

**CAMBRIA COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS REGULAR MEETING MINUTES**  
**THURSDAY, SEPTEMBER 27, 2012, 12:30 PM**

AGENDA ITEM	DISCUSSION OR ACTION										
1A. <b>CALL TO ORDER</b>	President MacKinnon called the regular meeting to order at 12:35 PM.										
1B. <b>PLEDGE OF ALLEGIANCE</b>	President MacKinnon led the pledge of allegiance.										
1C. <b>ESTABLISHMENT OF QUORUM</b>	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">President MacKinnon</td> <td style="text-align: right;">Present</td> </tr> <tr> <td>Vice President Thompson</td> <td style="text-align: right;">Present</td> </tr> <tr> <td>Director Bahringer</td> <td style="text-align: right;">Present</td> </tr> <tr> <td>Director Clift</td> <td style="text-align: right;">Present</td> </tr> <tr> <td>Director Robinette</td> <td style="text-align: right;">Present</td> </tr> </table> <p>Staff Present: General Manager Jerry Gruber, District Counsel Tim Carmel, District Engineer Bob Gresens, District Clerk Kathy Choate.</p>	President MacKinnon	Present	Vice President Thompson	Present	Director Bahringer	Present	Director Clift	Present	Director Robinette	Present
President MacKinnon	Present										
Vice President Thompson	Present										
Director Bahringer	Present										
Director Clift	Present										
Director Robinette	Present										
1D. <b>REPORT FROM CLOSED SESSION</b>	District Counsel reported board discussed labor negotiations and no action was taken.										
2. <b>SPECIAL REPORTS</b>											
A. Sheriff's Department Report	Deputy Sheriff Newell reported 308 calls for service; of that 61 EMS (Emergency Medical Services) related for fire department and ambulance.										
3. <b>ACKNOWLEDGEMENTS/PRESENTATIONS</b>	President MacKinnon presented a proclamation to Retired Assistant Fire Chief Denis deClercq. Fire Chief Mark Miller presented a plaque of recognition expressing the Fire Department's appreciation for Denis deClercq's service to the community of Cambria. Denis deClercq expressed his appreciation.										
4. <b>PUBLIC COMMENT</b>	<p><u>Jerry McKinnon</u>, Cambria. Former employee and retired CCSD member. Read letter and submitted for the record Joyce Hannum's letter relative to current MOU negotiations.</p> <p><u>Myron Gilbert</u>, Cambria. Full time resident since 1998, walks Ranch daily and voluntarily provides information to Ranch users, advising bikers to not ride the trails. Commented on recent wedding held on the Ranch and wants to make sure if things like this are allowed, that there are trails that are well defined. Currently they are trampled down. Suggested signs explicitly stating use these trails with caution. The Bluff Trail is in disrepair. With rains it will become a mud field.</p> <p><u>Tina Dickason</u>, Cambria. Commented on wedding held two weeks ago, Sept 15, 3:00 pm, with four musicians. Walks Bluff Trail frequently. John Deere</p>										

	<p>tractor there on Saturday, the Ranch had been mowed down to 4” high with signs on South end to guide attendees to the wedding, people from Central Valley. Commented on Ranch Management Plan and read FFRP Mission Statement and September 13 Planning Suggested workshop on Ranch Management Plan regarding trail use.</p> <p><u>Mary Webb</u>, Cambria. Horse use is a concern, received emails from Jim Ellman, former PROS Commissioner, who is really disturbed. Feels horse use is expanded and not restricted. Cambria Corral was identified initially to ride as a group on the Ranch. Coalition being formed to stop donating to the Ranch. Water being discussed for sports field, believes it should go back to groundwater recharge for human consumption. Water Master Plan and Fiscalini Ranch Management Plan are in conflict. Almost appealed Fiscalini Ranch CDP due to projects moving forward with no public input. There is no guarantee of public input being solicited if General Manager and or a Board like the current Board are not here.</p> <p>Board discussion followed.</p> <p><u>Amanda Rice</u>, Cambria. Suggested having a procedure for responding to questions that come up during public comment. Posed question regarding running model on water supply in terms of need for surcharges. WEACC had recommended that the model be run every year to see if it is accurate for making those types of predictions.</p> <p><u>Jim Webb</u>, Cambria. Commented on major off-shore project being proposed offshore PG&amp;E seismic project, 3D imaging to examine faults off our Coast. Requested Board consider letter of support in opposition to the PG&amp;E Seismic Project being heard before Coastal Commission. No project would be better than the proposed project.</p> <p>Board discussion followed.</p>
<p>5. <b>AGENDA REVIEW</b></p>	<p>Item 7C pulled for discussion.</p>
<p>6. <b>MANAGER’S AND BOARD REPORTS</b></p>	
<p>A. GENERAL MANAGER’S REPORT</p>	<p>General Manager presented the reports, highlighting department activities. Board discussion followed.</p> <p><u>Amanda Rice</u>, Cambria. Commented on well production page being included in packet. Will finding of WEACC Citizens Committee be</p>

