

**CAMBRIA COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS REGULAR MEETING MINUTES**  
Thursday, November 16, 2017 12:30 PM

**1. OPENING**

**A. Call to Order**

President Rice called the meeting to order at 12:35 p.m.

**B. Pledge of Allegiance**

President Rice led the Pledge of Allegiance.

**C. Establishment of Quorum**

A quorum was established.

Directors present: President Rice, Vice President Farmer, Director Bahringer, and Director Wharton.

Staff present: General Manager Jerry Gruber, District Counsel Timothy Carmel, Administrative Services Officer/District Clerk Monique Madrid, and Finance Manager Patrick O'Reilly.

**D. Report from Closed Session**

District Counsel reported that the Board discussed the General Manager's performance.

**E. Agenda Review: Additions/Deletions**

President Rice asked for any additions or deletions. None were made.

**2. PUBLIC COMMENT (Estimated time 30 minutes. At President's discretion additional comments may be heard at the end of the meeting.)**

Public Comment:

Mark Herrier

Jeff Hellman

Don Archer read a written comment into the record and provided a copy to the Clerk.

Elizabeth Bettenhausen

Christine Heinrich

**3. SPECIAL REPORTS (Estimated time 5 Minutes per item)**

**A. Balance Public Relations Report (Oral report)**

Senator Dean Florez, Ret., provided an oral report to the Board of Directors requesting they identify the preferred format of his report.

Public Comment:

Elizabeth Bettenhausen

#### **4. PUBLIC SAFETY (Estimated time 5 Minutes per item)**

##### **A. Sheriff's Department Report**

On behalf of Commander Voge, Deputy Coyes provided a summary of recent activities in Cambria for the Sheriff's Department.

##### **B. Cambria Community Services District Fire Department Report**

Fire Chief William Hollingsworth provided a brief report of recent activities in Cambria.

Public Comment:  
Tina Dickason

#### **5. MANAGER AND BOARD REPORTS (Estimated time 5 Minutes per item)**

##### **A. Manager's Report**

General Manager Jerry Gruber provided a brief summary of the General Manager's report.

Carolyn Winfrey provided a 2016 calendar year water loss audit presentation.

Public Comment:  
Elizabeth Bettenhausen  
Tina Dickason

##### **B. Ad Hoc Committee Reports and Other Related Board Member Reports (Committee Meetings and Board authorized meetings attended)**

- i. Ad Hoc Committees Reporting: *Fill Board Vacancy Ad Hoc Committee* - Task: to develop the procedure to fill the vacancy on the CCSD Board of Directors created by the resignation of Greg Sanders

- ii. Liaison Reports:  
NCAC PROS FFRP  
Forest Committee

President Rice stated the Ad Hoc Committee that met was the committee to fill the Board vacancy.

Director Bahringer attended the PROS Committee and the NCAC meetings.

President Rice stated she spoke to Chairman Siegler regarding the BRPCC report and he said the committee is ready to bring the report to the Board for approval, and asked that staff be available to attend the meeting when the BRPCC calls one for the final report.

Vice President Farmer reported on the Infrastructure Ad Hoc Committee. He reported about the FFRP and the forest. There will be a butterfly walk on Saturday, November 18, 2017 from 8:00 a.m. to noon at the Fiscalini Ranch. The Songs of the Season event will take place on Saturday, December 9, 2017. There is more information on the FFRP's webpage. The Forest Committee is still moving forward with the grant application for the invasive weed guide.

Board by consensus directed staff to delay the information related to providing the list of CCSD owned properties until the New Year.

- Receive Recommendation from Ad Hoc Committee for Creating the Process to Appoint Director to Fill Vacancy Created by Greg Sander's Resignation

Vice President Farmer provided his recommendations to fill the vacancy. He reported that the Committee met, but has some minor and major disagreements. They will present their ideas separately.

