



# CAMBRIA COMMUNITY SERVICES DISTRICT

## MINUTES OF THE REGULAR MEETING OF BOARD OF DIRECTORS JULY 28, 2005, 12:30 P.M. – VETERANS MEMORIAL BUILDING

### I. OPENING - CALL TO ORDER

President Sanders called the meeting to order at 12:35 p.m. with a quorum established, Director Cobin absent, and led the pledge of allegiance.

Present: Directors Peter Chaldecott, Ilan Funke-Bilu, Don Villeneuve and President Greg Sanders

Absent: Director Cobin, Tammy Rudock, Bob Gresens

Also Present: Acting General Manager Bryan Bode, District Counsel Art Montandon, Finance Officer Patrick Bradley and District Clerk Kathy Choate

**Report from Closed Session:** District Counsel reported no action to report from June 23 closed session.

### II. Agenda Review

- Acting General Manager Bryan Bode requested Item IX.A. be heard immediately following agenda review and postpone VIII.A. to the August regular meeting.
- Director Chaldecott requested the Water Department provide additional information on the property inspection with regard to Item VIII.A. water bill modification application.
- Director Funke-Bilu requested items VII.C. and VII.G. be pulled.
- President Sanders pulled items VII.E. and VII.J. and the agenda stands as modified.

### III. ACKNOWLEDGEMENTS/PRESENTATIONS

- Bryan Bode presented a proclamation of recognition to Joyce Hannum who is retiring from the District after serving the community nearly 14 years. Joyce poignantly thanked the District for this chapter in her life.
- PROS Chair Jim Ellman presented a proclamation of recognition to PROS Commissioner Hank Zebley who has served since on the Commission since 2001; an avid supporter of the trails system in Cambria and a dedicated Ranch Hand.
- Chief Putney presented a proclamation of recognition to Robert Mueller and Pragna Patel for the use of their Moonstone Antique Emporium Building by the Cambria Fire Department for fire and rescue training. Robert Mueller accepted the proclamation on their behalf.
- Kathy Choate, District Clerk administered the Oath of Office to Assistant Fire Chief Mark Miller.

### IV. SPECIAL REPORTS

#### A. SHERIFF'S DEPARTMENT – NO REPORT

Commander Weckerly reported:

- 4<sup>th</sup> of July went great with one arrest for intoxication.
- Increased burglaries, extra patrol has been added and assigned to special patrol, working undercover at night. One arrest has occurred for an unrelated item and burglary incidents have slowed.

**V. WATER MASTER PLAN, DESALINATION, AND WATER STORAGE FACILITIES REPORT**

Bryan Bode reviewed District Engineer's report on the following projects: Pine Knolls Tank Replacement Project, Desalination, Water Master Plan EIR and Build Out Reduction Planning, and the Urban Water Management Plan Update.

Public Comment:

Susan Harvey, public speaker at public forums at Federal and State levels and a Grassroots activist, friend of Eric Greening and Pam Heatherington. Spoke to public participation in the process.

**VI. MANAGER'S AND BOARD REPORTS**

- Bryan Bode reviewed the General Manager's report and NCSWAP's quarterly report.
- Chief Putney summarized his report reviewed the fire investigations. After 4 years of talk with California State Parks, Moonstone Beach area has gone under-storage and brush removal. Recognized Water Department, Jim Adams, Wastewater Department and Ben Boer and his staff for their work and dedication to install and maintain the defensible space and brush clearance on CCSD's parcels. Maintenance on fire hydrants in Cambria is underway and all property owners are asked to clear anything within 10 feet of a hydrant. President Sanders requested lot clearance by contractors be tidied up, there is too much debris in street and neighboring areas.
- Bryan Bode reviewed his Utilities Manager's report on well levels, Solids Dewatering, Automatic Meter Reading project, SCADA, Wastewater Plant maintenance, and District weeds. With the late rains this year, urged the community to be vigilant around their homes.
- Joyce Hannum gave a presentation on re-circulation pumps. If your home was built more than 15 years ago and waiting more than 15 seconds for hot water, CCSD is offering free re-circulation pumps for your home to help conserve water. To qualify you must be a full-time resident of Cambria and use an average of 12 units of water in a billing period. New brochures available to the public: Understanding Residential Water Use, Reading Your Water Meter, and Identifying and Repairing Toilet Leaks
- Patrick Bradley summarized his report and reviewed the general fund expenditures and needs that have surfaced this year, District reserves, and District audit.

Director Funke-Bilu commented regarding funding community center and the understanding there would be no funding of salaries. President Sanders requested an audit of Community Center funds spent to date be provided at the August regular meeting. The Community Center MOU will be an item on the August agenda.

**MEMBER AND COMMITTEE REPORTS**

Ad Hoc Parks and Recreation Board representative Director Chaldecott summarized the 2004/05 July 2005 Report of the CCSD 2004/05 Ad Hoc Parks and Recreation Committee submitted to the CCSD Board of Directors. Recommended modifications to Ordinance 01-2004 related to PROS Commission were reviewed.