	<p>considered at Conservation Workshop? Suggested inviting WEACC Committee members to be included as stakeholders.  <u>Tina Dickason</u>, Cambria. Noticed Mercado Landscaping on Windsor WWTP. What is purpose? Commented on September 13 SLO County Planning Commission Hearing and new equestrian use conditions imposed.  Board discussion followed regarding Fiscalini Ranch Preserve and Community Park.</p>
<p>B. LONG TERM WATER SUPPLY ALTERNATIVES UPDATE</p>	<p>President MacKinnon introduced the item. General Manager Gruber commented. District Engineer Bob Gresens presented the staff report. Board discussion followed.  <u>Tina Dickason</u>, Cambria. Commented ACE would spend what they have and would come back to CCSD and will ask for more funding. We are done with lobbyists and have four alternatives. Finish the EIR/EIS. Stop the bribing by ACE, had money and did not use for second geological testing. Board discussion followed regarding current federal funding and appropriation process for future funding.</p>
<p>C. MEMBER AND COMMITTEE REPORTS</p>	<p>Director Bahringer attended NCAC meeting. NCAC approved the proposed Brambles project. The downtown Cambria community still needs trash cans.</p>
<p>7. CONSENT AGENDA</p>	<p>Public Comment:  <u>Amanda Rice</u>, Cambria. Will comment during Item 7C.  <u>Jerry McKinnon</u>, Cambria. Commented on Facilities and Resources expenses as money well spent.  <u>Iggi Fedoroff</u>, Cambria. Resident since 1998. Opposes consultants; fee schedule could have been done by an employee.</p>
<p>A. Approve expenditures for month of August 2012  B. Approve minutes of Board of Directors August 23, 2012 regular meeting  C. Adopt Resolution 43-2012 Approving CCSD Application and Agreement to Place Banners or Decorations on Main Street Light Lamp Posts  D. Adopt Resolution 50-2012 Approving Amendments to the District's Conflict of Interest Code as Part of the Required Biennial Review  E. Adopt Resolution 51-2012 Approving a</p>	<p>President MacKinnon introduced consent agenda. <b>Director Clift moved approval of consent calendar with the exclusion of 7C. Director Bahringer seconded. Motion carried unanimously. Ayes – 5, No – 0, Absent – 0</b>   <b>Item 7 C heard separately. Banners or Decorations on Main Street Light Lamp posts.</b>  Discussion followed regarding item number five (5) of Administrative Policy. First sentence of number five revised to read Banners or decorations may only be installed by <i>persons</i> or <i>entities</i> that are approved by the CCSD.</p>

