



Pursuant to Government Code Section 54953(e), members of the Board of Directors and staff will participate in this meeting via a teleconference. Members of the public can comment when prompted by unmuting their microphone, and allowing access to their webcam is optional.

**GOVERNING BOARD**

R. Enns, President  
D. Chivens, Vice-President  
S. Lyon, Director  
R. Frank, Director  
H. Miller, Director

**CAYUCOS SANITARY DISTRICT**

200 Ash Avenue  
PO Box 333  
Cayucos, California 93430-0333  
805-995-3290

**BOARD OF DIRECTORS  
REGULAR MEETING AGENDA  
THURSDAY, FEBRUARY 17, 2022 AT 5:00PM  
200 ASH AVENUE, CAYUCOS, CALIFORNIA 93430**

**Please join our meeting from your computer, tablet or smartphone.**

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**1. ESTABLISH QUORUM AND CALL TO ORDER**

**2. PUBLIC COMMENT:**

This is the time the public may address the Board on items other than those scheduled on the agenda. By conditions of the Brown Act the Board may not discuss issues not posted on the agenda, but may set items for future agendas. Those persons wishing to speak on any item scheduled on the agenda will be given an opportunity to do so at the time that agenda item is being considered. When recognized by the Board President, please stand up and state your name and address for the record (though not required). While the Board encourages public comment, in the interest of time and to facilitate orderly conduct of the meeting, the Board reserves the right to limit individual comments to three minutes.

**3. CONSENT CALENDAR: Recommended to Approve**

Consent Calendar items are considered routine and therefore do not require separate discussion, however, any item may be removed from the Consent Calendar by a member of the Board of Directors for separate consideration. Individual items on the Consent Calendar are approved by the same vote that approves the Consent Calendar, unless an item is pulled for separate consideration.

**A. Regular Meeting Minutes**

1. Approval of minutes for the January 20, 2022 Board of Directors Regular Meeting **Pg. 1**

**B. Financial Reports: January 2022**

1. Check Register – Mechanics Bank (General Checking Account) **Pg. 4**

a. Check Register – Wells Fargo (CIP/CSWP Checking Account) **Pg. 6**

b. Check Register – Wells Fargo (CSWP Construction Account) **Pg.7**

2. Cash, Savings, and Investment Report **Pg. 8**

3. Budget vs. Actual Status Report **FY 2021-2022 Pg. 9**

4. Capital Improvement Projects Report **Pg. 10**

Pursuant to Government Code Section 54953(e), members of the Board of Directors and staff will participate in this meeting via a teleconference. Members of the public can comment when prompted by unmuting their microphone, and allowing access to their webcam is optional.

**4. STAFF COMMUNICATIONS AND INFORMATIONAL ITEMS: No Action Required**

**A. District Manager’s Report: January 2022 Pg. 11**

**B. New Will-Serves:**

- 2765 Santa Barbara Ave. / McKean / 064-204-009 / SFR New
- 166 H St. / Wyss / 064-127-015 / SFR Remodel
- 2843 Richard Ave. / Gilmore / 064-211-071 / SFR Addition

**Extended Will-Serves:**

- 2685 Ocean Blvd. / Teixeira / 064-206-052 / SFR Remodel

**Finalized Will-Serves:**

- 54 22<sup>nd</sup> St. / Failla / 064-184-009 / SFR New

**Continue-to-Serves (No Will-Serve Required):**

None

**Grants Of License:**

None

**5. PUBLIC HEARING #3: PRESENTATION FROM DANIEL PHILLIPS OF NATIONAL DEMOGRAPHICS CORPORATION REGARDING PROPOSED DIVISION-BASED ELECTIONS DIVISION MAPS Pg. 13**

**6. DISCUSSION AND CONSIDERATION TO ADOPT RESOLUTION 2022-03 TO AUTHORIZE REMOTE TELECONFERENCING MEETINGS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e) (AB 361) Pg. 27**

**7. DISCUSSION AND CONSIDERATION TO ADOPT RESOLUTION 2022-04 ADOPTING AND AUTHORIZING SUBMITTAL OF NOTIFICATION OF INTENT TO COMPLY IN ACCORDANCE WITH SB 619 TO CALRECYCLE Pg. 29**

**8. BOARD MEMBER COMMENTS**

This item provides the opportunity for Board members to make brief announcements and/or briefly report on their own activities related to District business.

