



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

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SUMMARY ACTION MINUTES Regular Meeting of Wednesday, April 18, 2018

1. CALL TO ORDER AND ROLL CALL

Chair Austin called the meeting to order and recognized a quorum.

Present: Linda Austin, Chair, Oceano Community Services District
Jim Hill, Director, City of Arroyo Grande
Barbara Nicolls, Director, City of Grover Beach

District Staff: Richard Sweet, Technical Consultant
Gilbert Trujillo, District Legal Counsel

2. PLEDGE OF ALLEGIANCE

Chair Austin led the Pledge of Allegiance.

3. AGENDA REVIEW

Approved as presented.

4. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA

Chair Austin opened the Public Comment period.

Julie Tacker commented on the censure of Director Hill, and requested a censure of John Shoals and Mary Lucey.

Coleen Kubel commented on legal counsel.

Patricia Price commented on Conflict of Interest with Director Nicolls, the Knudson Report and seeking restitution from former administrator John Wallace.

Ron Arnoldsen commented on seeking restitution from former administrator John Wallace.

Chair Austin closed the Public Comment period.

Director Hill requested two items be placed on a future agenda; repudiation of negative comments by Mary Lucey and potential restitution from former administrator John Wallace.

5. CONSENT AGENDA:

- 5A. Approval of Warrants**
- 5B. Approval of Minutes of April 4, 2018**
- 5C. Approval of Special Meeting Minutes of April 7, 2018**
- 5D. 2018-19 Fiscal Year; Budget Preparation Schedule**
- 5E. Technical Consultants and Plant Operations Report**

Director Hill requested that items 5B, 5C and 5E on the Consent Agenda be pulled for comment.

- 5A. Approval of Warrants**
- 5D. 2018-19 Fiscal Year; Budget Preparation Schedule**

Chair Austin opened the Public Comment period.

Julie Tacker, Ron Arnoldsen and Patricia Price commented on the warrants for plant chemicals, attorney fees, lack of financial reporting and the schedule for the budget.

Chair Austin closed the Public Comment period.

Technical Consultant Rick Sweet responded that Ms. Stockton's bill was for the assistance she provided while the Technical Consultants were out of the country.

Motion: Director Nicolls made a motion to approve the warrants as presented and the fiscal budget preparation schedule go forward.
Second: Director Hill seconded the motion for discussion.

Action: Approved unanimously by voice vote.

- 5B. Approval of Minutes of April 04, 2018**

Director Hill commented on Item 6A. Technical Consultants and Plant Operations Report page 5. He requested the minutes be amended to clarify his comment on the Infiltration & Inflow Study (I & I). His comment regarded the lack of follow up on the I & I Study that resulted in a violation of the discharge permit with the Regional Water Quality Control Board (RWQCB). He also would like the minutes to show there was action out of Closed Session and that action was a meeting location was changed.

Technical Consultant Sweet said staff would amend the minutes with more detail based on Mr. Hill's comments.

Chair Austin opened the Public Comment period.

Ron Arnoldsen commented on the Minutes of April 7, 2018 and appreciates that they indicate that a person spoke in favor or opposed an item.

Julie Tacker commented on Brad Snook's comments about the California Environmental Quality Act (CEQA) process regarding the brine truck route and her comments on the Cambria CSD's application for brine disposal.

Chair Austin closed the Public Comment period.

Motion: Director Hill made a motion to approve the minutes of April 04, 2018 with the corrections he had indicated.

Second: Director Nicolls

Action: Approved 3-0

5C. Approval of Special Meeting Minutes of April 7, 2018

Director Hill disputed "That no action was taken."

Director Nicolls clarified that there was no discussion on comparison of ranking down to three candidates.

Technical Consultant Sweet clarified that it was reported that there was no reportable action.

Chair Austin opened the Public Comment period.

Kris Victorine requested that the minutes be updated to include correspondence from district counsel, and requested that the Board be transparent in reporting out of Closed Session.

Patricia Price commented on legal counsel and a violation of the Brown Act.