<p>Revised Fee Schedule for Various Services and Facilities Provided by the District</p> <p>F. Assign Twenty Eight (28) Commercial Wait List Positions to APN 013-232-012 Pursuant to CCSD Code Title 8, §8.04.090; Assignment Not Applied for Prior to Close of Escrow; Applicant, Michael Campo</p> <p>G. Adopt Resolution 52-2012 Approving an Employment Agreement Amendment with Jerome D. Gruber to Serve as CCSD General Manager</p>	<p><b>Director Robinette moved to adopt resolution 43-2012 approving CCSD policy, application, and agreement to place banners or decorations on Main Street light lamp posts and since we were told that we could revise the language without delaying, she would still like to see it move forward as is. Director Thompson seconded.</b></p> <p><b>Public Comment:</b>  <u>Amanda Rice, Cambria.</u> What is rush in setting policy? What does not creating a public forum in the contract mean? If issue is making sure signs get up for Scarecrow Festival, make resolution for the Festival and come back for more public discussion and not such a rush.</p> <p>Board discussion followed regarding liability insurance, workers compensation, and acceptable insurance.</p> <p><b>Director Robinette moved to amended her motion to reflect the flexibility discussed. District Counsel Carmel stated paragraph five, with language changed to read: Banners or decorations may only be installed by <i>persons</i> or <i>entities</i> that are approved by the CCSD. A parallel change to the agreement itself, page 60 paragraph 2 where language is identical and will need to be changed. Director Thompson seconded. Motion carried unanimously. Ayes – 5, No – 0, Absent – 0</b></p>
<p>8. <b>HEARINGS AND APPEALS</b></p>	<p>None</p>
<p>9. <b>REGULAR BUSINESS</b></p>	
<p><b>A.</b> Discussion and Board Direction Regarding Moving Forward with CCSD Stimulus Plan Concept</p>	<p>President MacKinnon introduced the item. General Manager Gruber presented the staff report. President MacKinnon presented a PowerPoint, “Cambria Stimulus, Controlled Release of Residential Water Connections.” Benefits and Rationale were presented. The Plan proposes consideration of releasing up to ten meters per year based on net zero based water consumption and is estimated to require less than two acre feet per year. CCSD connection fees could provide a significant funding source for long term water supply development. Connection revenues could reduce potential rate increases. Added revenue stream would support more favorable CCSD loan acquisition/rates. Provide initial relief to CCSD</p>

	<p>water wait list.</p> <p><b>Public Comment:</b></p> <p><u>Mary Webb</u>, Cambria. Commented agenda item requires a workshop of its own. Has serious issues with most everything in the presentation and until there is a water project, nothing has changed. Many times CCSD has claimed Coastal Commission is overreaching when they try to regulate use of our creeks and protect the environment. Goal of CCSD is to provide high quality water, wastewater, fire and other community services to its customers in a safe and effective, environmentally sensitive manner. Other small services were consolidated under the CCSD, in the last ten years which facilitated the expansion of CCSD to include lighting, parks, recreation, and open space. The CCSD is not in business for profit, it is not mandated to provide a stimulus to the community. Its mandate is to provide services to residents. No wait list permits can be issued. We have no water project, no new water has been created in Cambria since the moratorium, desalination has been denied, 32% vacancy rate, no recycling water project, water rate penalty surcharges have been levied against residents in the past and no policy to say no future rate penalty surcharges in the future. Maddaus Conservation Plan has not been introduced yet. Water conservation surveys not completed in Cambria. Current retrofit status unknown. Water Conservation ordinances from Coastal Commission are either not enforced or enacted. No new water policies that prevent the over drafting of San Simeon or Santa Rosa Creeks if more building is allowed. We do know the creeks have been over drafted in the past. No instream flow study. Need a report on outstanding commitments before talking about water wait list. Water Conservation Program and Buildout Reduction Plan are unfunded programs. The proposed program will require an EIR and will be expensive. Opposes approval of this agenda item.</p> <p><u>Jim Webb</u>, Cambria. Opposes public policy go forward based on fundamentally flawed analysis. Does not believe 10 meters allocated would stimulate the economy. It is predicated on a flawed analysis of what represents the majority of major economic drivers of the local economy. Tourism represents biggest chunk of income for</p>
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the community. Nothing in plan contributes to increasing number of tourists to Cambria. Issuing ten permits would not stimulate or contribute to tourism. How would one differentiate overall improvement to the economy over time and stimulus from issuing ten water meters? Realtors, contractors and Chamber of Commerce are in favor, but general population of Cambria will not benefit from this and should not be described as an economic stimulus plan.

President MacKinnon responded the plan is for a long term funding source for water supply development and an additional benefit of potential job creation.