**9. FUTURE SCHEDULED MEETINGS**

- March 17, 2022 – Regular Board Meeting
- April 21, 2022 – Regular Board Meeting
- May 19, 2022 – Regular Board Meeting

**10. ADJOURNMENT**

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This agenda was prepared and posted pursuant to Government Code Section 54954.2. The agenda, staff reports or other documentation relating to each item of business referred to on the agenda can be accessed and downloaded from the District’s website at <https://www.cayucossd.org/board-of-directors-meetings>

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All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the District’s office and are available for public inspection and reproduction at cost. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by the Americans with Disability Act. To make a request for disability-related modification or accommodation, contact the District at 805-995-3290 as soon as possible and at least 48 hours prior to the meeting date.



# CAYUCOS SANITARY DISTRICT

200 Ash Avenue  
PO Box 333  
Cayucos, CA 93430-0333  
805-995-3290

AGENDA ITEM: 3.A.1

DATE: February 17, 2022

ACTION: \_\_\_\_\_

## GOVERNING BOARD

R. B. Enns, President  
D. Chivens, Vice-President  
S. Lyon, Director  
H. Miller, Director  
R. Frank, Director

## BOARD OF DIRECTORS REGULAR MEETING MINUTES THURSDAY, JANUARY 20, 2022 AT 5:00 P.M. 200 ASH AVENUE, CAYUCOS, CA 93430

### 1. ESTABLISH QUORUM AND CALL TO ORDER

President Enns called the meeting to order at 5:01 p.m.

Board members present via GoToMeeting: President Robert Enns, Vice-President Dan Chivens, Director Robert Frank, Director Shirley Lyon and Director Hannah Miller

Staff present via GoToMeeting: District Manager Rick Koon and Admin. Services Manager Amy Lessi

### 2. PUBLIC COMMENT

President Enns opened the meeting to Public Comment.

John Curti requested a status update on the redistricting process.

Hearing no comment, President Enns closed Public Comment.

Manager Koon replied that the proposed divisions will be presented at the February Board of Directors Meeting, and finalized at the March meeting.

### 3. CONSENT CALENDAR: Recommended to Approve

Consent Calendar items are considered routine and therefore do not require separate discussion, however, any item may be removed from the Consent Calendar by a member of the Board of Directors for separate consideration. Individual items on the Consent Calendar are approved by the same vote that approves the Consent Calendar, unless an item is pulled for separate consideration.

#### A. Regular Meeting Minutes

1. Approval of minutes for the December 16, 2021 Board of Directors Regular Meeting
2. Approval of minutes for the January 12, 2022 Board of Directors Special Meeting

#### B. Financial Reports: December 2021

1. Check Register – Mechanics Bank (General Checking Account)
  - a. Check Register – Wells Fargo (CIP/CSWP Checking Account)
  - b. Check Register – Wells Fargo (CSWP Construction Account)
2. Cash, Savings, and Investment Report
3. Budget vs. Actual Status Report FY **2021-2022**
4. Capital Improvement Projects Report

President Enns opened the meeting to Public Comment.

Hearing no comment, President Enns closed Public Comment.

