

# PAJARO/SUNNY MESA

## COMMUNITY SERVICES DISTRICT

136 San Juan Road, Royal Oaks, CA 95076

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[www.pajarosunnymesa.com](http://www.pajarosunnymesa.com)

### AGENDA

REGULAR MEETING OF THE BOARD OF DIRECTORS  
DISTRICT CONFERENCE BOARD ROOM  
136 SAN JUAN ROAD, ROYAL OAKS, CA 95076

JUNE 27, 2019

5:30 P.M.

#### CALL TO ORDER AND PLEDGE OF ALLEGIANCE

#### ROLL CALL:

(11/19) Director Robert Moody \_\_\_\_\_  
(11/21) Vice President Sanford Coplin \_\_\_\_\_  
(11/21) Secretary Harry Wiggins \_\_\_\_\_  
(11/19) Assistant Secretary Darlene Lamboley \_\_\_\_\_  
(11/21) Treasurer Michael Moore \_\_\_\_\_

#### ADMINISTRATIVE STAFF:

General Manager Don Rosa \_\_\_\_\_  
Operations Manager Judy Vazquez-Varela \_\_\_\_\_  
Recorder Simone Coke \_\_\_\_\_

#### DISTRICT COUNSEL:

Attorney Alan Smith \_\_\_\_\_

The Pajaro/Sunny Mesa Community Services District welcomes you to its meetings regularly scheduled on the fourth Thursday of each month, and your interest and participation is encouraged and appreciated.

<u>ADDITIONS TO AGENDA (IF ANY):</u>	In accordance with Section 54954.2 (b) (2) of the Government Code (Brown Act) two-thirds vote required for action items. (Upon a determination by a two-thirds vote of the legislative body, or, unanimous vote of those members present, that there is a need act immediately and that the need to act immediately arose after the agenda was posted.)
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<u>PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA:</u>	Any person may address the Board on any item not on the agenda when recognized by the Board President
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Documents provided to the District after the agenda has been published will be available at the District office and available for photocopying during ordinary business hours as Public Records at the cost set by resolution by the Board from time to time. This is ordinarily \$.25 per page. Documents provided to the Board for agenda items will ordinarily be placed on the District website if time permits. Otherwise, late documents will be provided to the Board at the meeting and a copy placed with the agendas available to the Public at Board meetings.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Pajaro Sunny Mesa Community Services District at (831) 722-1839 before the meeting to allow the District to make reasonable accommodations.

**[Attention: Fiscal Year 2019-2020 Budget Hearings will occur at 5:30 PM this evening or as soon thereafter as the Board business permits.]**

**ACTION ITEMS**

**Consent Items:**

- Clarifying questions to staff
- Public Input
- Board Deliberation

1. Consider and approve draft Minutes of May 29, 2019 Regular Meeting

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_

Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_

Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

2. Consider and approve May 2019 Financials

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_

Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_

Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

Monthly Expenditures Report for Review  
Approval of Warrants & Checks:

1. General Fund 605: Check # \_\_\_\_\_ through check # \_\_\_\_\_ for a total of \$ \_\_\_\_\_
2. Water Account: Check # \_\_\_\_\_ through check # \_\_\_\_\_ for a total of \$ \_\_\_\_\_
3. Holding Acct: Check # \_\_\_\_\_ through check # \_\_\_\_\_ for a total of \$ \_\_\_\_\_
4. Street Maint. Acct: Check # \_\_\_\_\_ through check # \_\_\_\_\_ for a total of \$ \_\_\_\_\_
5. Reorganization Acct: Check # \_\_\_\_\_ through check # \_\_\_\_\_ for a total of \$ \_\_\_\_\_
6. Construction Acct: Check # \_\_\_\_\_ through check # \_\_\_\_\_ for a total of \$ \_\_\_\_\_
7. Acct: Check # \_\_\_\_\_ through check # \_\_\_\_\_ for a total of \$ \_\_\_\_\_

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_

Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_

Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

**Old Business:**

1. Water Rate Study- NBS Governmental

Approve or Disapprove Water Rate Study to be completed by NBS Governmental

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_

Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_

Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

2. Compensation Plan- Salary Survey, Robert DeLoach & Associates

Approve or Disapprove Compensation Plan Review to be completed by Robert DeLoach & Associates

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_

Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_

Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

**New Business:**

The president will first open the floor for nominations for each office. Nominations occur in the same order in which the ByLaws list the offices. Any member of the Board may nominate any one member. Member’s may nominate without first being recognized by the President. Nominations do not require seconds. Normally, nominations are closed when no one else wants to nominate. The President may close nominations without a motion (using a form of unanimous consent). However, if no unanimous consent, then two-thirds vote (4 of 5) required to close nomination period.