Amanda Rice, Cambria. Agrees with policy and action deficiencies enumerated by Mary Webb. There are things on the books not being enforced. Objects to statement, we have no new water. The County of Dade in Florida determined their Board as a matter of policy counted new water as water being saved because of efficiency; not conservation but efficiency, fixtures that do not affect the quality of one's life, only the amount of water being used. Believes this Board has standing policies that conserved water or water that is not used because of more efficient technologies, whether washing machines, dishwashers, or having CCSD buy a water truck to help people water their landscaping using the purple pipe water. Supports more restrictive landscaping ordinance. Believes this would allow for issuing of a few permits.

Tina Dickason, Cambria. Opposes the proposal. The language 10 or so is not legally clear, could mean 10 – 100. CCSD hired \$69,000 conservation consultant and need that report. More important, implement whatever WMP recycling and conservation before releasing any on water wait list. We need water in place before issuing intent to serve letters. To do less than that is ignoring why the moratorium was put into place and would put us in jeopardy. Over ten years, with different boards, there have been different scenarios. Currently there are large homes being built; swimming pools and 5,000 square foot homes. Where is that money being accounted for in our

	<p>revenue? What happens if we are in a drought situation? This will create legal problem for those waiting. Until real water exists, we cannot open up the wait list. Make sure retrofitting is done.</p> <p>President MacKinnon responded CCSD water statistics indicates water production capacity is 803 AF per year, which is less than 803 AF for the last five or six years. CCSD has the legal ability within Water Code 350 for the greatest public benefit to release additional water meters. CCSD would not release a water meter if it thought we did not have the ability based on a real time analysis of the aquifer we have. Ten Is just a number and should be specific based on current data available. CCSD has many examples of conservation performance in the past that have contributed to over 100 AF of new water available. It is no different than recycled water, which is new water. CCSD has a responsibility to those waiting to provide water. They have the right to sue us for not doing such. Lot owners believe this Board is working toward that end. It will be a long time before we have that supplemental water supply.</p> <p>Full Board discussion and counsel response followed. General Manager Gruber concurred the mechanics of the proposed plan will work itself out through the updated Conservation Program that is under development.</p>
<p><b>B. Approve CSDA Letter of Support Regarding Senate Bill 1040 (Evans) Repealing State Responsibility Area (SRA) Fire Fee Imposed by the Passage of ABx1 24 Last Year</b></p>	<p>President MacKinnon introduced the item. General Manager Gruber introduced Fire Chief Miller to present the item. Chief Miller provided an update on AB1500 failure with SB1040 attached. October 17 is deadline for SRA Fire Fee bills to reach this area.</p> <p>Board discussion followed.</p> <p><u>Tina Dickason</u>, Cambria. Commented on telephone call received from Timothy Bittle, Director Legal Affairs, Howard Jarvis Taxpayers Association regarding SRA fire fee and their plans to sue the State of California. Those interested may sign on website and object to the fee; suit is based on fact it is a tax, not a fee.</p> <p><b>Director Clift moved to approve letter of support regarding SB 1040 repealing State Responsibility Area (SRA) Fire Fee and we send copies and statements of support to Howard Jarvis</b></p>

	<p><b>Foundation and copies and statements of objection to Katcho Achadjian office as our local representative. Director Robinette seconded. Motion carried unanimously. Ayes – 5, No – 0, Absent – 0</b></p>
<p><b>C.</b> Adopt Resolution 54-2012 Approving Amendments to CCSD Voluntary Lot Merger Program</p>	<p>President MacKinnon introduced the item. District Counsel Carmel presented the staff report. Board discussion followed.  <b>Director Thompson moved to adopt Resolution 54-2012 amending the Voluntary Lot Merger Program in order to modify the Program’s eligibility requirements so that the funds are used by property owners who are merging lots on a voluntary basis, and not merging already retired lots or merging lots as the result of satisfying requirements of other programs or agencies. Director Robinette seconded. Ayes – 4, No – 0, Absent – 0, Abstain – 1 (Bahringer)</b></p>
<p><b>10. FUTURE AGENDA ITEM(S)</b></p>	
<p><b>11. ADJOURN</b> to closed session.</p>	<p>President MacKinnon adjourned the meeting to closed session at 4:35PM</p>