <https://zoom.us/u/abVrCPQJnZ>

#### 1. OPENING

- A. Call to Order
- B. Pledge of Allegiance
- C. Establishment of Quorum
- D. Agenda Review: Additions/Deletions

#### 2. COMMISSION REPORT

- A. PROS Chairman's Report

#### 3. PUBLIC COMMENT

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

#### 4. HEARINGS AND APPEALS

- A.** PUBLIC HEARING TO DISCUSS AND CONSIDER ADOPTION OF RESOLUTION 24-2020 CONFIRMING 2019 FIRE HAZARD FUEL REDUCTION ITEMIZED REPORT OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
- B.** PUBLIC HEARING TO DISCUSS AND CONSIDER RESOLUTION 25-2020 APPROVING A FIRE SUPPRESSION BENEFIT ASSESSMENT CONSUMER PRICE INDEX (CPI) ADJUSTMENT AT THE RATE OF 2.1% FOR FY 2020/2021 AND CONFIRMING THE ITEMIZED REPORT TO COLLECT THE ASSESSMENT ON THE COUNTY TAX ROLLS
- C.** PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION 26-2020 CONFIRMING THE ITEMIZED REPORT TO COLLECT DELINQUENT SOLID WASTE COLLECTION AND DISPOSAL CHARGES ON THE COUNTY TAX ROLLS

#### **5. REGULAR BUSINESS**

- A.** DISCUSSION AND CONSIDERATION OF APPROVAL OF AMENDMENT TO RESOURCES AND INFRASTRUCTURE COMMITTEE BYLAWS
- B.** DISCUSSION AND CONSIDERATION OF ADOPTION OF RESOLUTION 27-2020 DECLARING A CONTINUED LOCAL EMERGENCY IN THE CAMBRIA COMMUNITY SERVICES DISTRICT DUE TO THE CORONAVIRUS PANDEMIC
- C.** DISCUSSION AND CONSIDERATION TO APPOINT AN AD HOC COMMITTEE TO REVIEW ORDINANCE 02-2020 AMENDING SECTIONS 4.16 AND 4.20 OF THE CAMBRIA COMMUNITY SERVICES DISTRICT MUNICIPAL CODE RELATING TO RETROFIT INSPECTIONS AND VERIFICATIONS
- D.** DISCUSSION AND CONSIDERATION OF THE ISSUE OF BOARD MEMBER PARTICIPATION AT FINANCE, POLICY, AND RESOURCES AND INFRASTRUCTURE COMMITTEE MEETINGS
- E.** DISCUSSION AND CONSIDERATION OF APPROVAL OF A LETTER OF SUPPORT FOR THE CHUMASH NATIONAL MARINE SANCTUARY

#### **6. FUTURE AGENDA ITEM(S)**

Requests from Board members to receive feedback, direct staff to prepare information, and/or request a formal agenda report be prepared and the item placed on a future agenda. No formal action can be taken except to direct staff to place a matter of business on a future agenda by majority vote.

#### **7. ADJOURN TO CLOSED SESSION**

- A.** PUBLIC EMPLOYEE PERFORMANCE EVALUATION, pursuant to Government Code Section 54957  
Title: District Counsel

## CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

FROM: John F. Weigold IV, General Manager  
Pamela Duffield, Finance Manager

AGENDA NO. **4.A.**


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Meeting Date: June 11, 2020                      Subject: PUBLIC HEARING TO DISCUSS AND CONSIDER ADOPTION OF RESOLUTION 24-2020 CONFIRMING 2019 FIRE HAZARD FUEL REDUCTION ITEMIZED REPORT OF THE CAMBRIA COMMUNITY SERVICES DISTRICT

**RECOMMENDATIONS:**

1. Conduct a public hearing to consider the itemized report on costs incurred for the 2019 Fire Hazard Fuel Reduction Program on parcels subject to clearing under the CCSD's Fire Hazard Fuel Reduction contract:
  - a. Open public hearing.
  - b. Receive public testimony and consider any objections from affected property owners.
  - c. Close public hearing and make any modifications to the itemized cost report deemed necessary.
2. Adopt Resolution 24-2020 confirming the 2019 Fire Hazard Fuel Reduction Itemized Cost Report.

**FISCAL IMPACT:**

The CCSD's contractor's cost for performing all the work on the parcels, plus CCSD's administrative charges, total \$26,909. The sixty-two (62) outstanding parcels invoiced and listed in the itemized cost report included in Resolution 24-2020 will be assessed on the San Luis Obispo County 2020-2021 Tax Roll in the total amount of \$26,909.

**DISCUSSION:**

This agenda item is for a public hearing that is being held in accordance with Health and Safety Code Section 14910 to consider the itemized cost report and hear any objections to the costs incurred by the CCSD to abate weeds and fire hazards as part of the CCSD's 2019 Fire Hazard Fuel Reduction Program. At the hearing, the Board may modify the amounts as it deems necessary and adopt the attached Resolution to confirm the itemized cost report. After the itemized cost report has been confirmed, the Resolution will be submitted to the County and the amounts will be included and collected on each respective property owner's property tax bill, in accordance with the provisions of the Health and Safety Code. Pursuant to the requirements of Health and Safety Code Section 14906, a copy of the itemized cost report has been posted on the District Board's chamber doors for three (3) days with a notice of the time and date when the itemized cost report will be considered by the Board for confirmation.

The itemized cost report provides a specific cost for each property owner subject to the charges. The charges reflect the actual contract price to remove or reduce the downed fuels and vegetation on the property, plus the CCSD's administrative charge of \$200 for the inspection, follow-up, and managerial and administrative work performed by CCSD staff to submit the charges with the parcel data to the San Luis Obispo County Tax Collector for CCSD reimbursement. The CCSD invoiced affected property owners on December 30, 2019. The District's general practice is to mail out additional courtesy notices to parcel owners who have not paid their invoices. The CCSD mailed reminder notices on March 4, 2020. The properties listed in the itemized cost report are those with invoices that remain outstanding.

It should be noted that the procedures and timing related to the collection of charges incurred by the CCSD in clearing parcels were approved by the Board on May 26, 2011. The process of confirming the costs of abatement for collection on the tax roll occurs in the following year, and accordingly the itemized report for 2019 abatement work is being presented to the Board for confirmation. The timing requirements imposed by San Luis Obispo County for inclusion of assessments on the FY 2020-2021 tax roll has a submission deadline of July 15, 2020.

Attachments: Resolution 24-2020  
Exhibit A to Resolution 24-2020

RESOLUTION 24-2020  
June 11, 2020

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
CAMBRIA COMMUNITY SERVICES DISTRICT  
CONFIRMING THE FIRE HAZARD FUEL REDUCTION PROGRAM  
ITEMIZED REPORT

WHEREAS, by Resolution No. 11-2019, the Fire Chief was directed to abate a public nuisance on certain parcels of real property located within the Cambria Community Services District; and

WHEREAS, said nuisance, consisting of noxious or dangerous weeds, live or dead vegetation located upon said parcels, has been abated under the power granted to the Cambria Community Services District by Health and Safety Code Section 14875, et seq., and Government Code Section 61100(t), whereby the Cambria Community Services District may declare certain hazardous vegetation a public nuisance for abating said vegetation to reduce the community wildland fire vulnerability and threat; and

WHEREAS, parcels in which the nuisance fire hazard vegetation was not removed by the owners have been cleared and abated by the Cambria Community Services District Fire Hazard Fuel Reduction Contractor, as approved by the Board of Directors in Resolution No. 11-2019; and

WHEREAS, an itemized report has been prepared showing the actual cost of said Fire Hazard Fuel Reduction to be charged to each parcel, which report is attached hereto, marked "Exhibit A," and incorporated herein by reference as though here fully set forth.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the Cambria Community Services District, as follows:

1. That the recitals set forth hereinabove are true, correct and incorporated herein by this reference.
2. That said itemized cost report entitled "Cambria Community Services District, Report of Fire Hazard Fuel Reduction 2019," a copy of which is on file in the office of the Cambria Community Services District and is available there for public inspection, be and hereby is ordered confirmed in the form set forth in said "Exhibit A."
3. That in accordance with Health and Safety Code Section 14915, the Finance Manager shall forthwith transmit a copy of this Resolution to the County Auditor.
4. That pursuant to the authority in Health and Safety Code Sections 14912, 14916 and 14917, the County Auditor and the County Tax Collector be and hereby are authorized and directed to do all acts necessary and proper to place on the

Fiscal Year 2020-2021 Tax Rolls, the respective assessments as set forth in said confirmed itemized cost report, plus such administrative fees as are allowed under the law.