President Sanders commented on merit of the plan and laudable goals and objectives with a good history of parks and recreation expenditures over the years since PROS has been in existence. Absent significant grant funding that does not require a local match, the District's budget is severely stressed with high priority projects related to water storage and water supply projects. Pine Knolls project is a lesson on the significance of cost related to these projects and the District is facing harsh economic realities. Before embarking on new projects we need to focus on the water shortage and supply projects. By contracting with the Community Center it

will allow the small steps that can currently be taken to support the recreation needs of the community.

Public Comment:

Jim Ellman, Cambria. PROS Commission learned at the July 13 PROS meeting, under the understanding that recommendations were minor. Expressed concern of PROS meetings being postponed until the Ordinance is modified. Spoke to PROS achievements over the years. PROS worked hard to get someone to write grants. Three of the commissioners were on the Executive Committee to purchase the E/W Ranch and some new small advisory group should not replace the hard-working Commissioners. PROS meetings serve as a filter of community requests that will end up impacting the Board. Expressed concern the modifications to Ordinance 01-2004. Requested those issues that relate to PROS be submitted to PROS for their input as well.

Steve Figler, Cambria. Commissioner since 2002. Concerned with not having input and meetings postponed. What is the value of cutting volunteers and reducing the number of commissioners to accomplish the work on a volunteer basis?

**Board consensus is to accept the report by CCSD Board and referred the report to PROS for further consideration and report back to the Directors.**

**VII. CONSENT AGENDA**

- A. Approve expenditures for month of June 2005
- B. Approve minutes of Board of Directors meeting June 23, 2005
- C. Heard separately.
- D. Set public hearing date for August 25, 2005 to approve the appropriation limit for fiscal year 2005/06
- E. Heard separately.
- F. Adopt Resolution 39-2005 in support of SDRMA rejection claim on vehicle accident
- G. Heard separately.
- H. Appointment of Lynn Azevedo to Ad Hoc Incorporation Committee
- I. Adopt Resolution 41-2005 authorizing budget expenditure in the amount of \$540,000 from Water Reserves for the water meter replacement project purchase from Badger Meters
- J. Heard separately.

The following consent items were heard individually:

Item VII.C. Director Funke-Bilu questioned Sergeant Major Associates lobbying services efficacy on the desalination project. He requested staff prepare an evaluation of Sergeant Major tasks accomplished to date. **Director Chaldecott moved to adopt Resolution 38-2005 the extension of Sergeant Major Associates January 31, 2003 letter of agreement for federal lobbying services through June 30, 2005. Director Villeneuve seconded. Motion carried. Ayes – 3, Nays – 1 (Funke-Bilu), Absent – 1, Abstain – 0.**

Item VII.E. **With Board consensus Director Sanders postponed this item to August regular meeting and requested a report on water consumption involving parks, landscape, irrigation service commitment.**

Item VII.G. Kim R. Lindbery Contract Agreement Extension  
**Director Chaldecott moved to adopt Resolution 40-2005 authorizing the extension of Kim R. Lindbery May 27, 2004 consulting services agreement to June 30, 2007. Director Villeneuve seconded. Motion carried.**  
**Ayes – 3, Nays – 1 (Funke-Bilu), Absent – 1, Abstain – 0.**

Item J. Utility Rate Review

**President Sanders moved the General Manager seek vendors that conduct Utility Rate Studies and return with a contract proposal for Board approval. Director Funke-Bilu seconded. Motion carried unanimously.  
Ayes – 4, Nays – 0, Absent 1, Abstain – 0.**

The remaining consent items VII.A, B, C, D, F, H were considered

**Director Funke-Bilu moved to approve the balance of the consent agenda. Director Villeneuve seconded. Motion carried unanimously.  
Ayes – 4, No – 0, Absent – 1, Abstain – 0.**

## VIII. HEARINGS AND APPEALS

- A. Water Bill Modification, Applicant: Fred Siegel – **President Sanders postponed Item VIII.A. to August regular meeting.**

## IX. REGULAR BUSINESS

- A. Connie Davidson provided a verbal status report on the grant status of Santa Rosa Creek Streambank Restoration and Trail Project. (This item was moved to front of agenda due to on-site visit by State agency to three proposed grant projects in Cambria.) The Army Corps permits are in place and work will commence next week. The purpose of this project is to restore 200 feet of severely degraded and eroded sections of the creek and restore the area to protect steelhead trout and prevent any further damage to the utility easement road, as well as an improved section to the community's trails. Bob Gresens wrote the grant in 2002 and it is a \$275,000 project with no matching funds required. The SLO Land Conservancy is contracted with CCSD to handle the permitting and construction management on the project and have teamed with California Conservation Corps to accomplish the work. It is a connector to the Cross Town Trail, East West Ranch, and Moonstone Drive.