**MOTION:** 1st by Frank, to approve items on the consent calendar as prepared. Motion was seconded by Miller.

**ROLLCALL VOTE:** Frank-yes, Miller-yes, Lyon-yes, Chivens-yes, Enns-yes

**VOTE 5-0** Motion passed

**4. STAFF COMMUNICATIONS AND INFORMATION ITEMS: No Action Required**

**A. District Manager's Report: December 2021**

**B. New Will-Serves:**

- 2790 Santa Barbara Ave. / Dildine / 064-205-024 / SFR Remodel
- 47 Fresno Ave. / Page / 064-046-047 / SFR New

**Extended Will-Serves:**

- 871 N Ocean Ave. / Gottlieb / 064-484-001 / SFR New
- 41 5<sup>th</sup> St. / Mather / 064-143-008 / SFR New
- 3140 Studio Dr. / Pessah / 064-417-018 / SFR Remodel

**Finalized Will-Serves:**

- 185 D St. / KBDB Properties LLC / 064-113-021 / SFR New
- 3090 Studio Dr. / Faust / 064-275-029 / SFR Remodel
- 55 Del Mar Ave. / Sullivan / 064-415-012 / SFR Remodel

**Continue-to-Serves (No Will-Serve Required):**

None

**Grants of License:**

None

Manager Koon gave a summary of the previous month's activities. Director Frank asked if the solar plant is still scheduled to be complete in April, to which Manager Koon replied that PG&E continues to delay and the new estimate is August. Director Frank went on to ask for clarification on why the PG&E bill at the plant fluctuates. Manager Koon explained that the variation has to do with the blowers and the bio-oxygen demand, which in turn relates to increased loading on the system. President Enns noticed the new line item "WRRF Effluent Flow" and Manager Koon stated it represents the number of gallons discharged at the outfall per month, and that staff will be tracking and monitoring this number.

President Enns opened the meeting to Public Comment.

Hearing no comment, President Enns closed Public Comment.

**Items 4.A. – C. were received and accepted.**

**5. DISCUSSION AND CONSIDERATION TO ADOPT RESOLUTION 2022-02 TO AUTHORIZE REMOTE TELECONFERENCING MEETINGS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e) (AB 361)**

Manager Koon explained that the District is required to adopt this Resolution if the Board wishes to continue with remote meetings during the COVID-19 pandemic.

President Enns opened the meeting to Public Comment.

Hearing no comment, President Enns closed Public Comment.

**MOTION:** 1st by Miller, to adopt Resolution 2022-02 to authorize remote teleconferencing meetings in accordance with Government Code Section 54953(e) (AB 361). Motion was seconded by Frank.

**ROLLCALL VOTE:** Miller-yes, Frank-yes, Lyon-yes, Chivens-yes, Enns-yes

**VOTE 5-0** Motion passed

**6. DISCUSSION AND CONSIDERATION TO APPROVE THE REVISED CAYUCOS SANITARY DISTRICT 2022 ADMINISTRATIVE FEE SCHEDULE**

Manager Koon presented the revised fee schedule to the Board, highlighting new and increased fees. In reference to the Interrupted Service Fee, Director Frank asked how the District will know that a lateral has been reconnected and the billing should revert to the Sewer Use Fee. Manager Koon answered that staff member Jon Collins periodically drives through town to observe the current stage of construction at these sites to help confirm that the accounts are still being billed correctly. Vice-President Chivens commented that the Customer Callout Fee seems low, compared to the price you would pay a plumber to do the same. President Enns asked for clarification on whether a CCTV video of a lateral qualifies as a "Customer Callout". Manager

Koon replied that the District will continue to offer CCTVs as a complimentary service, as it benefits both the District and the customer to know the status of the lateral. Director Lyon verbalized her approval and added that this service is valuable to realtors.

President Enns opened the meeting to Public Comment.

John Curti suggested that the fee schedule should be evaluated on a more frequent basis.

Hearing no further comment, President Enns closed Public Comment.

**MOTION:** 1st by Lyon, to approve the revised Cayucos Sanitary District 2022 Administrative Fee Schedule. Motion was seconded by Frank.