5. That because of said confirmation and recording of said itemized cost report, pursuant to Health and Safety Code Section 14912, the amounts of the Fire Hazard Fuel Reduction costs set forth in said itemized cost report are thereby made special assessments and liens against the respective parcels of real property in the Cambria Community Services District, all as set forth in said itemized report referred to hereinabove as "Exhibit A."

PASSED AND ADOPTED THIS 11<sup>TH</sup> day of June 2020.

AYES:

NAYS:

ABSENT:

\_\_\_\_\_  
Harry Farmer, President  
Board of Directors

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Haley Dodson, Deputy District Clerk

\_\_\_\_\_  
Timothy J. Carmel, District Counsel

EXHIBIT "A" TO RESOLUTION 24-2020  
 CAMBRIA COMMUNITY SERVICES DISTRICT  
 REPORT OF FIRE HAZARD FUEL REDUCTION 2019

<u>Parcel</u>	<u>Contractor</u>	<u>Administrative</u>	<u>Total Cost</u>
	<u>Cost</u>	<u>Fee</u>	
022.093.012	\$ 132.20	\$ 200.00	\$ 332.20
022.151.014	\$ 658.40	\$ 200.00	\$ 858.40
022.181.038	\$ 108.20	\$ 200.00	\$ 308.20
022.212.010	\$ 108.20	\$ 200.00	\$ 308.20
022.212.015	\$ 339.20	\$ 200.00	\$ 539.20
022.212.016	\$ 339.20	\$ 200.00	\$ 539.20
022.212.017	\$ 307.20	\$ 200.00	\$ 507.20
022.212.018	\$ 251.20	\$ 200.00	\$ 451.20
022.223.005	\$ 283.20	\$ 200.00	\$ 483.20
022.341.011	\$ 266.20	\$ 200.00	\$ 466.20
023.025.022	\$ 234.20	\$ 200.00	\$ 434.20
023.073.023	\$ 108.20	\$ 200.00	\$ 308.20
023.075.018	\$ 108.20	\$ 200.00	\$ 308.20
023.113.031	\$ 2,156.20	\$ 200.00	\$ 2,356.20
023.116.011	\$ 203.20	\$ 200.00	\$ 403.20
023.116.020	\$ 108.20	\$ 200.00	\$ 308.20
023.116.021	\$ 120.20	\$ 200.00	\$ 320.20
023.116.022	\$ 120.20	\$ 200.00	\$ 320.20
023.192.010	\$ 108.20	\$ 200.00	\$ 308.20
023.203.001	\$ 164.40	\$ 200.00	\$ 364.40
023.213.004	\$ 84.20	\$ 200.00	\$ 284.20
023.213.033	\$ 84.20	\$ 200.00	\$ 284.20
023.214.022	\$ 219.20	\$ 200.00	\$ 419.20
023.223.013	\$ 347.20	\$ 200.00	\$ 547.20
023.223.024	\$ 347.20	\$ 200.00	\$ 547.20
023.233.029	\$ 108.20	\$ 200.00	\$ 308.20
023.233.058	\$ 133.40	\$ 200.00	\$ 333.40
023.233.068	\$ 108.20	\$ 200.00	\$ 308.20
023.312.021	\$ 410.80	\$ 200.00	\$ 610.80
023.313.020	\$ 450.20	\$ 200.00	\$ 650.20
023.333.029	\$ 108.20	\$ 200.00	\$ 308.20
023.333.038	\$ 133.40	\$ 200.00	\$ 333.40
023.333.042	\$ 157.40	\$ 200.00	\$ 357.40
023.391.018	\$ 108.20	\$ 200.00	\$ 308.20
023.391.048	\$ 132.20	\$ 200.00	\$ 332.20
023.423.006	\$ 156.20	\$ 200.00	\$ 356.20
023.451.031	\$ 338.80	\$ 200.00	\$ 538.80
023.451.032	\$ 1,173.20	\$ 200.00	\$ 1,373.20
023.453.004	\$ 156.20	\$ 200.00	\$ 356.20
023.461.002	\$ 175.20	\$ 200.00	\$ 375.20





## CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **4.B.**FROM: John F. Weigold IV, General Manager  
Pamela Duffield, Finance Manager

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Meeting Date: June 11, 2020      Subject: PUBLIC HEARING TO DISCUSS AND CONSIDER RESOLUTION 25-2020 APPROVING A FIRE SUPPRESSION BENEFIT ASSESSMENT CONSUMER PRICE INDEX (CPI) ADJUSTMENT AT THE RATE OF 2.1% FOR FY 2020/2021 AND CONFIRMING THE ITEMIZED REPORT TO COLLECT THE ASSESSMENT ON THE COUNTY TAX ROLLS

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**RECOMMENDATIONS:**

1. Receive staff report.
2. Open public hearing.
3. Receive public comment.
4. Close public hearing.
5. Discussion.
6. Adopt Resolution 25-2020 approving a 2.1% CPI adjustment in the existing Fire Suppression Benefit Assessment rates, effective July 1, 2020, in compliance with Resolution 27-2003 and the related Engineer's Report and confirming the itemized report to collect the assessment on the County tax rolls.

**FISCAL IMPACT:**

Adoption of the Resolution increases the annual fire suppression benefit assessment revenue by approximately \$11,400 for a projected total of \$483,900 for FY 2020/2021. The Fire Suppression Benefit Assessment provides critical supplemental funding for Fire Department operations.

**DISCUSSION:**

CCSD Resolution 27-2003 confirmed the special benefit assessment for fire suppression services. Pursuant to Government Code Section 50078 et seq., the assessment may be increased for the ensuing year based upon the Consumer Price Index, not to exceed 5.4%. The United States' Bureau of Labor Statistics recorded an average increase of 2.1% for the Los Angeles-Long Beach-Anaheim & Riverside-San Bernardino-Ontario areas for the twelve-month period ending March 31, 2020.

The proposed range of assessments compared with the existing rates is as follows:

	FY 2020-2021	FY2019-2020
<b>Vacant Lot</b>	\$20.35	\$19.93
<b>Single Family Residence &lt; 3600 square feet</b>	\$101.75	\$99.66
<b>Single Family Residence &gt; 3600 square feet</b>	\$152.66	\$149.52
<b>Multi-Family Residence per Dwelling Unit</b>	\$50.89	\$49.84
<b>Commercial Range:</b>		
<b>Minimum of Commercial Range</b>	\$305.28	\$299.00
<b>Maximum of Commercial Range</b>	\$2,596.68	\$2,543.27



RESOLUTION NO. 25-2020  
June 11, 2020

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE CAMBRIA COMMUNITY SERVICES DISTRICT  
APPROVING THE FIRE SUPPRESSION BENEFIT ASSESSMENT CONSUMER  
PRICE INDEX ADJUSTMENT IN THE AMOUNT OF  
2.1% FOR FISCAL YEAR 2020/2021  
AND AUTHORIZING COLLECTION ON THE TAX ROLLS

WHEREAS, in accordance with the authority in Government Code Section 61122, a community services district may levy benefit assessments consistent with the requirements of Article XIID of the California Constitution; and

WHEREAS, the Fire Suppression Benefit Assessment was approved by a majority of the property owners in Cambria in March 2003 pursuant to Government Code Section 50078 et seq.; and

WHEREAS, Government Code Section 50078.16 states that the Board of Directors may provide for the collection of the assessment in the same manner, and subject to the same penalties as, other fees, charges, and taxes fixed and collected by, or on behalf of the District and further provides that the County may deduct its reasonable costs incurred for that service before remittal of the balance to the District.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Cambria Community Services District as follows:

1. A Fire Suppression Benefit Assessment Consumer Price Index Adjustment in the amount of 2.1%, effective July 1, 2020, in compliance with Resolution 27-2003 and the related Engineer's Report is hereby approved.
2. The following assessments for Fiscal Year 2020/2021 are hereby approved:

	<b><u>FY 2020/21</u></b>
Vacant Lot	\$20.35
Single Family Residence < 3600 sq. ft.	\$101.75
Single Family Residence > 3600 sq. ft.	\$152.66
Multi-Family Residence per Dwelling Unit	\$50.89
Commercial Range	\$305.28 – \$2,596.68

3. For the 2020-21 fiscal year, pursuant to the authority in Government Code Section 50078.16, the Board of Directors hereby elects to collect the District's Fire Suppression Benefit Assessment on the County of San Luis Obispo tax roll, in the same manner, by the same person, and at the same time, together with and not separate from its taxes.

AYES:

NOES:

ABSENT:

PASSED AND ADOPTED THIS 11<sup>TH</sup> day of June 2020.