Mary Lucey commented on using other agenda areas to voice opinions and asked that the Board change the Consent Agenda.

Ron Arnoldsen appreciates Director Hill for pulling items for discussion from the Consent Agenda.

Julie Tacker would like the minutes to reflect that legal counsel was not in attendance, that Paavo Ogren was in attendance and that Director Hill was not in attendance because he was concerned it was a violation of the Brown Act and that the minutes reflect the attorney gave his blessing to hold the meeting in San Luis Obispo.

Chair Austin closed the Public Comment period.

Motion: Director Nicolls made a motion to approve the Minutes of Special Meeting on April 7, 2018.

Second: Director Austin

Action: Approved 2-0 with 1 Abstained.

Yes: Director Nicolls and Chair Austin

Abstain: Director Hill

5E. Technical Consultants and Plant Operations Report

Director Hill provided his comments on the Cambria brine permit, recruitment of the Laboratory Technician and brine sampling.

Technical Consultant Sweet responded that sampling is ongoing and operators are qualified. Staff submitted a new lab person to the Regional Board and that person was approved.

Chair Austin opened the Public Comment period.

Julie Tacker and Mary Lucey commented on brine disposal and the Cambria CSD.

Chair Austin closed the Public Comment period.

Action: The Board received and filed the report.

6A. BROWN ACT CURE AND CORRECT DEMAND LETTER DATED APRIL 10, 2018

Legal Counsel Trujillo provided the staff report.

Chair Austin opened the Public Comment period.

Patricia Price, Coleen Kubel, Ron Arnoldsen, Kris Victorine, Julie Tacker, and Shirley Gibson commented on the notice of the Special Meeting, a Brown Act violation, a letter received from the District Attorney, including Director Hill in the interviews, and the location of the interviews.

Chair Austin closed the Public Comment period.

Motion: Chair Austin made a motion to accept Legal Counsel's recommendation that the Board of Directors unconditionally commit that it will cease, desist from, and not repeat the challenged past action of holding a meeting beyond the District's boundaries and authorize the Chair to execute an unconditional commitment letter and Option 2 to direct staff to re-notice the Closed Session and invite the candidates to interview for a second time.

Second: Director Nicolls

Action: Approved 3-0

Yes: Director Hill, Director Nicolls and Chair Austin

Chair Austin called for a five minute recess at 7:05 p.m.

6B. DISCUSSION OF PERSONNEL POLICY MANUAL UPDATES

The Board discussed the Personnel Policy Manual updates, provided comments, and asked staff to correct the grammatical errors.

Chair Austin opened the Public Comment period.

Ron Arnoldsen and Julie Tacker commented on the Personnel Policy Manual updates.

Chair Austin closed the Public Comment period.

The Personnel Policy Manual will be brought back to the next meeting and discussion will continue beginning with Section 7020 – Wastewater Plant Operations Supervisor.

The Board requested that staff add additional language under the Cell Phone Policy to emphasize Hands Free laws and under the District Administrator job description that additional language regarding knowledge of Brown Act be included in the job expectations.

7. MISCELLANEOUS ITEMS

Technical Consultant Sweet handed out the letter received from the District Attorney regarding the Cure and Correct.

7A. Written Communications.

1. Response to Letter from City of Arroyo Grande Re. Audits.

8. BOARD MEMBER COMMUNICATIONS

None.

9. CLOSED SESSION:

PUBLIC EMPLOYEE APPOINTMENT

Title: District Administrator

Chair Austin opened the Public Comment period.

Julie Tacker requested that the candidate have an understanding of the Brown Act.

Chair Austin closed the Public Comment period.

Legal Counsel Trujillo announced Closed Session.

The Board adjourned to Closed Session at 8:20 p.m.

The Board reconvened from Closed Session at 8:44 p.m. District Legal Counsel Trujillo announced that there were no reportable actions.

10. ADJOURN MEETING

The meeting was adjourned at 8:45 p.m.

THESE MINUTES WERE APPROVED BY THE BOARD OF DIRECTORS AT THE MEETING OF MAY 2, 2018.