**ROLLCALL VOTE:** Lyon-yes, Frank-yes, Miller-yes, Chivens-yes, Enns-yes

**VOTE 5-0** Motion passed

## **7. DISCUSSION AND CONSIDERATION TO APPROVE THE REVISED CAYUCOS SANITARY DISTRICT HOURS OF WORK, OVERTIME, COMPENSATORY TIME & STANDBY POLICY (EMPLOYEE POLICY HANDBOOK POLICY NUMBER 2150)**

Manager Koon presented the updated policy to the Board. President Enns asked if the new policy has been reviewed by staff yet, and if so, what was the response. Manager Koon answered that there was a positive response from staff.

President Enns opened the meeting to Public Comment.

Hearing no comment, President Enns closed Public Comment.

**MOTION:** 1st by Chivens, to approve the revised Cayucos Sanitary District Hours Of Work, Overtime, Compensatory Time & Standby Policy (Employee Policy Handbook Policy Number 2150). Motion was seconded by Lyon.

**ROLLCALL VOTE:** Chivens-yes, Lyon-yes, Miller-yes, Frank-yes, Enns-yes

**VOTE 5-0** Motion passed

## **8. BOARD MEMBER COMMENTS**

This item provides the opportunity for Board members to make brief announcements and/or briefly report on their own activities related to District business.

Manager Koon informed the Board that he has a meeting with the City of Morro Bay scheduled for Monday morning at 10:00 a.m.

## **9. FUTURE SCHEDULED MEETINGS**

- February 17, 2022 – Regular Board Meeting
- March 17, 2022 – Regular Board Meeting
- April 21, 2022 – Regular Board Meeting

## **10. ADJOURNMENT**

The meeting adjourned at 5:38 p.m.

**Minutes Respectfully Submitted By:**

X *Amy Lessi*

Amy Lessi  
Administrative Services Manager

**Cayucos Sanitary District  
General Checking Account  
(Payments Only)  
January 2022**

**AGENDA ITEM:** 3.B.1

**DATE:** Feb 17, 2022

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
01/01/2022	22712	CAYUCOS SANITARY DISTRICT WELLS FARGO ACT	-1,294.09
01/03/2022	22661	POSTMASTER	-690.77
01/04/2022	22713	GOOD, GAYLE	-7.95
01/04/2022	22714	BREZDEN PEST CONTROL	-240.00
01/04/2022	22715	CAYUCOS SANITARY DISTRICT	-294.00
01/04/2022	22716	CHARTER INTERNET	-934.05
01/04/2022	22717	EXXONMOBIL	-567.38
01/04/2022	22718	KITZMAN WATER	-25.00
01/04/2022	22719	MISSION COUNTRY DISPOSAL - WRRF	-182.22
01/04/2022	22720	QUICK TECH COMPUTERS	-1,480.00
01/04/2022	22721	STAPLES ADVANTAGE (Gov. Acct)	-65.20
01/04/2022	22722	STREAMLINE	-200.00
01/04/2022	22723	WELLS FARGO VENDOR FIN SERV	-174.00
01/05/2022	HLTH010522	CALPERS (HEALTH)	-12,723.76
01/05/2022	60186021364	ALLIED ADMINISTRATORS FOR DELTA DENTAL	-679.19
01/05/2022	22724	CAYUCOS SANITARY DISTRICT WELLS FARGO ACT	<b>-500,000.00</b>
01/06/2022		QuickBooks Payroll Service	-18,403.85
01/06/2022	22725	MORRO ROCK MUTUAL WATER CO. UTILITY 782	-75.51
01/06/2022	22726	SPEED'S OIL TOOL SERVICE, INC.	-4,851.00
01/06/2022	22727	WELLS FARGO VENDOR FIN SERV	-213.43
01/06/2022	22728	KOON, RICHARD L	-1,800.00
01/07/2022	DD01072201	COLLINS, JONATHAN W	0.00
01/07/2022	DD01072202	GOOD, GAYLE	0.00
01/07/2022	DD01072203	HOOPER, SARAH L	0.00
01/07/2022	DD01072204	KOON, RICHARD L	0.00
01/07/2022	DD01072205	LAKEY, NICK E	0.00
01/07/2022	DD01072206	LESSI, AMY M	0.00
01/07/2022	DD01072207	OWENS, JUSTIN D	0.00
01/07/2022	DD01072208	WINN, CHRISTOPHER M	0.00
01/07/2022	EDD01072022	EDD	-1,720.81
01/07/2022	FED01072022	US TREASURY	-7,839.46
01/07/2022	DEF01072022	CALPERS (RETIREMENT)	-1,375.00
01/07/2022	PERS010722	CALPERS (RETIREMENT)	-3,057.31
01/11/2022	22729	PATHIAN ADMINISTRATORS	-186.15
01/13/2022	22730	ALPHA FIRE & SECURITY ALARM CORP	-105.00
01/13/2022	22731	BRENNTAG PACIFIC, INC.	-1,026.21
01/13/2022	22732	CALNET3	-406.26
01/13/2022	22733	NELSON'S GARAGE	-182.98
01/13/2022	22734	PG&E LS#1	-405.41
01/13/2022	22735	PG&E LS#2	-907.01
01/13/2022	22736	PG&E LS#3	-127.73
01/13/2022	22737	PG&E LS#4	-347.31
01/13/2022	22738	PG&E LS#5	-2,347.51
01/13/2022	22739	PG&E OFFICE	-198.86
01/13/2022	22740	PG&E TORO - PLANT	-10,145.08