\_\_\_\_\_  
Harry Farmer, President  
Board of Directors

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Haley Dodson, Deputy District Clerk

\_\_\_\_\_  
Timothy J. Carmel, District Counsel

## CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **4.C.**FROM: John F. Weigold IV, General Manager  
Pamela Duffield, Finance Manager-----  
Meeting Date: June 11, 2020Subject: PUBLIC HEARING TO CONSIDER  
ADOPTION OF RESOLUTION 26-2020  
CONFIRMING THE ITEMIZED  
REPORT TO COLLECT DELINQUENT  
SOLID WASTE COLLECTION AND  
DISPOSAL CHARGES ON THE  
COUNTY TAX ROLLS**RECOMMENDATIONS:**

1. Receive staff report and review the itemized report for delinquent solid waste collection and disposal charges.
2. Open Public Hearing.
3. Take Public Testimony.
4. Close Public Hearing.
5. Discussion.
6. Adopt Resolution 26-2020 confirming the itemized report (Exhibit "A" to the Resolution) describing each parcel and the amount of delinquent solid waste collection and disposal charges to be collected against such parcel.

**FISCAL IMPACT:**

The property owner of record is responsible for payment of the delinquent charges. Collecting delinquent charges on the tax roll ensures the CCSD's Franchisee, Mission Country Disposal, will receive payment for solid waste collection and disposal services from owners who have not paid their bills.

**DISCUSSION:**

On October 1, 2009, at the request of the Franchisee, the CCSD Board of Directors adopted Ordinance 02-2009 electing to have delinquent solid waste collection and disposal service charges collected on the County tax roll in accordance with the provisions of Health and Safety Code Section 5473.1, et seq.

The CCSD Board of Directors found that the timely and full payment of charges for solid waste collection and disposal services is critical for the successful operation of the CCSD's solid waste collection and disposal franchise and elected to, by resolution, have solid waste collection and disposal charges which are delinquent at the end of any fiscal year collected on the tax roll.

Mission Country Disposal has requested and filed an itemized report with the CCSD listing all delinquent solid waste collection and disposal charges for collection on the 2020/2021 tax roll. Outstanding charges total approximately \$1,949.

The Board is required to hold a public hearing at which it is to consider all objections and protests to the itemized report. Pursuant to Health and Safety Code Section 5473.3, at the conclusion of the hearing the Board may adopt, revise, change, reduce or modify any charge or overrule any or all objections. The attached Resolution has been prepared for Board consideration to approve and adopt the report. Thereafter it will be filed with the County Auditor-Controller and the amounts of the delinquent charges will be entered as charges against the parcels and collected on the annual bills for property taxes levied against the respective parcels.

Attachments: Resolution 26-2020  
Exhibit A to Resolution 26-2020

RESOLUTION NO. 26-2020  
JUNE 11, 2020

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
CAMBRIA COMMUNITY SERVICES DISTRICT  
CONFIRMING THE ITEMIZED REPORT AND AUTHORIZING  
DELINQUENT SOLID WASTE COLLECTION AND DISPOSAL SERVICE  
CHARGES TO BE COLLECTED ON TAX ROLL

WHEREAS, the Board of Directors ("Board") of the Cambria Community Services District ("District") makes the following findings of fact:

1. On October 1, 2009, the District Board duly adopted Ordinance No. 02-2009 pursuant to which the District elected to have delinquent solid waste collection and disposal service charges collected on the tax roll in the same manner, by the same persons, and at the same time as its general taxes, all pursuant to applicable Government and Health and Safety Codes; and

2. In accordance with Health and Safety Code Section 5473.1, the District Clerk has mailed letters to owners of real property notifying them of the District's intent to have such solid waste collection and disposal service charges delinquent as of May 28, 2020 placed on the 2020-2021 County tax roll for collection, pursuant to Health and Safety Code Sections 5473 and 5473a by filing a written report with the Auditor-Controller's office of the County of San Luis Obispo, containing a description of each parcel of real property with delinquent solid waste collection and disposal service charges, the amount of those delinquent charges, and the owner thereof; and

3. In accordance with the requirements of Health and Safety Code Section 5473.1, the District Clerk has caused a notice to be published of the time and place of the public hearing to be held before the District Board at which time all interested persons will be given the opportunity to present oral or written testimony for or against said report or any portions thereof; and

4. On or before July 18, 2020, the final filing date established by the County Auditor-Controller's Office, the Finance Manager must submit all changes, additions and deletions to such list on a final filing basis; and

5. In accordance with San Luis Obispo County regulations, as of July 1, 2008 a fee of \$36.00 will be charged for each assessment removed or revised from the assessment listing occurring on a tax bill after extension. Thus, any charge levied against the District for change(s) in an assessment amount of a property owner that is not the result of District error will be subsequently invoiced and collected by the District from the property owner of record.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Cambria Community Services District as follows:

Section 1. The above findings are true and correct and are incorporated herein by this reference.

Section 2. The Board hereby confirms the itemized report describing the delinquent solid waste collection and disposal service charges attached hereto as Exhibit "A" and hereby authorizes such charges to be collected on the County real property tax roll, pursuant to the procedures set forth in Health and Safety Code Section 5473 et seq.

Ayes:  
Nays:  
Absent:

PASSED AND ADOPTED this 11<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
Harry Farmer, Board President

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Haley Dodson, Deputy District Clerk

\_\_\_\_\_  
Timothy Carmel, District Counsel



## Exhibit A to Resolution 26-2020

Cust No.	Customer Name	Parcel No.	Service Address	Bill Name	Bill Address	Bill City	>120 Day	Fin Charg	Fee	Total
10054151	LANKFORD, DARIN	022-261-036	950 HARTFORD ST	LANKFORD, DARIN & CYNTHIA	950 HARTFORD ST	CAMBRIA, CA 93428-2814	274.42	50.00	4.05	328.47
10049559	MC ALPINE, TIM & GINA	023-401-006	1445 HADDON DR	MC ALPINE, TIM & GINA	1445 HADDON DR	CAMBRIA, CA 93428-5125	274.42	50.00	4.05	328.47
8004231	SMALLEY, BETTY J	022-041-001	503 WEYMOUTH ST	SMALLEY, BETTY	1425 WOODSIDE DR #3068	SAN LUIS OBISPO, CA 93401-5936	274.42	50.00	4.05	328.47
8003775	ADAMS, ICA	024-063-078	2155 SPENCER ST	ADAMS, ICA	624 E 10TH AVE	WINFIELD, KS 67156-3705	245.39	70.00	4.05	319.44
10107346	GRACE, ELAISA	023-090-006	1850 LAUREL PL	GRACE, ELAISA	1850 LAUREL PL	CAMBRIA, CA 93428-550	201.43	35.00	4.05	240.48
8002320	MERLETTI, PRUIKSMA & SUSAN	023-049-030	393 HARVEY ST	MERLETTI, SUSAN	722 CANYON CREST DR	SIERRA MADRE , CA 91024-1312	185.43	25.00	4.05	214.48
10010366	OROZCO, JULIA M	024-013-045	1960 DREYDON AVE	OROZCO, JULIA	1320 PADRE DR APT 200	SALINAS, CA 93901-2165	130.52	55.00	4.05	189.57

**1,949.38**

## CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **5.A.**

FROM: John F. Weigold IV, General Manager

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Meeting Date: June 11, 2020Subject: DISCUSSION AND CONSIDERATION  
OF APPROVAL OF AMENDMENT TO  
RESOURCES AND INFRASTRUCTURE  
COMMITTEE BYLAWS

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**RECOMMENDATIONS:**

Staff recommends the Board discuss and consider approving the proposed amendment to the Resources & Infrastructure Committee bylaws.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**DISCUSSION:**

The Resources & Infrastructure Committee met on April 13, 2020 to consider amending section VII.A of their Bylaws regarding the regular meeting schedule. The Committee approved amending Section VII.A and requested the redline version be brought back to the Committee for approval. The Resources & Infrastructure Committee met again on May 11, 2020 and approved the amendment to Bylaw Section VII.A. Staff recommends that the Board approve the Bylaws as revised.

Attachment: Revised Resources & Infrastructure Standing Committee Bylaws

## **CAMBRIA COMMUNITY SERVICES DISTRICT**

### **RESOURCES AND INFRASTRUCTURE STANDING COMMITTEE BYLAWS**

#### **I. Statement of Purpose and Authority**

The purpose of the Resources and Infrastructure Standing Committee ("Committee") is to serve the Cambria Community Services District ("CCSD") with respect to infrastructure and resources as follows:

- A. Assess existing resources and gather information regarding infrastructure and resource needs of the community.
- B. Establish a collaborative working relationship with the public and the CCSD Board of Directors.
- C. Create plans for meeting the needs of the community within the bounds of current and potential resources and priorities of the CCSD.
- D. Recommend plans of action to the Directors of the CCSD regarding actions to meet the community infrastructure and resources needs

#### **II. Statement of Responsibilities**

- A. Members of the Committee and their activities are bound by all applicable provisions of the Brown Act (Government Code Sections 54950 et seq.).
- B. Members of the Committee shall not participate in discussion of, or vote on, issues constituting conflicts of interest – "no public official shall make, participate in making, or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest." (Government Code Section 87100).
- C. Members of the Committee are charged with protecting and upholding the public interest and with exhibiting the highest level of ethics in all actions.