Vice President Farmer stated his recommendation is to create a process during the 15 day period between when applicants can fill out application and have the public involved. The public can provide questions for the Board to ask applicants. The Directors will select about 10 questions to ask the candidates a maximum of 3 questions per candidate. His recommendations are:

Nomination process:

1. Helpful to have the 4 current Directors discuss and describe the qualities they are looking for in the next Director.
2. Shouldn't allow the public to advise their choice on the next Director. There shouldn't be any advocacy for any candidate allowed. It created a certain problematic at the last election process, so I feel like the public comments should be about the attributes that they would like the director to have and not to exceed two minutes.
2. In a side room have all applicants wait to keep them from hearing other applicant's answers and have them draw a number for their place in the interview process. They would give an introduction presentation, then answer the Board and public's questions. Answers should be limited to 1-2 minutes.
3. Choosing an applicant process by election: use rank choice voting. After hearing from all applicants, all board members can write down choices 1-5. Best to next best and so on. Points used based on rank. First choice would be 5 points, second choice 4 points, and so forth. If no director selected, then eliminate number 5 and continue reducing the list until one is chosen.

Director Wharton provided his recommendations to fill the vacancy. They agreed on some things and disagreed on others. One point of complete disagreement was the lack of parameters for the selection process. His recommendations are:

1. Application period that opens for 15 days.
2. Remove essay questions 2-4, but keep the first question or a similar question.
3. Applicants who only apply in writing are eligible. No walk-in candidates.
4. No late arrivals to the Special meeting.
5. Interactive PDF application.
6. How many applicants to be interviewed. Select from the initial applicants, narrow the field if the application pool is large enough.
7. Each Director selects 2 applicants, random draw to select the nomination process. First director selects 1st and last and then reverse order for rest of selections. This allows us to put more emphasis on quality selection. Allowing for public input.
8. Isolate the candidates during the interview process.
9. Random draw for candidates. Allow 5 minutes for introduction. Isolate candidates following their introduction.
10. Take public comment. (30 minutes max, this may need to be adjusted based on number of comment requests submitted)
11. Allow public to speak of advocacy, not just criticism.
12. Public comment addresses the President.
13. Random draw for nominations from Directors. Directors can only select 2 candidates to move forward in the process in order to reduce the number of candidates to a smaller pool.
14. Talk to each candidate who remains in isolation, in order.
15. Discussion: Bring out candidate to participate in additional discussion with the Board.

16. Roll call vote, aye or nay for each candidate
17. Directors can have 2 nominations each.
18. Meeting can be extended by unanimous vote or continued to a date certain. If no candidate is selected by the second Special meeting, the decision should go to the Board of Supervisors.

The Board reached consensus on the process:

- a. Post Interactive Board Application
- b. Post Notice of Vacancy.
- c. One question asking in 300 words or less please state, why do you want to serve on the CCSD Board of Directors?
- d. Allow handwritten applications.
- e. No late application arrivals.
- f. Allow questions from the public.
- g. Reduce questions from public to 3. Directors provide 2 questions each and ask candidates five questions.
- h. Allow candidates 5 minutes for the introduction. Ask the same questions for each candidate.
- i. Reverse drawing for random choices of nominations from Directors to reduce the pool. Hopefully, 8 candidates.
- j. Then nomination second discussion public comments discussion and vote until we have a candidate who receives 3 votes.

Public Comment:

Jerry McKinnon  
Don Howell  
Christine Heinrich  
Elizabeth Bettenhausen

The Board directed staff to post vacancy on November 17, 2017, and the application deadline will be December 1, 2017. The CCSD office is closed on December 1, 2017, but the office will need to be open.

## **6. CONSENT AGENDA (Estimated time: 15 Minutes)**

- A.** CONSIDERATION TO ADOPT THE OCTOBER 2017 EXPENDITURE REPORT
- B.** CONSIDERATION TO ADOPT THE SEPTEMBER 28, 2017 AND OCTOBER 3, 2017 SPECIAL MEETING MINUTES AND SEPTEMBER 28, 2017 AND OCTOBER 26, 2017 REGULAR MEETING MINUTES
- C.** CONSIDERATION OF ADOPTION OF RESOLUTION 43-2017 APPROVING AN EMPLOYMENT AGREEMENT WITH RUDY HERNANDEZ FOR THE POSITION OF FINANCE MANAGER

President Rice pulled item 6C and has some questions on the minutes.