Date	Num	Name	Amount
01/13/2022	22741	PG&E WELL	-9.94
01/13/2022	22742	TOUGH AUTOMATION	-1,300.00
01/13/2022	22743	CARMEL & NACCASHA, LLP	-4,711.99
01/13/2022	22744	STATE WATER RESOURCES CONTROL BOARD	-5,360.00
01/13/2022	22746	ABALONE COAST ANALYTICAL, INC.	-5,512.00
01/13/2022	22747	ABALONE COAST ANALYTICAL, INC.	-1,972.00
01/13/2022	22748	ABALONE COAST ANALYTICAL, INC.	-16,144.50
01/13/2022	22749	ABALONE COAST ANALYTICAL, INC.	-2,814.99
01/15/2022		Mechanic's Bank Service Fee	-313.18
01/19/2022	22750	WINN, CHRISTOPHER M	-100.00
01/19/2022	22751	ADVANTAGE ANSWERING PLUS	-101.89
01/19/2022	22752	COASTAL ROLL OFF SERVICE	-3,830.38
01/19/2022	22753	FIRSTNET (AT&T)	-370.75
01/20/2022		QuickBooks Payroll Service	-18,037.29
01/21/2022	DD01212201	COLLINS, JONATHAN W	0.00
01/21/2022	DD01212202	GOOD, GAYLE	0.00
01/21/2022	DD01212203	HOOPER, SARAH L	0.00
01/21/2022	DD01212204	KOON, RICHARD L	0.00
01/21/2022	DD01212205	LAKEY, NICK E	0.00
01/21/2022	DD01212206	LESSI, AMY M	0.00
01/21/2022	DD01212207	OWENS, JUSTIN D	0.00
01/21/2022	DD01212208	WINN, CHRISTOPHER M	0.00
01/21/2022	EDD01212022	EDD	-1,654.92
01/21/2022	FED01212022	US TREASURY	-7,608.20
01/21/2022	DEF01212022	CALPERS (RETIREMENT)	-1,375.00
01/21/2022	PERS012122	CALPERS (RETIREMENT)	-4,284.81
01/24/2022	22754	CWEA	-288.00
01/24/2022	22755	EXECUTIVE JANITORIAL	-225.00
01/24/2022	22756	INDUSTRIAL SCIENTIFIC CORP.	-1,316.44
01/24/2022	22757	MINER'S ACE HARDWARE	-185.88
01/24/2022	22758	SDRMA	-727.62
01/24/2022	22759	WATER SYSTEMS CONSULTING, INC.	-9,355.00
01/25/2022	CDTFA2021	CALIFORNIA DEPT. OF TAX & FEE ADMIN.	-169.00
01/28/2022	22760	BUSINESS CARD 4841	-646.36
01/28/2022	22761	BUSINESS CARD 8913	-806.14
01/28/2022	22762	COASTAL COPY, INC	-38.27
01/28/2022	22763	HACH	-181.83
01/28/2022	22764	MISSION UNIFORM SERVICE	-345.84
01/28/2022	22765	SOCAL GAS	-55.67
01/31/2022	17080966028	COLONIAL LIFE INSURANCE PREMIUMS	-52.58
		<b>Total Operating Expenses</b>	<b>-665,174.96</b>
		<b>Less Transfer to CIP</b>	<b>500,000.00</b>
		<b>Grand Total</b>	<b>-\$165,174.96</b>