#### **III. Terms of Appointments and Offices**

- A. The Committee shall consist of five community members with full voting privileges and one ex officio board director as chairperson. Committee members shall be appointed by the CCSD Board of Directors with a majority vote.
- B. Each Committee member shall serve a two-year term. Upon the request of a retiring Committee member, at the end of a completed term of office, with the recommendation of the Committee, and at the discretion of the CCSD Board of

Directors, a Committee member may be appointed for an additional term of up to two years.

- C. Each Committee member shall live within the CCSD boundaries, hold no other public office within the CCSD, and shall serve at the pleasure of the CCSD Board.
- D. The members of the Committee shall elect a Vice-Chairperson and Secretary, and the Chairperson shall be appointed by the CCSD Board of Directors. The Chairperson shall preside over meetings, appoint appropriate committees, sign reports, establish meeting agendas, and represent the Committee at the regular Board meeting. In the absence of the Chairperson, the duties of this office shall be performed by the Vice Chairperson. The terms of these offices shall be one year with elections occurring at the first regular meeting of each year.

#### IV. Duties of Committee Officers

- A. The Chairperson shall:
  - 1. Chair Committee meetings.
  - 2. Chair the Resources and Infrastructure Executive Committee to include the Chairperson and Vice Chairperson.
  - 3. Vote only in the event of a tied vote of the community members of the Committee.
  - 4. Coordinate input for agenda topics for the monthly Resources and Infrastructure meetings with CCSD staff.
  - 5. Develop an Annual Calendar of Events that includes Resources and Infrastructure priorities, workshops as needed, and joint meetings with the CCSD Board of Directors.
  - 6. Appoint ad hoc committees as needed.
  - 7. Act as liaison to CCSD standing ~~committees, and committees~~ and appoint representatives to act as liaison other committees.
- B. The Vice Chairperson shall:
  - 1. Perform the duties of the Chairperson in his or her absence.
  - 2. Coordinate preparation of Resources and Infrastructure priorities with the Chairperson to be submitted to the CCSD staff.
  - 3. Attend Executive Committee meetings as needed.
- C. The Secretary shall:
  - 1. Record the minutes of the meetings, ensuring the accuracy of when, how and by whom the Committee's business was conducted. Minutes are recorded in written form as well as by audio recording.
  - 2. Include at a minimum: The date, time and location of the meeting; a list of the Committee members present and absent; a record of reports presented and by whom; the text of motions presented and description of any action taken; list of items being considered for future agenda; time of meeting adjournment. Minutes

should have enough information to enable absent Committee members, and the public, to understand what issues were discussed and the decisions made.

3. Submit the draft written minutes and audio recording to the CCSD staff for the record.

## V. Agenda Procedure

### A. Resources and Infrastructure Regular Meetings:

1. The Resources and Infrastructure Committee shall meet within the jurisdictional boundaries of the CCSD except in an emergency.
2. Members of the Committee shall provide input on the agenda to the Chairperson.
3. Chairperson and Vice Chair shall develop the draft agenda with the CCSD staff.
4. CCSD staff shall prepare the final agenda, attachments, and emails to all Resources and Infrastructure Committee members. Agendas are distributed to an agenda distribution list.
5. CCSD staff shall post agendas at the CCSD Administrative Office, Veteran's Memorial Hall, and the Cambria Public Library.

## VI. Ad Hoc Committees

The Committee shall appoint Ad Hoc committees as may be deemed necessary or advisable. The duties of an Ad Hoc committee shall be outlined at the time of the appointment, and an Ad Hoc committee shall be considered dissolved when its final report has been made.

## VII. Committee Procedures

- A. The Committee ~~shall will determine and publish a calendar of monthly meetings at their January meeting and will meet on that schedule meet as determined by the Committee in January on the third Tuesday of each month~~ unless otherwise publicly noticed 72 hours in advance. The Committee may call public-noticed special meetings as needed.
- B. A majority of the Committee members shall constitute a quorum.
- C. All Committee meetings shall be conducted by laws governing open meetings and public participation.

- D. The CCSD Board shall appoint Staff liaison to the Committee for the purpose of improving the flow of communication between the entities.
- E. The CCSD General Manager, or his/har designated representative(s), shall assist the Committee as Staff to the Committee.
- F. After two consecutive unexcused absences of a committee member, the Committee, by a majority vote, may recommend to the CCSD Board the dismissal of said Committee member.
- G. Should a Committee member disrupt Committee meetings, or participate in behavior contrary to the charges and responsibilities of the Committee, the Committee, by a majority vote, may recommend to the CCSD Board the removal of said Committee member.
- H. Committee members desiring to resign shall submit a letter of resignation to the Committee Chairperson and this shall be forwarded to the CCSD Board.
- I. Each committee member shall be appointed for a two-year term in concurrence with the CCSD Board of Director elections. Committee members shall be asked to declare their intent to continue service yearly. When committee members decide to terminate service the remaining committee members shall recommend community members to be voted on by the CCSD Board of Directors.

#### **VIII. Parliamentary Authority**

The rules contained in the current edition of ROBERT'S RULES OF ORDER, *Newly Revised*, shall govern the Committee in all cases to which they are applicable and in which they are not consistent with these Bylaws, any special rules of order the Committee may adopt and statutes applicable to this Committee that do not authorize the provisions of these laws to take precedence.

#### **IX. Amendments to Bylaws**

The Bylaws may be amended by majority vote at any regular meeting of the Committee provided that written notice of the proposed changes is mailed to each member of the Committee no less than one week in advance. Changes must be approved by the CCSD Board.

## CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **5.B.**FROM: John F. Weigold, IV, General Manager  
Timothy Carmel, District Counsel

Meeting Date: June 11, 2020

Subject: DISCUSSION AND CONSIDERATION  
OF ADOPTION OF RESOLUTION 27-  
2020 DECLARING A CONTINUED  
LOCAL EMERGENCY IN THE  
CAMBRIA COMMUNITY SERVICES  
DISTRICT DUE TO THE  
CORONAVIRUS PANDEMIC**RECOMMENDATIONS:**

Staff recommends that the Board of Directors discuss and consider adoption of Resolution 27-2020 declaring a continued local emergency in the Cambria Community Services District due to the Coronavirus Pandemic.

**FISCAL IMPACT:**

Fiscal impacts associated with this item are unknown at this time.

**DISCUSSION:**

As the Board is aware, the State and County of San Luis Obispo have adopted a number of executive orders declaring a public health emergency and imposing restrictions on the general population to help control the spread of the COVID-19 virus. The Board of Directors adopted Resolution 09-2020 on March 23, 2020, which declared a local State of Emergency and provided the General Manager with authority to allow for a more expeditious and effective response to various situations related to the Coronavirus Pandemic as they occur. Resolution 09-2020 requires the Board to determine whether a local State of Emergency continues to exist at each regular and special meeting. As the COVID-19 virus continues to ravage the State and country, it is recommended that the Board adopt Resolution 27-2020 declaring a continued State of Emergency.

RESOLUTION 27-2020  
JUNE 11, 2020

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE CAMBRIA COMMUNITY SERVICES DISTRICT DECLARING A  
CONTINUED LOCAL EMERGENCY DUE TO THE CORONAVIRUS (COVID-19)

WHEREAS, on March 23, 2020, the Board of Directors adopted Resolution 09-2020 declaring the existence of a State of Emergency in the Cambria Community Services District as a result of the Coronavirus Pandemic; and

WHEREAS, Resolution 09-2020 requires the Board of Directors to determine whether the local State of Emergency continues to exist at each regular or special Board meeting; and

WHEREAS, the Board finds that this emergency, which involves the outbreak of an extremely infectious disease (COVID-19), is a highly fluid and evolving situation, and in the interest of public health, safety and welfare, such a State of Emergency continues to exist in the Cambria Community Services District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cambria Community Services District that a State of Emergency continues to exist in the Cambria Community Services District as a result of the Coronavirus Pandemic.