President Rice states on page 92 of this agenda, the October 26 regular meeting minutes, under item 7.G. a correction please, it needs to state with concurrence of the rest of the Board.

Vice President Farmer states on page 93 of this agenda, the October 26, regular meeting minutes, it needs to state that Director Bahringer voted nay.

Director Bahringer moved to adopt the consent agenda and amended minutes as suggested.

Vice President Farmer seconded the motion.

Roll Call Vote:

Director Bahringer-Aye

Vice President Farmer-Aye

Director Wharton-Aye

President Rice-Aye

Motion Passed Unanimously: 4-Ayes, 0-Nays, 0-Absent

Item 6C was considered separately.

General Manager Jerry Gruber presented the item.

President Rice stated she had questions on the severance section of the agreement and the probationary period. She is concerned about these sections.

Director Bahringer moved to approve the Employment Agreement with Rudy Hernandez for the position of Finance Manager.

President Rice seconded the motion.

Roll Call Vote:

Director Bahringer-Aye

President Rice-Aye

Director Wharton-Aye

Vice President Farmer-Aye

Motion Passed Unanimously: 4-Ayes, 0-Nays, 0-Absent

## **7. REGULAR BUSINESS (Estimated time: 15 Minutes per item)**

Director Bahringer moved to continue the meeting to 4:45 p.m.

Director Wharton seconded the motion.

Roll Call Vote:

Director Bahringer-Aye

Director Wharton-Aye

Vice President Farmer-Aye

President Rice-Aye

Motion Passed Unanimously: 4-Ayes, 0-Nays, 0-Absent

### **A. DISCUSSION AND CONSIDERATION TO PROVIDE FEE RELIEF TO JOHN FEASTER**

General Manager Jerry Gruber introduced the item and Patrick O'Reilly provided the Board with a brief summary of Staff Reports 7A and 7B.

Director Bahringer moved to approve staff's recommendations for items 7A and 7B.

Director Wharton seconded the motion.

Roll Call Vote:

Director Bahringer-Aye  
Director Wharton-Aye  
Vice President Farmer-Aye  
President Rice-Aye

Motion Passed Unanimously: 4-Ayes, 0-Nays, 0-Absent

- B. DISCUSSION AND CONSIDERATION TO PROVIDE FEE RELIEF TO THE CAMBRIA HISTORICAL SOCIETY**
- C. DISCUSSION AND CONSIDERATION TO APPOINT AD HOC COMMITTEE FOR THE RATE AND FEE STUDY FOR WATER AND SEWER RATES AND CAPACITY FEES**
- D. DISCUSSION AND CONSIDERATION TO FILL THE VACANCIES ON AD HOC COMMITTEES AND LIAISON POSITIONS CREATED BY THE RESIGNATION OF GREG SANDERS**

The Board reached consensus to postpone items 7C and 7D to next week's Special Meeting on November 22, 2017.

- E. DISCUSSION AND CONSIDERATION TO ADOPT RESOLUTION 44-2017 AUTHORIZING A POST RETIREMENT EMPLOYMENT AGREEMENT WITH PATRICK O'REILLY**

General Manager Jerry Gruber introduced the item and turned it over to the Administrative Services Officer Monique Madrid, who provided the Board with a brief summary.

Director Bahringer moved to adopt Resolution 44-2017 authorizing a post retirement Employment Agreement with Patrick O'Reilly.

Vice President Farmer seconded the motion.

Roll Call Vote:  
Director Bahringer-Aye  
Vice President Farmer- Aye  
Director Wharton- Aye  
President Rice- Aye

Motion Passed Unanimously: 4-Ayes, 0-Nays, 0-Absent

**8. FUTURE AGENDA ITEM(S) (Estimated time: 15 Minutes)**

None.

**9. ADJOURN TO CLOSED SESSION**

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

Due to the lateness of the hour, Closed Session was not held.

President Rice adjourned the meeting at 4:49 p.m.