**Cayucos Sanitary District  
CIP/CSWP Account  
(Payments Only)  
January 2022**

<b>AGENDA ITEM:</b> <u>3.B.1a</u>
<b>DATE:</b> <u>Feb. 17, 2022</u>

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
01/13/2022	11503	CARMEL & NACCASHA, LLP	-936.35
01/24/2022	11504	WATER SYSTEMS CONSULTING, INC.	-12,167.50
01/25/2022	11505	SOUZA CONSTRUCTION, INC.	-287,283.42
		<b>Total CIP Expenses</b>	<b><u>-\$300,387.27</u></b>



**Cayucos Sanitary District  
CSWP Construction Account  
(Payments Only)  
January 2022**

**AGENDA ITEM:** 3.B.1b

**DATE:** Feb. 17, 2022

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
1/13/2022		Wells Fargo Service Fee	57.82
		<b>Total CSWP Construction Expenses</b>	<b>\$57.82</b>

## Cayucos Sanitary District Cash, Savings and Investment Report January 2022

**AGENDA ITEM:** 3.B.2  
**DATE:** Feb. 17, 2022

Bank Accounts	Current Balance	
Mechanic's Bank Checking	\$394,121	
Wells Fargo CIP	\$1,394,931	
Wells Fargo Savings (CFF)	\$209,190	
Mechanic's Bank - USDA	\$572,696	
Petty Cash	\$175	
LAIF	\$8,474	
<b>Total</b>	<b>\$2,579,587</b>	
CSWP Project/Asset Accounts		
WF CSWP Constr. Oper. Acct.	\$25,610	
<b>Total</b>	<b>\$25,610</b>	
Investments		
CalTrust	\$1,665,491	
Cetera Cash/MM	\$750,018	
Cetera Treasury/Securities	\$66,179	(Fixed Income)
<b>Total</b>	<b>\$2,481,688</b>	
<b>Grand Total</b>	<b>\$5,086,885</b>	
MCD Rabobank Deposit CD	\$25,000	Franchise Deposit on Hold