Any member may also nominate a slate of two to five candidates for specific offices using the same general procedure as above.

• **ELECTION OF BOARD PRESIDENT**

- Chair Opens nominations.
- Nominations offered by members. No second needed. Chair repeats name of nominee and Secretary records nominations.
- Declaration by President that Nominations closed (and no objection) or Motion to Close Nominations (as long as no member is trying to nominate)

	<i>Nominee name</i>	<i>Coplin Y/N</i>	<i>Wiggins Y/N</i>	<i>Lamboley Y/N</i>	<i>Moore Y/N</i>	<i>Moody Y/N</i>
First nominee						
Second Nominee						
Third Nominee						

**P/SMCSD BOARD MEETING AGENDA – June 27, 2019**

• **ELECTION OF BOARD VICE PRESIDENT**

- Chair Opens nominations.
- Nominations offered by members. No second needed. Chair repeats name of nominee and Secretary records nominations.
- Declaration by President that Nominations closed (if no objection) or Motion to Close Nominations (as long as no member is trying to nominate)

	<i>Nominee name</i>	<i>Coplin Y/N</i>	<i>Wiggins Y/N</i>	<i>Lamboley Y/N</i>	<i>Moore Y/N</i>	<i>Moody Y/N</i>
First nominee						
Second Nominee						
Third Nominee						

• **ELECTION OF BOARD SECRETARY**

- Chair Opens nominations.
- Nominations offered by members. No second needed. Chair repeats name of nominee and Secretary records nominations.
- Declaration by President that Nominations closed (and no objection) or Motion to Close Nominations (as long as no member is trying to nominate)

	<i>Nominee name</i>	<i>Coplin Y/N</i>	<i>Wiggins Y/N</i>	<i>Lamboley Y/N</i>	<i>Moore Y/N</i>	<i>Moody Y/N</i>
First nominee						
Second Nominee						
Third Nominee						

• **ELECTION OF ASSISTANT BOARD SECRETARY**

- Chair Opens nominations.
- Nominations offered by members. No second needed. Chair repeats name of nominee and Secretary records nominations.
- Declaration by President that Nominations closed (if no objection) or Motion to Close Nominations (as long as no member is trying to nominate)

	<i>Nominee name</i>	<i>Coplin Y/N</i>	<i>Wiggins Y/N</i>	<i>Lamboley Y/N</i>	<i>Moore Y/N</i>	<i>Moody Y/N</i>
First nominee						
Second Nominee						
Third Nominee						

• **ELECTION OF BOARD TREASURER**

- Chair Opens nominations.
- Nominations offered by members. No second needed. Chair repeats name of nominee and Secretary records nominations.
- Declaration by President that Nominations closed (if no objection) or Motion to Close Nominations (as long as no member is trying to nominate)

	<i>Nominee name</i>	<i>Coplin Y/N</i>	<i>Wiggins Y/N</i>	<i>Lamboley Y/N</i>	<i>Moore Y/N</i>	<i>Moody Y/N</i>
First nominee						
Second Nominee						
Third Nominee						

1. RESOLUTION NO. 06-01-19 AUTHORIZING GENERAL MANAGER TO EXECUTE DOCUMENTS RELATED TO BOTTLED WATER GRANTS

- Staff report
- Clarifying questions of staff
- Motion
- Board Deliberation
- Vote to Approve or Disapprove Resolution No. 06-01-19

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_  
 Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_  
 Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

2. RESOLUTION NO. 06-02-19 CERTIFYING COMPLIANCE WITH STATE LAW WITH RESPECT TO LEVYING GENERAL TAXES

- Staff report
- Clarifying questions of staff
- Motion
- Board Deliberation
- Vote to Approve or Disapprove Resolution No. 06-02-19

