

CAMBRIA COMMUNITY SERVICES DISTRICT  
MINUTES OF THE REGULAR MEETING OF BOARD OF DIRECTORS  
APRIL 22, 2010 – VETERANS MEMORIAL BUILDING

- 1. Call to Order: President Sanders called the meeting to order at 12:00 pm. and led the pledge of allegiance, announced closed session item and adjourned to closed session.**

Present: Directors Clift, De Micco, MacKinnon and President Sanders

Absent: Director Chaldecott

Also present: General Manager Tammy Rudock, District Counsel Tim Carmel

District Engineer Bob Gresens and District Clerk Kathy Choate

President Sanders reconvened open session at 12:35 p.m.

District Counsel Carmel reported nothing to report from closed session.

- 2. Public Comment:**

Marshall Ochylski, President Los Osos CSD, President CSDA of San Luis Obispo County, and running for Board of Supervisors. Invited CCSD to work formally within SLO County CSDA chapter on Coastal Commission regarding common interests.

Harry Farmer, Cambria. Spoke regarding water alternative sources and desal issues with emphasis on conservation alternatives.

- 3. Agenda Review:**

General Manager Rudock provided the following changes for the record:

Resolution 18-2010, 3<sup>rd</sup> whereas, strike “project,” replace with “action.” Be it resolved, number 3, strike “all work on,” replace with its environmental review related to.”

Staff Report 9.A, pg. 40 at \* strike 3/26/11 with 4/23/11, pg. 41 strike item 4 entirely. Pg. 33 noted that Working out of class provision does not apply to opportunities for Acting Chief assignments; pg. 59 and 60, strike Bill Hollingsworth, replace with Emily Torlano as signatory. Page 68, Resolution 14-2010, added 4<sup>th</sup> Whereas, effective April 23, 2010, Resolution 42-2008 shall no longer apply to the Cambria Firefighters/IAFF Local 4635; deleted Now, therefore, be it resolved numbers 3 and 4, and deleted entire BE IT FURTHER RESOLVED sentence.

- 4. Acknowledgements/Presentation:**

None

- 5. Special Reports**

Sherriff's Department Commander Ben Hall reported reports similar to this time period last year; burglaries, Santa Lucia Middle School thefts, stadium seats stolen from 800 block of Main Street, vehicle theft.

**President Sanders congratulated Commander Hall on 35 years of service with SLO County Sheriff's Department.**

- 6. Manager's and Board Reports**

- A. Manager's Report

Tammy Rudock presented manager's report. District Engineer reported on Utilities and Engineering.

**Public Comment:**

Elizabeth Bettenhausen, Cambria. Commented on ACE quarterly report and \$3 million credit.

Steve Figler, Cambria. Commented CCSD should be more responsive in answering questions rather than suggesting use of website.

Mary Webb, Cambria. Commented on Engineer's report and suggested workshop on capital projects.

Lynne Harkins, Cambria. Commented on a greywater web link, grant availability with Bureau of Reclamation for water efficiency, and RWQCB reports.

#### B. Member and Committee Reports

Director De Micco reported on April 15 WEACC meeting. WEACC will provide a report to the Board at regular June meeting.

### 7. Consent Agenda

A. Approve expenditures for the month of March 2010

B. Approve minutes of Board of Directors meeting March 25, 2010

Public Comment:

Elizabeth Bettenhausen, Cambria. Questioned if FIRMA expense for proposed negative declaration would be part of joint expenditures with ACE, or CCSD expense.

General Manager Rudock read consent items for the record.

**Director De Micco moved to approve the consent agenda. Vice President Clift seconded. Motion carried unanimously. Aye – 4, No – 0, Absent – 1 (Chaldecott)**

### 8. Hearings and Appeals

A. Consider adoption of Resolution 18-2010 acknowledging U.S. Army Corps of Engineers' sole responsibility for the Santa Rosa Creek Beach Geotechnical and Hydrogeological Study. General Manager Rudock presented staff report. District Counsel Tim Carmel reported on legal analysis of study. Board discussion followed.

Public Comment:

Elizabeth Bettenhausen, Cambria. Where does it state geotech testing is excluded from CCSD agreement with ACE? If Articles 3(a) and 4.4 in March 2006 agreement require CCSD to obtain permits, how is CCSD exempt from getting permits on project? Whose responsibility is it to get a permit from SLO County?

Catherine Ryan Hyde, Cambria. Board member of Landwatch SLO County. Commented on State Dept Fish and Game, Wildlife Services, US Interior Dept. comments on negative declaration. Does CCSD know ramifications of handing project over to ACE? Requested Board take additional time to make decision.

Gary Gall, NCAC. Commented on February 22, California Dept of Fish and Game letter opposing drilling on the beach. Concerned with Coastal Commission decision.

Art Chapman, Cambria. Spoke in support of desal as a reliable, sustainable source of water. If there were a cheaper more viable solution he would support that.

Mahala Burton, Cambria. Spoke in opposition to Resolution 18-2010 and counsel's opinion that CEQA does not apply to the project.

Anne Winburn, Cambria. Landwatch SLO County board member. Submitted letter for the record, opposes Resolution 18-2010.

Amanda Rice, Cambria. Supports turning over geotech project to ACE, allowing efforts of CCSD to focus efforts on other needed projects. Suggested a water audit program.

Mary Webb, Cambria. Spoke in opposition to Resolution 18-2010 and commented on CCSD studies conducted over the years.

Cynthia Hawley, Cambria. Attorney for Landwatch SLO County. Commented on contract issues related to ACE sole responsibility for geotech project. Opposed Resolution 18-2010, claiming public is being denied access to research used to make this determination and the hearing is in violation of the public's right to a fair hearing. Landwatch requests continuance of hearing.