PASSED AND ADOPTED this 11<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
Harry Farmer, President  
Board of Directors

APPROVED AS TO FORM:

\_\_\_\_\_  
Timothy J. Carmel  
District Counsel

ATTEST:

\_\_\_\_\_  
Haley Dodson  
Deputy District Clerk



## CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **5.C.**FROM: John F. Weigold IV, General Manager  
Ray Dienzo, Utilities Department Manager/District Engineer-----  
Meeting Date: June 11, 2020Subject: DISCUSSION AND CONSIDERATION  
TO APPOINT AN AD HOC  
COMMITTEE TO REVIEW  
ORDINANCE 02-2020 AMENDING  
SECTIONS 4.16 AND 4.20 OF THE  
CAMBRIA COMMUNITY SERVICES  
DISTRICT MUNICIPAL CODE  
RELATING TO RETROFIT  
INSPECTIONS AND VERIFICATIONS**RECOMMENDATIONS:**

Staff recommends the Board form an ad hoc committee to review Ordinance 02-2020 amending Sections 4.16 and 4.20 of the Cambria Community Services District Municipal Code relating to retrofit inspections and verifications.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**DISCUSSION:**

At the May 14, 2020 Board meeting, the Board requested that staff add this item to a future agenda, so that an ad hoc committee can be formed to review the District's retrofit inspection and verification program. The Board also concluded that sections of the Code relating to water conservation need to be reviewed in more detail. Staff recommends that the Board form an ad hoc committee to review Sections 4.16 and 4.20 of the CCSD Municipal Code relating to District retrofit inspections and verifications.

## CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **5.D.**FROM: John F. Weigold IV, General Manager  
Timothy J. Carmel, District Counsel-----  
Meeting Date: June 18, 2020Subject: DISCUSSION AND CONSIDERATION  
OF THE ISSUE OF BOARD MEMBER  
PARTICIPATION AT FINANCE,  
POLICY, AND RESOURCES AND  
INFRASTRUCTURE COMMITTEE  
MEETINGS**RECOMMENDATIONS:**

Staff recommends that the Board of Directors review this staff report and consider and discuss the issue of Board Member participation at meetings of the Finance, Policy, and Resources & Infrastructure Committees.

**FISCAL IMPACT:**

There are no fiscal impacts associated with this item.

**DISCUSSION:**

On May 13, 2020 the Board received email correspondence from a citizen, Tina Dickason, questioning the practice of Board Members attending and speaking at meetings of the District's Standing Committees. President Farmer has requested that an item be brought to the Board to enable discussion on the matter. Accordingly, this staff report is being provided to assist in that discussion.

A copy of Ms. Dickason's email is attached for reference, as well as an email exchange that District Counsel had with Ms. Dickason. Without restating all of Ms. Dickason's assertions, she is alleging that the Brown Act is being violated by Board Members who attend the Committee meetings and speak, citing to Government Code section 54953.3(c)(6). That section permits:

(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.

As explained in District Counsel's prior correspondence to Ms. Dickason, we believe Government Code section 54952.2(c)(4) applies to Board Member participation at the District's Committee meetings. That section permits:

(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the

scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

In a May 8, 2020 response to Ms. Dickason's demand to "cure and correct," it was explained that:

I believe the correct section is the one I cited previously, Section 54952.2(c)(4). I can certainly understand, however, the confusion since the District uses the term "standing committee" for the Policy Committee and its other permanent committees, the Resource and Infrastructure Committee and Finance Committee. Those bodies are "legislative bodies" by virtue of Government Code Section 54952(b) which provides:

As used in this chapter, "legislative body" means:

(b) A commission, committee, board, or other body of a local agency, whether permanent or temporary, decision making or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.

The Policy, Finance, and Resource and Infrastructure Committees were formed by action of the Board, and membership consists of a number of citizens, as well as a Board member. They are not a body "composed solely of members of the legislative body that are less than a quorum of the legislative body" that would be a "standing committee" by virtue of having "continuing subject matter jurisdiction, or "a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body". A standing committee such as that (composed solely of less than a quorum of the CCSD Board of Directors) would be the type of "standing committee" that Section 54952.2(c)(6) would pertain to (i.e. "a standing committee of that body"). For example, if the ad hoc committee consisting of Director Rice and President Farmer tasked with revising the Bylaws had continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a Board of Directors, it would be a standing committee under the Brown Act to which Government Code Section 54952.2(c)(6) would apply. I hope this clarifies the issue.

Nonetheless, in her May 13, 2020 email to the Board, Ms. Dickason indicated she disagrees with District Counsel's interpretation and asked that the Board "...establish policy, by adopting the language in the Sixth Exception to the Meeting Definition, 54952.2(c)(6), and by doing so, address this issue in a clear, concise and easily understood manner, making sure that violations of the Brown Act are not occurring, nor will occur in the future."

We continue to believe that Ms. Dickason is incorrect and that section 54952.2(c)(4) is the applicable section. In researching this matter we have found that section 54952.2(c)(6), which

was adopted in 1997, was the subject of an opinion by the California Attorney General in 1998 that further supports our interpretation (81 Ops.Cal.Atty.Gen. 156). That opinion addressed questions relating to members of a legislative body being restricted to being “observers” under the language of Government Code section 54952.2(c)(6), and whether they could sit in special chairs on the dais while “attending a meeting of a standing committee of the legislative body “as observers.” The opinion concluded that members attending “as observers” cannot sit on the dais, since it could “create the impression that the standing committee meeting constituted a meeting of the legislative body itself.” In discussing this opinion in its 2003 publication “The Brown Act: Open Meetings for Local Legislative Bodies,” the Attorney General’s Office stated that:

Meetings of Other Legislative Bodies. When a majority of the legislative body attends an open and noticed meeting of another legislative body of the same or a different local agency, the legislative body is not deemed to be conducting a meeting, so long as the members in attendance do not discuss, among themselves, other than as part of the scheduled meeting, issues of a specific nature related to the subject matter jurisdiction of the body. (§ 54952.2(c)(4).) Thus, when a majority of a planning commission attends a meeting of the city council for the same city, it need not treat such attendance as a meeting of the planning commission for purposes of the Act. Similarly, when a majority of the members of a city council attend a meeting of the county board of supervisors, the city council is not conducting a meeting within the meaning of the Act. However, if two bodies conduct a joint meeting, each body should notice the meeting as a joint meeting of the two bodies. This exception, which is contained in section 54952.2(c)(4), does not apply when a majority of the members of a parent legislative body attend a meeting of a standing committee of the parent body. However, section 54952.2(c)(6) specifically addresses this issue. It provides that a majority of the parent body may attend an open and noticed meeting of a standing committee so long as the members who are not members of the standing committee and which cause a majority of the parent body to be present, attend only as observers. In 81 Ops.Cal.Atty.Gen. 156, 158 (1998), this office concluded that persons who attended solely as observers could not address the committee by testifying, asking questions or providing information. In addition, the opinion concluded that observers could not sit at the dais [sic].

The foregoing makes it clear that the standing committees referred to in section 54952.2(c)(6) are standing committees “of the parent body.” In the case of the CCSD, this would be a standing committee consisting of less than a quorum of the CCSD Board of Directors, as was noted in the example provided to Ms. Dickason in the May 5, 2020 response.

In reviewing this issue, we are also mindful that the CCSD Board of Directors has made a substantial commitment to transparency when it comes to how the District, the Board and its Committees conduct business. Therefore, while we believe that Board Members have not violated the Brown Act and that the applicable section of the law governing this issue is section 54952.2(c)(4) and not section 54952.2(c)(6), it may be desirable to consider establishing a policy restricting a majority of Board Members from participating in meetings of the District’s Committees, in order to avoid any appearance of impropriety.

Attachments: May 13, 2020 email correspondence to Board of Directors from Ms. Dickason  
May 8, 2020 email correspondence to Ms. Dickason from District Counsel  
Attorney General Opinion No. 97-1207

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**From:** Tina Dickason [REDACTED] >  
**Sent:** Wednesday, M  
**To:** Harry Farmer; Cindy Steidel; Donn Howell; Amanda Rice; David Pierson  
**Cc:** Gordon Heinrichs; Ted Key; Claudia Harmon; Leslie Richards; [REDACTED]  
Karen Dean; Jim Webb; Paul Nugent; Brad Fowles; Tom Gray; [REDACTED]  
[REDACTED]; Dewayne Lee; Cheryl McDowell; [REDACTED] Tim  
Carmel; John F. Weigold IV  
**Subject:** Standing Committees and the Brown Act

Good evening, president Farmer, CCSD Board and All!

I am requesting an item be placed on the Board's agenda in the near future, to address a matter related to the Brown Act; specifically, how directors of the Board should be conducting themselves when attending Standing Committee meetings?

I participated in the Policy Committee meeting, April 30. Director Howell, while chairing the meeting, became aware of a possible Brown Act violation when a third director asked to speak on Agenda Item 3D. He issued a warning, but was met with a response from the general manager, informing the chair, that he had spoken to legal counsel the day before, and said that directors may speak at any of these venues. (That statement needs clarification). Chair Howell appeared somewhat surprised, but proceeded in allowing the director to speak.

I have asked CCSD legal counsel, Tim Carmel, to issue a "Cure and Correct," related to the April 30, Policy Committee meeting. He has not responded directly to that request.