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_  
 Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_  
 Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

3. CHANGES TO SANTA CRUZ COUNTY BANK (SCCB) SIGNATURE CARD- DELETE PAUL MILLER, ADD ROBERT MOODY

- Staff report
- Clarifying questions of staff
- Motion
- Board Deliberation
- Vote to Approve or Disapprove deleting Paul Miller and adding Robert Moody to SCCB signature card

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_  
 Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_  
 Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

4. 2019-2020 PAJARO COMMUNITY PARKS/PUBLIC AREA FINAL BUDGET

- Staff report
- Clarifying questions of staff
- Motion
- Board Deliberation
- Vote to approve or Disapprove of Pajaro Community Parks/Public Area 2019-2020 Final Budget

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_  
 Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_  
 Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

5. 2019-2020 PAJARO STREET LIGHTING BUDGET FINAL BUDGET

- Staff report
- Clarifying questions of staff
- Motion
- Board Deliberation
- Vote to Approve or Disapprove of Pajaro Street Lighting 2019-2020 Final Budget

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_  
 Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_  
 Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

6. 2019-2020 STREET MAINTENANCE/SUBDIVISION MAINTENANCE FINAL BUDGET

- Staff report
- Clarifying questions of staff
- Motion
- Board Deliberation
- Vote to Approve or Disapprove of Street Maintenance/Subdivision Maintenance 2019-2020 Final Budget

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_  
 Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_  
 Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

7. 2019-2020 PAJARO PARK FINAL BUDGET

- Staff report
- Clarifying questions of staff
- Motion
- Board Deliberation
- Vote to Approve or Disapprove of Pajaro Park 2019-2020 Final Budget

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_  
 Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_  
 Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

8. 2019-2020 OPERATING/WATER FINAL BUDGET

- a. Staff Report
  - Notes to Final Budget
  - Copy of newspaper advertisement, June 14<sup>th</sup> and June 21<sup>st</sup>
  - Posted on website since 5-30-19
- Clarifying questions of staff
- Motion
- Board Deliberation
- Vote to Approve or Disapprove of Operating/Water 2019-2020 Final Budget

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_  
 Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_  
 Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

9. General Manager’s Performance Evaluation, incentive pay and salary for upcoming year

- Staff report
  - Copy of current employment contract
  - Copy of AB 215, which regulates severance pay
- Clarifying questions of staff
- Motion
- Board Deliberation
- Vote to Approve or Disapprove of General Manager’s contract regarding incentive pay and salary for upcoming year

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Tabled \_\_\_\_\_

Motioned by: Director \_\_\_\_\_ Seconded by: Director \_\_\_\_\_

Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

**Staff/Committee Reports: (Information Only, no action)**

This part of agenda is for the Staff to report to the Board on operations however no action is agendized and so no action may be taken other than asking for an action item to be brought to the Board at a future meeting.

1. Copy of letter of thanks to Together In Pajaro (TIP) recognizing their generous donation to the Pajaro Park
2. Multi Community Bottled Water Project: Progress Report
3. District Operations Report
4. Usage Comparison Report 2013/2019

**Closed Session:**

**A. Public Comments for Closed Session**

Any person may address the Board on any item on the Closed Session Agenda when recognized by the Board President.

**B. Conference with Legal Counsel- Existing Litigation (Government Code § 54957)**

1. AWC Holdings Trust and AWC II Holdings Trust vs the County of Monterey through its Board of Supervisors et al Case No. 18CV001746, Monterey County Superior Court, filed May 11, 2018
2. Steve Pacheco, Trustee of the Salinas Land Holding Trust vs Pajaro/Sunny Mesa Community Services District et al Case No. (consolidated with above case), Monterey County Superior Court, filing date unknown

**C. Public Employee Performance Evaluation. Subd. (b)(1) of (§ 54957)**

⇒ Title: General Manager

**D. Conference with Labor Negotiators (§54957.6)**

- ⇒ Agency negotiators: ad hoc general manager salary committee  
Directors Michael Moore and Harry Wiggins
- ⇒ Unrepresented Employee: General Manager

Next Board meeting date: \_\_\_\_\_

Adjournment Time: \_\_\_\_\_ p.m.

Motioned by: Director \_\_\_\_\_

Seconded by: Director \_\_\_\_\_