James Cresenski, Cambria. Supports Resolution 18-2010 and expressed dire need for engineered measured data.

President Sanders included for the record written comments submitted in support of the recommended action from Gail Robinette, fifty-three (53) emails, and written comment slips from Ron and Helga Crummitt, Rick and Sandie Audette, and Paul McDonnell.

Board discussion followed

**Director MacKinnon moved to adopt 18-2010 acknowledging that the U.S. Army Corps of Engineers retains sole responsibility for the Santa Rosa Creek Beach Geotechnical Investigation as read by the General Manager. Director De Micco seconded. Ayes – 4, No – 0, Absent – 1 (Chaldecott)**

B. Public hearing to consider fixing of Water and Wastewater Standby or Availability charges as provided in Government Code §61124. General Manager Rudock presented the staff report. President Sanders opened the public hearing.

**Public Comment:**

Jerry McKinnon, Cambria. Commented on Water Fund and transfer from General Fund and suggested rate increase.

Mary Webb, Cambria. Inquired how many intent to serve letters, open connection permits, grandfather meters, and open commitments there are. Requested clarification on Pine Knolls Tanks and Moonstone Beach project completion.

President Sanders closed the public hearing.

**Director De Micco moved to adopt resolution 16-2010 fixing water and wastewater standby or availability charges for FY 2010/2011. Director Clift seconded. Motion carried unanimously. Aye – 4, No – 0, Absent – 1 (Chaldecott)**

## **9. Regular Business**

A. Adopt Resolution 13-2010 ratifying Memorandum of Understanding (MOU) with International Association of Fire Fighters (IAFF) Local 4635, and Side Letter No. 1 and Side Letter No. 2. Adopt Resolution 14-2010 reporting the payment of member contributions to the California Public Employees' Retirement System

Adopt Resolution 15-2010 for Employer Pick-Up – IRC 414(H)(2)

General Manager Rudock presented the staff report. President Sanders commented on IAFF negotiations, thanked General Manager, and commended Fire Department staff. Vice President Clift expressed his appreciation of Fire Department efforts.

**Public Comment:** None

**Director Clift moved to adopt Resolution 13-2010 ratifying the MOU between the CCSD and Cambria Firefighters/IAFF Local 4635, Side Letter No. 1 and Side Letter No. 2.**

**Director MacKinnon seconded. Motion carried unanimously.**

**Ayes – 4, No – 0, Absent – 1 (Chaldecott)**

General Manager Rudock read revised Resolution 14-2010 for the record. **Director Clift moved adoption of Resolution 14-2010 as read. Director MacKinnon seconded. Motion carried unanimously. Ayes – 4, No – 0, Absent – 1 (Chaldecott)**

**Director Clift moved adoption of Resolution 15-2010 for Employer Pick-Up – IRC 414(H)(2). Director MacKinnon seconded.**

**Ayes – 4, No – 0, Absent – 1 (Chaldecott)**

B. Adopt Resolution 17-2010 supporting Utilities Department restructuring for succession planning and lifting hiring freeze for related personnel recruitments.

General Manager Rudock presented the staff report. Board discussion followed.

**Director De Micco moved to adopt Resolution 17-2010 supporting Utilities Department restructuring for succession planning and granting an exception from hiring freeze for related personnel recruitments. Director De Micco seconded. Motion carried. Ayes – 3, No – 1 (MacKinnon), Absent – 1 (Chaldecott) Director MacKinnon for the record, adheres to succession plan, disagrees with the process.**

C. Nomination of Vice President Muril Clift as alternate Special District member to LAFCO (Local Agency Formation Commission). President Sanders presented staff's report.  
**Director DeMicco moved to nominate Muril Clift as alternate special district member to LAFCO. Director MacKinnon seconded. Motion carried unanimously. Ayes – 4, No – 0, Absent - 1**

D. Receive report on Fiscalini Ranch Preserve Management projects. President Sanders introduced the item. Tammy Rudock welcomed Ben Boer, Facilities and Resources Supervisor/Fiscalini Ranch Manager. Ben Boer provided a presentation on CCSD ranch management projects and partnerships for the past year, including information on the NOAA grant funded Eucalyptus project for stream bank restoration along Santa Rosa Creek watershed. Director De Micco provided website information regarding eucalyptus tree environmental impact reports. Full board discussion followed.

**President Sanders with Board consensus requested Ben Boer come back to May 27 board meeting with a plan and information regarding impact to monarch butterflies.**

Public Comment:

Jo Ellen Butler, Cambria. Friends of Fiscalini Ranch Preserve. Spoke in support of CCC original grant project invasive species removal project and habitat restoration. FFRP would support a compromise if acceptable to funding agency of grant.

Mahala Burton, Cambria. Commented on NCAC field trip to tree removal site. Supports a reduced number of trees for removal and a phased approach.

Amanda Rice, Cambria. Chair, NCAC. Commented on specific wording approved at NCAC meeting and discretionary permit.

Jerry McKinnon, Cambria. Commented on emotional level of death to trees.

Mary Webb, Cambria. VP Greenspace. Supports NCAC letter proposing a compromise, a monitoring plan, and wood ship not sold for fire wood.

Board discussion followed.

#### **10. Public Comment**

Jo Ellen Butler, Cambria. Announced wildflower weekend, April 24 -25, Veterans Memorial Building.

Amanda Rice, Cambria. Commented Cambria has more than enough water for today and tomorrow and cited "Mostly Harmless," by Douglas Adams.

**11. Adjourn** President Sanders adjourned the meeting at 5:47 PM