Please see the text below, that specifically refers to Standing Committees in CA government code (54952.2(c)(6)). The Standing Committees appeared to be conducting their meetings by following direction as suggested in this section, at least for a while (based on those I attended). Since meetings are being conducted via Zoom, I, and others, are noticing what appears to be violations of the Brown Act. Another violation seemed apparent at today's Finance Committee meeting, and was noted by a member of the committee--(as did director/chair Howell, on April 30).

54952.2.(c)(6)

*"(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a **standing committee** of that body, provided that the members of the legislative body who are not members of the standing committee **attend only as observers.**"* (bold enhanced)

Below, is a short Q & A excerpt related to the Brown Act on Standing Committees, making the implication of (6) very clear.

(excerpt from: The League of California Cities, Open & Public V: A Guide to the Ralph M. Brown Act. (Chapter 3, p. 20).

### **Standing Committees**

**Q.** The legislative body establishes a **standing committee** of two of its five members, which meets monthly. A third member of the legislative body wants to attend these meetings and participate. May she? (bold enhanced)

**A.** She may attend, but only as an observer; she may not participate.

Mr. Carmel informed me that he interprets government code, 54952.2(c)(4)--(see below) to be appropriate in addressing standing committee protocol. I disagree, as this could allow for participation by members of the Board of Directors, affording their influence over discussions and possible outcomes of agenda items, prior to recommendations coming back to the Board itself. I would also ask why elect this code, when there is another that speaks directly to what is and what is not allowed?

**54952.2(c)(4)**

*"(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency."*

(Please note, there is no mention of "standing committees" in the above code)

The current Board established Standing Committees and assigns them with various tasks. The role of the committees as I understand it, is for them to work on assigned tasks by holding meetings, having discussions, gathering necessary information, data, etc., and then to prepare, based on findings, and in an advisory capacity, their recommendations to the Board. To be clear, the Standing Committees have advisory capacity, not legislative!

"Nothing in the Brown Act prevents the majority of a legislative body from sitting together at such a meeting. They may choose not to, however, to preclude any possibility of improperly discussing local agency business and to avoid the appearance of a Brown Act violation. **Further, aside from the Brown Act, there may be other reasons, such as due process considerations, why the members should avoid giving public testimony or trying to influence the outcome of proceedings before a subordinate body.**" (bold enhanced)

(Source: League of California Cities, Open & Public V: A Guide to the Ralph M. Brown Act)

As noted above, the Brown Act provides explicit language in addressing Standing Committees--the term "standing committee" is present in the language! Please address and establish policy, by adopting the language in the Sixth Exception to the Meeting Definition, 54952.2(c)(6), and by doing so, address this issue in a clear, concise and easily understood manner, making sure that violations of the Brown Act are not occurring, nor will occur in the future.

Thank you for your consideration of this important issue.

Sincerely,  
Tina Dickason  
Cambria resident

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**From:** Tim Carmel  
**Sent:** Friday, May 8, 2020 2:04 PM  
**To:** 'Tina Dickason'  
**Cc:** Donn Howell; Harry Farmer; Cindy Steidel; John F. Weigold IV; Lane Harkins  
**Subject:** RE: Brown Act violation--Policy Committee?

Hi Tina,

I believe the correct section is the one I cited previously, Section 54952.2(c)(4). I can certainly understand the confusion, though, since the District uses the term “standing committee” for the Policy Committee and its other permanent committees, the Resource and Infrastructure Committee and Finance Committee. Those bodies are “legislative bodies” by virtue of Government Code Section 54952(b), which provides:

As used in this chapter, “legislative body” means:

(b) A commission, committee, board, or other body of a local agency, whether permanent or temporary, decision making or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.

The Policy, Finance, and Resource and Infrastructure Committees were formed by action of the Board, and membership consists of a number of citizens, as well as a Board member. They are not a body “composed solely of members of the legislative body that are less than a quorum of the legislative body” that would be a “standing committee” by virtue of having “continuing subject matter jurisdiction, or “a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body.” A standing committee such as that (composed solely of less than a quorum of the CCSD Board of Directors) would be the type of “standing committee” that Section 54952.2(c)(6) would pertain to (i.e., “a standing committee **of that body**”). For example, if the ad hoc committee consisting of Director Rice and President Farmer tasked with revising the Bylaws had continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a Board of Directors, it would be a standing committee under the Brown Act to which Government Code Section 54952.2(c)(6) would apply. I hope this clarifies the issue. Thanks, Tim

**Timothy J. Carmel**

Carmel & Naccasha LLP  
1410 Marsh Street  
San Luis Obispo, CA 93401  
Telephone: (805) 546 8785  
Facsimile: (805) 546 8015  
[tcarmel@carnaclaw.com](mailto:tcarmel@carnaclaw.com)  
[www.carnaclaw.com](http://www.carnaclaw.com)

**From:** Tina Dickason  
**Sent:** Friday, May 8, 2020 11:01 AM  
**To:** Tim Carmel  
**Cc:** Donn Howell ; Harry Farmer ; Cindy Steidel ; John F. Weigold IV ; Lane Harkins  
**Subject:** Fwd: Brown Act violation--Policy Committee?

Good morning Tim,

I acknowledge receipt of your response, and highlighting #4 of the statute (54952.2), but I would ask that you review #6, of the statute, directly related to **Standing Committees**,-- provided below (with emphasis). There appear to be issues with directors of the CCSD Board participating in Standing Committee meetings, who are not acknowledging this statute. It would appear that clarification for all directors and members of the Standing Committees, as well as the general manager, would be appropriate.

**(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.**

*"Nothing in the Brown Act prevents the majority of a legislative body from sitting together at such a meeting. They may choose not to, however, to preclude any possibility of improperly discussing local agency business and to avoid the appearance of a Brown Act violation. Further, aside from the Brown Act, there may be other reasons, such as due process considerations, why the members should avoid giving public testimony or trying to influence the outcome of proceedings before a subordinate body."* (bold enhanced)

Source: Open-Public IV--A Guide to the Ralph M. Brown Act

Once again, I am requesting that there be a "Cure and Correct" on the action taken in the April 30, Policy Committee meeting, agenda item 3D. I would also ask that there be a Cease and Desist of current Board member participation, until further review is undertaken of what is/is not permissible under the Brown Act, and that this be addressed to the Board and all Standing Committee members--may be as a future Board agenda item for discussion and consideration.

Regards,  
Tina Dickason

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----- Forwarded message -----

From: **Tim Carmel** <[tcarmel@carlaw.com](mailto:tcarmel@carlaw.com)>

Date: Thu, May 7, 2020 at 3:04 PM

Subject: RE: Brown Act violation--Policy Committee?

To: Tina Dickason [REDACTED]

Cc: Donn Howell [REDACTED], Harry Farmer <[hfarmer@cambriacsd.org](mailto:hfarmer@cambriacsd.org)>, Cindy Steidel



<[csteidel@cambriacsd.org](mailto:csteidel@cambriacsd.org)>, John Weigold ([jweigold@cambriacsd.org](mailto:jweigold@cambriacsd.org)) <[jweigold@cambriacsd.org](mailto:jweigold@cambriacsd.org)>, Lane Harkins <[lharkins@carnaclaw.com](mailto:lharkins@carnaclaw.com)>

Hi Tina,

I hope you're well. The statute says:

(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, **provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting,** business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

From what was described below, three Directors commented publicly on an item as part of the scheduled committee meeting. That is permissible. I can't speak to anyone's understanding of this provision of the Brown Act in the past, but it appears that unnecessary caution was being exercised if Directors were avoiding the presence of a quorum under similar circumstances. Thanks, Tim

### **Timothy J. Carmel**

Carmel & Naccasha LLP

1410 Marsh Street

San Luis Obispo, CA 93401

Telephone: (805) 546 8785

Facsimile: (805) 546 8015

[tcarmel@carnaclaw.com](mailto:tcarmel@carnaclaw.com)

[www.carnaclaw.com](http://www.carnaclaw.com)

**From:** Tina Dickason

**Sent:** Wednesday, May 6, 2020 4:26 PM

**To:** Tim Carmel

**Cc:** Donn Howell ; Harry Farmer ; Cindy Steidel ; John Weigold ([jweigold@cambriacsd.org](mailto:jweigold@cambriacsd.org)) ; Lane Harkins

**Subject:** Re: Brown Act violation--Policy Committee?

Sorry, I hadn't noticed the addition of others in the e-mail thread.

Let me reiterate, there were *three* directors speaking on the same agenda item! It seems the rules have changed from the implementation of Standing Committee meetings. There really does need to be clarification for all Board members, as well as Standing Committee members, and the GM.

Regards,

Tina Dickason

On Wed, May 6, 2020 at 2:46 PM Tina Dickason [REDACTED] wrote:

Thanks for responding, Tim.