Brian Stark reported on vegetation management scheduling of the project. August 8 will be groundbreaking, with heavy equipment taking 10 days of work, followed by planting of sloped areas. This project combines with other projects on the Creek to improve steelhead habitat.

- B. Adopt Resolution 42-2005 placing in nomination Donald Villeneuve as a member of the Association of California Water Agencies Region 5 Board member. Director Villeneuve commented on his participation as ACWA Region 5 chair, it keeps the District, a small agency with many challenges, connected to all State water-related matters.

**Director Chaldecott moved to adopt Resolution 42-2005 supporting nomination of Director Villeneuve as ACWA Region 5 representative. Director Funke-Bilu seconded. Motion carried unanimously.  
Ayes – 4, Nays – 0, Absent – 1, Abstain – 0**

- C. Adopt Resolution 43-2005 authorizing draft Memorandum of Understanding with Greenspace-the Cambria Land Trust regarding transfer of one (1) commercial EDU to Center Street Property. Bryan Bode reviewed the staff report. Director Villeneuve moved to adopt Resolution 43-2005 authorizing the MOU with Greenspace for transfer of an existing commercial water and sewer EDU from Cambria Pines Nursery 013.151.035 to Greenspace's Center Street property 013.264.023.

**Director Chaldecott seconded. Motion carried unanimously. Ayes – 4, Nays – 0, Absent – 1, Abstain – 0**

Board recognized Tammy Rudock, Art Montandon, Wayne Attoe and Richard Hawley for work with non-profit agency.

**X. PUBLIC COMMENT**

Norm Palmer, Cambria. President, Lions Club Pinedorado parking. Requesting Board apply common sense and good reason. Requests use of Mid-State Bank parking area used for 55 years previously for Pinedorado.

Jo Ellen Bulter, NCSWAP commented 300 cars on Hwy 1 crossing highway to attend event. Created liability. If reverted back to original condition it would be Santa Rosa Creek. East West Management plan allows General Manager to use discretion.

District Counsel reported on his review of the parking issues related to this property. Currently the maps/conservation easement does not allow vehicle parking on the property. To amend the East West Ranch Management Conservation Easement requires NCSWAP to agree on intent. A full discussion followed on enforcement of the conservation easement, including loss of funds with relation to the establishment of the easement. The Board leans in favor of tradition and would like an amendment considered to the conservation easement. How does flood control protection factor in this property?

Richard Hawley, Cambria. Commented property was a wetland and when Mid-State Bank project was approved, mitigation required they construct a new wetland where runoff would be captured – this has been held up by County due to flood control project that makes whole area a wetland. Hwy 1 separates an ecological area/function. Sympathizes with parking, but cautioned District on easement amendment with the mitigation measures in force.

Director Chaldecott requested Counsel seek a waiver to enable parking for this year and longer. President Sanders added it appears as owners of the property we have authority to authorize use with a current prohibition on vehicles, there is not a prohibition against parking. District Counsel will work with NCSWAP and stakeholders to accomplish this. **Board would support resolution in favor of parking on the property and would hold special meeting.** Seek support from CalTRANS and Highway Patrol.

**Board authorized parking for Pinedorado subject to District Counsel meeting with stakeholders. If significant liability issue that accrues from this action, inform the board and convene in special meeting.**

**President Sanders directed staff to meet with stakeholders, inform the Board and convene in special meeting if necessary.**

Counsel requested from Lions Club schematic of parking area requested for approval and requested Richard Hawley provide any maps as well.

Counsel stated for the record Eric Greening has not been deposed, no process server is looking for him and no one from CCSD has contacted him by phone for deposition. Motion is set for October 20; also on that calendar is the issue of where Sarah Christie's deposition may be taken. No further depositions will be considered until Sarah Christie's deposition status is determined.

Public Comment:

Susan Harvey, Geneseo Road, Paso Robles, Grassroots Activist. Friend of Eric Greening and Pam Heatherington. Condemned legal representative decision to depose Eric and Pam regarding the Pine Knolls project; intimidation is outrageous. Requested their names be removed from the process.

Maria Lorka, Creston. Forty six-year County resident. Protesting subpoena of Eric Greening. Outrageous, heavy-handed effort. CCSD not CCC asked to recover fees. Ratepayers in Cambria interested in attorney fees in light of stressed budget. Requested CCSD Board not depose Eric Greening.

Coralie McMillan, Shandon. Carl Rove, position of power and lawyers and concern of being punished. Eric Greening is feeling threatened.

Doug Buckmaster, Cambria. Distressed at litigation costs. Water adjudication, more recently against California Coastal Commission and feels it's money wasted. Distressed that litigation is threatening health of his friend.

Rick Hawley, Cambria. Trying to understand lawsuits and requested an explanation of the Pine Knolls permit and where does it stand?

Bob Rippe, Cambria. Former resident of Phoenix, Arizona. In Phoenix and Scottsdale, there are huge retention areas exist there and Arizona is using them for recreation and parks.

**XI. President Sanders adjourned the meeting to closed session at 3:40 p.m.**