So what you refer to, and say is acceptable under the Brown Act--is that three directors can comment on the same agenda item in a Standing Committee meeting. That is not what we were told when Standing Committees were established, and in fact, when there were three or more directors present, in order for there not to be a violation, I witnessed a director/s leave the room, so that a quorum was not present while a second director was making comments (the chairs of the standing committees, as we know, are members of the CCSD Board). How is this situation I've addressed here, different? May be we need to get the rules re-established, as not only Donn thought there could be a possible violation, but so did I.

The Brown Act does say that meetings whether face to face, or by teleconferencing (or other electronic means) are subject to the Brown Act--see quote below.

*" Similarly, meetings subject to the Brown Act are not limited to face-to-face gatherings. They also include any communication medium or device through which a majority of a legislative body discusses, deliberates or takes action on an item of business outside of a noticed meeting. They include meetings held from remote locations by teleconference."*

I believe the general manager was mistaken in the statement he made, (and again, it needs to be clarified), when responding to Donn, who believed there was a Brown Act violation about to take place if a third member of the Board commented on the same agenda item. The Policy Committee agenda item 3D, was directly related to a Board item--responding to correspondence addressed to the Board!

Regards,

Tina Dickason

On Wed, May 6, 2020 at 1:41 PM Tim Carmel <[tcarmel@carlaw.com](mailto:tcarmel@carlaw.com)> wrote:

Hi Tina,

I hope you're well. That is not a Brown Act violation. Pursuant to Government Code section 54952.2(c)(4) (highlighted below) a majority of the members of a legislative body can attend an open and noticed meeting of another body of the local agency provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body, other than as a part of the scheduled meeting. In sum, Board members can attend and participate in standing committee meetings. They just can't talk among themselves about CCSD business. Please let me know if you have any questions. Stay safe. Thanks, Tim

**54952.2.**

- (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.
- (b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.
- (2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.
- (c) Nothing in this section shall impose the requirements of this chapter upon any of the following:
- (1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).

(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.

(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.

**Timothy J. Carmel**

Carmel & Naccasha LLP

1410 Marsh Street

San Luis Obispo, CA 93401

Telephone: (805) 546 8785

Facsimile: (805) 546 8015

[tcarmel@carnaclaw.com](mailto:tcarmel@carnaclaw.com)

[www.carnaclaw.com](http://www.carnaclaw.com)

**From:** Tina Dickason <[REDACTED]>

**Sent:** Wednesday, May 6, 2020 12:17 PM

**To:** Tim Carmel <[tcarmel@carnaclaw.com](mailto:tcarmel@carnaclaw.com)>; Donn Howell [REDACTED]  
**Subject:** Fwd: Brown Act violation--Policy Committee?

Hi Tim and Donn,

I failed to include Director Howell in the email I sent yesterday, so am re-sending to you both. I'm also including a portion of the Brown Act that I believe relates to this issue. (I have also made a couple of edits from what I sent yesterday).

I believe under the circumstances, a "Cure and Correct" is in order, and request that such an action take place to resolve this issue.

Regards,

Tina Dickason

----- Forwarded message -----

**From:** Tina Dickason <[REDACTED]>  
**Date:** Tue, May 5, 2020 at 3:55 PM  
**Subject:** Brown Act violation--Policy Committee?  
**To:** Tim Carmel <[tcarmel@carnaclaw.com](mailto:tcarmel@carnaclaw.com)>

Hi Tim,

During the April 30, 2020, Policy Committee meeting, I was able to watch/participate in the meeting.

When the committee was discussing Agenda Item 3D, "Discussion and Consideration of District Policy 1040.2 Regarding Who

Replies to Correspondence Addressed to the Board of Directors," three members of the CCSD Board spoke on that item.

CCSD director and chair of the Policy Committee, Donn Howell, introduced the item and made some comments. (The item began at @ 1:05 into the meeting, but the crux of this issue I'm addressing here, and to save you time, begins at @1:21 mins.). Public comment followed on the item, made by myself, and then Elizabeth Bettenhausen. President Farmer called in with comments, and then director Steidel was noted by the chair as wishing to speak as well. (Chair Howell noted that both president Farmer and director Steidel were showing up as "attendees"). Chair Howell at that point, said he "needed to warn Cindy and Harry that they were both lurking out there, so we have a possible Brown Act violation. I'm afraid Cindy, if you speak, we'll have a Brown Act violation at this point." Donn was immediately informed by general manager, John Weigold, that he had checked the day before with legal counsel, and said that "directors could speak out at any of these venues." After that, Donn went ahead and allowed director Steidel to comment.

I believe the GM's statement needs clarification!

I have attended enough meetings of the Standing Committees, where the awareness of a third director wishing to speak, has been recognized as a violation of the Brown Act. (I've also read the Brown Act on a number of occasions). I am requesting Tim, that you make it clear to CCSD directors and Standing Committee members, that no more than two can speak on an item--or be in the attendee line-up, as there should only be one, since the chair, as we know, is a director. Three were participating, as Donn saw the list of attendees showing Farmer and Steidel.

I realize that virtual meetings present challenges to us all, but awareness of possible Brown Act violations need to be addressed and followed.

Hope you are staying safe and well,

Tina Dickason

" The Brown Act, however, is limited to meetings among a majority of the members of multi-member government bodies when the subject relates to local agency business. It does not apply to independent conduct of individual decision-makers. It does not apply to social, ceremonial, educational, and other gatherings as long as a majority of the members of a body do not discuss issues related to their local agency's business. Meetings of temporary advisory committees — **as distinguished from standing committee** (*bold enhanced/TD*) — made up solely of less than a quorum of a legislative body are not subject to the Brown Act."

## TO BE PUBLISHED IN THE OFFICIAL REPORTS

OFFICE OF THE ATTORNEY GENERAL  
State of CaliforniaDANIEL E. LUNGREN  
Attorney General

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OPINION	:	
	:	No. 97-1207
of	:	
	:	April 29, 1998
DANIEL E. LUNGREN	:	
Attorney General	:	
	:	
CLAYTON P. ROCHE	:	
Deputy Attorney	:	
General	:	
	:	

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THE HONORABLE QUENTIN L. KOPP, MEMBER OF THE CALIFORNIA STATE SENATE, has requested an opinion on the following questions:

1. May members of the legislative body of a local public agency ask questions or make statements while attending a meeting of a standing committee of the legislative body "as observers"?
2. May members of the legislative body of a local public agency sit in special chairs on the dais while attending a meeting of a standing committee of the legislative body "as observers"?

## CONCLUSIONS

1. Members of the legislative body of a local public agency may not ask questions or make statements while attending a meeting of a standing committee of the legislative body "as observers."
2. Members of the legislative body of a local public agency may not sit in special chairs on the dais while attending a meeting of a standing committee of the legislative body "as observers."

## ANALYSIS

The Ralph M. Brown Act (Gov. Code, §§ 54950-54962; "Act") [Footnote No. 1](#) requires the "legislative body" of a "local agency" to hold its meetings open to the public unless a specific statutory exemption is applicable (see §§ 54951, 54952, 54953, 54962). A notice of all such meetings as well as an agenda of matters to be discussed must be provided to the public. (§§ 54954.1, 54954.2.) Members of the public are permitted not only to attend the meetings but are granted the right to directly address the legislative body on any item within its jurisdiction. (§ 54954.3.)

In 79 Ops.Cal.Atty.Gen. 69 (1996), we concluded that a fourth member of a seven-member legislative body could not attend a meeting of one of its standing committees without violating the notice, agenda, and public participation requirements of the Act applicable to the meetings of the legislative body itself. The fourth member would constitute the presence of a quorum of the entire legislative body and result in a "meeting" of the legislative body as that term is defined in the Act. (*Id.*, at pp. 73-74.)

In 1997 the Legislature responded to our 1996 opinion (Stats. 1997, ch. 253, § 1) by adding subdivision (c)(6) to section 54952.2, excluding the following situation from the definition of "meeting" for purposes of the Act:

"The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend *only as observers*." (Italics added.)

It is the phrase "only as observers" that gives rise to the two questions presented for resolution.

### 1. Questions or Statements

We are first asked whether the members of a legislative body of a local public agency may ask questions or make statements while attending meetings of one of their standing committees "as observers." We conclude that they may not do so.

In analyzing the language of section 54952.2, we apply well recognized principles of statutory construction. "To interpret statutory language, we must 'ascertain the intent of the Legislature so as to effectuate the purpose of the law.' [Citation.]" (*California Teachers Assn. v. Governing Bd. of Rialto Unified School Dist.* (1997) 14 Cal.4th 627, 632.) "[E]very word and phrase employed [in a statute] is presumed to be intended to have meaning and perform a useful function . . . [and] a construction rendering some words in the statute useless or redundant is to be avoided." [Citation.]" (*People v. Contreras* (1997) 55 Cal.App.4th 760, 764.) The words of a statute are to be given "a plain and commonsense meaning." [Citations.]" (*People v. Valladoli* (1996) 13 Cal.4th 590, 597.) "Statements in legislative committee reports concerning the statutory purposes which are in accordance with a reasonable interpretation of the statute will be followed by the courts. . . ." [Citation.]" (*O'Brien v. Dudenhoeffer* (1993) 16 Cal.App.4th 327, 334; see *People v. Cruz* (1996) 13 Cal.4th 764, 773-774, fn. 5.)

The term "observer" commonly means in this context "a representative sent to observe and listen but not to officially participate in a gathering." (Webster's New Internat. Dict. (3d ed.



1961) p. 1558). Accordingly, we believe that the Legislature, having used the word "only" in conjunction with the words "as observers," intended to limit attendance in these circumstances to watching and listening without further participation. Those intending to qualify as observers under subdivision (c)(6) of section 54952.2 must refrain from asking questions or making statements. [Footnote No. 2](#) Any conduct other than observing and listening would transcend the statutory authorization, as interpreted under the "plain and commonsense meaning" rule.

The legislative history of the 1997 amendment of section 54952.2 fully supports our "plain meaning" interpretation of the words used by the Legislature. The committee reports contain numerous references to the exceedingly limited role of an "observer" in comparison to the rights of a member of the standing committee or of a member of the general public. Attendance, without more, was what the Legislature intended to sanction. [Footnote No. 3](#)

Finally, the general purposes of the Act are to ensure not only that any final actions by legislative bodies of local public agencies are taken in a meeting to which the public has advance notice but also that any deliberations with respect thereto are conducted in public as well. (§§ 54950, 54952.2; see *Stockton Newspaper, Inc. v. Redevelopment Agency* (1985) 171 Cal.App.3d 95, 100-103; *Rowen v. Santa Clara Unified School Dist.* (1981) 121 Cal.App.3d 231, 234; *Sacramento Newspaper Guild v. Sacramento County Bd. of Supers.* (1968) 263 Cal.App.2d 41, 47-51.) "Deliberations" here would include mere attendance, resulting in the receipt of information. As stated in *Frazer v. Dixon Unified School Dist.* (1993) 18 Cal.App.4th 781, 794: ". . . Deliberation in this context connotes not only collective decision making, but also 'the collective acquisition and exchange of facts preliminary to the ultimate decision.' [Citations.]" Thus without the special exemption for "observers," the mere attendance at the meeting by a quorum of the legislative body would constitute a violation of the Act. To permit observers to testify and ask questions would let them fully participate in the deliberations of the standing committee, rendering virtually meaningless their restricted status as attending "only as observers."

Accordingly, based upon the plain language of section 54952.2, the legislative history of its recent amendment, and the general purposes of the Act, we conclude that members of the legislative body of a local public agency may not ask questions or make statements while attending a meeting of a standing committee of the legislative body "as observers." Attendance is a limited one in such circumstances, restricted to watching and listening.

## 2. Placement of Observers

The second question presented is whether legislative body members attending a meeting of a standing committee "only as observers" may sit in special chairs on the dais. We conclude that they must sit in the area designated for members of the public who are attending the meeting.

The primary legislative purpose in adding subdivision (c)(6) to section 54952.2 was to permit legislative body members to *attend* standing committee meetings. On granting such authorization, however, the Legislature made clear that such observers were to be accorded no special privileges. Indeed, such observers have fewer rights than members of the general public attending the meetings, since as observers they may make no statements or ask questions.

To permit legislative body observers to sit on the dais would grant them greater rights than members of the public. It could also create the impression that the standing committee meeting constituted a meeting of the legislative body itself. Having the observers sit in the area designated for members of the general public would eliminate any confusion as to their role in the proceedings and effectuate the Legislature's intent of not granting special privileges to those attending "only as observers."

We conclude that members of the legislative body of a local public agency may not sit in special chairs on the dais while attending a meeting of a standing committee of the legislative body "as observers."

\* \* \* \* \*

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**Footnote No. 1**

All references hereafter to the Government Code are by section number only.

**Footnote No. 2**

Of course, if they wish to participate in the meeting, they may do so by having the meeting noticed as a meeting of the full legislative body.

**Footnote No. 3**

Mere attendance would otherwise be proscribed because it would constitute "participation" in the meeting through the receipt of information.

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## CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **5.E.**

FROM: John F. Weigold IV, General Manager

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Meeting Date: June 11, 2020Subject: DISCUSSION AND CONSIDERATION  
OF APPROVAL OF A LETTER OF  
SUPPORT FOR THE CHUMASH  
NATIONAL MARINE SANCTUARY**RECOMMENDATIONS:**

Staff recommends that the Board of Directors discuss and consider approval of the attached Chumash National Marine Sanctuary letter of support for submission as an electronic public comment.

**FISCAL IMPACT:**

No immediate impact.

**DISCUSSION:**

The Northern Chumash Tribal Council, with support from local groups and elected leaders on California's Central Coast, nominated the Chumash Heritage National Marine Sanctuary in 2015. It will cover the offshore area from Cambria, south along the coast to Gaviota Creek, and include the undersea Rodriguez Seamount, Arguello Canyon and Santa Lucia Bank. Once designated, the sanctuary will help address a host of issues faced by this stretch of coastal and marine waters, serving to celebrate Chumash culture, as well as organize and stimulate marine research, education, stewardship, recreation and tourism in and adjacent to the proposed sanctuary waters.

On May 4, 2020, NOAA published a [Federal Register notice](#) to solicit public comments on Chumash Heritage National Marine Sanctuary nomination and its consideration to remain on the inventory of successful nominations for an additional five years. NOAA will assess whether conditions that warranted its inclusion in the inventory of nominated sites still apply, including the needs and interests of the local community and the nation. More information can be found at <https://nominate.noaa.gov/5-year-review.html>.

Written comments must be submitted electronically at [www.regulations.gov](http://www.regulations.gov) with Docket Number [NOAA-NOS-2020-0063](#).

Written comments must be received by June 15, 2020. Staff recommends that the Board of Directors approve the attached Chumash National Marine Sanctuary letter of support for submission as an electronic public comment prior to the deadline on June 15, 2020.

Attachment: Chumash National Marine Sanctuary Letter of Support

## CAMBRIA COMMUNITY SERVICES DISTRICT

### DIRECTORS:

HARRY FARMER, President  
 CINDY STEIDEL, Vice President  
 AMANDA RICE, Director  
 DAVID PIERSON, Director  
 DONN HOWELL, Director



### OFFICERS:

JOHN F. WEIGOLD IV, General Manager  
 MONIQUE MADRID, District Clerk  
 TIMOTHY J. CARMEL, District Counsel

1316 Tamsen Street, Suite 201 • P.O. Box 65 • Cambria CA 93428  
 Telephone (805) 927-6223 • Facsimile (805) 927-5584

June 11, 2020

To whom it may concern:

At its June 11, 2020 meeting, the Cambria Community Services District (CCSD) Board of Directors voted to respond to the call for comments regarding keeping the Chumash Heritage National Marine Sanctuary nomination in the NOAA inventory.

We add our voices to the groundswell of broad support from the local community, elected officials, scientists, and indigenous leaders. The nomination continues to be relevant for cultural, historic, and ecological reasons, and in fact protection of this area is more urgent given the increasing impacts of climate changes, loss in biodiversity, and impacts to our communities and culture.

The CCSD is the local public agency providing services to Cambria, an unincorporated community of 6,000 residents and visitors from all over the world. The northern part of the area offshore Cambria is managed as part of the Monterey Bay National Marine Sanctuary. The proposed Chumash Heritage National Marine Sanctuary would ensure the entire Cambria offshore area would be better able to address a host of issues faced by this stretch of coastal and marine waters, serving to celebrate Chumash culture, as well as stimulate stewardship, recreation and tourism in and adjacent to the proposed sanctuary waters.

The ocean is a major driver of the world's weather and climate. This is an opportunity for NOAA to enhance the sanctuary system with a Transition Zone that is experiencing climate change at a rate greater than that of the global oceans. This Zone constitutes a natural laboratory for forecasting weather and understanding climate change impacts to build resilience.

Additionally, the complex nature of the California Current at this confluence of major ocean currents and persistent upwelling systems creates remarkable biodiversity. This area is critically suited to enhance conservation and economic value by preserving the rich food web and diverse migrating wildlife. The Chumash Heritage National Marine Sanctuary nomination is still relevant, still critically important and has ignited support for sanctuaries on a national level. CCSD supports keeping the Chumash Heritage National Marine Sanctuary nomination in the NOAA inventory.

Sincerely,

Harry Farmer  
 Board President  
 Cambria Community Services District