**Cayucos Sanitary District  
FY 21/22 Financial Report  
January 2022**

<b>AGENDA ITEM:</b> <u>3.B.3</u>
<b>DATE:</b> <u>Feb. 17, 2022</u>

	Current Month	YTD Actual Rev/Exp	YTD Budget	Approved Budget 21/22	% of Budget
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
<b>4000 · SEWER INCOME</b>	285,421	1,852,778	1,785,671	3,061,150	61%
<b>4100 · WILL SERVE INCOME</b>	475	26,580	20,533	35,200	76%
<b>4200 · RENTAL INCOME</b>			22,633	38,800	0%
<b>4300 · SOLID WASTE INCOME</b>	-	46,276	52,267	89,600	52%
<b>4400 · SLOCO TAX ASSESSMENTS</b>	321,246	642,534	594,067	1,018,400	63%
<b>4500 · SAVINGS INTEREST INCOME</b>	22	39	58	100	39%
<b>4600 · INVESTMENT INTEREST</b>	970	5,700	10,792	18,500	31%
<b>4700 · OTHER INCOME</b>			2,683	4,600	0%
<b>Total Income</b>	608,134	2,573,907	2,488,704	4,266,350	60%
<b>Expense</b>					
<b>5000 · PAYROLL EXPENSES</b>					
<b>5100 · ADMINISTRATIVE PAYROLL</b>	27,488	204,862	204,692	350,900	58%
<b>5200 · COLLECTIONS PAYROLL</b>	11,477	82,843	114,013	195,450	42%
<b>5300 · TREAT PAYROLL</b>	18,504	137,126	116,813	200,250	68%
<b>5400 · DIRECTOR PAYROLL</b>	-	3,650	4,667	8,000	46%
<b>5500 · VESTED PAYROLL BENEFITS</b>	447	3,021	3,150	5,400	56%
<b>5600 · ADMIN PAYROLL TAXES &amp; BENEFITS</b>	9,275	78,439	80,908	138,700	57%
<b>5700 · COLL PAYROLL TAXES &amp; BENEFITS</b>	7,267	70,880	66,325	113,700	62%
<b>5800 · TREAT PAYROLL TAXES &amp; BENEFITS</b>	4,449	50,450	42,875	73,500	69%
<b>5900 · DIRECTOR PAYROLL TAXES &amp; BENEFITS</b>	-	279	292	500	56%
<b>Total 5000 · PAYROLL EXPENSES</b>	78,907	631,550	633,733	1,086,400	58%
<b>6000 · OPERATING EXPENSES</b>					
<b>6050 · SPECIAL PROJECTS</b>	-	-	7,583	13,000	0%
<b>6100 · ADMIN OPERATING EXPENSES</b>	9,510	419,598	765,450	1,312,200	32%
<b>6500 · COLLECTIONS OPERATING EXPENSES</b>	5,627	64,112	124,367	213,200	30%
<b>7000 · TREATMENT OPERATING EXPENSES</b>	22,573	390,286	839,008	1,438,300	27%
<b>Total 6000 · OPERATING EXPENSES</b>	37,710	873,996	1,736,408	2,976,700	29%
<b>Total Expense</b>	116,617	1,505,546	2,370,142	4,063,100	37%
<b>Net Ordinary Income</b>	491,517	1,068,361	118,563	203,250	
<b>Net Income</b>	491,517	1,068,361	118,563	203,250	

**Cayucos Sanitary District  
Capital Improvement Projects Report  
FY 21/22  
January 2022**

<b>AGENDA ITEM:</b> <u>3.B.4</u>
<b>DATE:</b> <u>Feb. 17, 2022</u>

	<b>Current Month</b>	<b>YTD Actual Rev/Exp</b>	<b>Approved Budget 21/22 Amended Aug 19, 2021</b>	<b>Percent Used YTD</b>
<b>CAPITAL IMPROVEMENTS</b>				
<b>1601 - Sewer Main Replacements</b>	0.00	0.00	25,000.00	0%
<b>1601.02 - Chaney to LS #5</b>	0.00	0.00	35,000.00	0%
<b>1615 - Outfall Tie-In</b>	0.00	3,932.50	45,000.00	9%
<b>1616 - RWQCB Recycled Water Program</b>	0.00	0.00	20,000.00	0%
<b>1650 - WRRF Improvements</b>				
<b>1650.1 - Forklift</b>	0.00	77,668.31	75,000.00	104%
<b>Total 1600 CAPITAL IMPROVEMENTS</b>	<b>\$0.00</b>	<b>\$81,600.81</b>	<b>\$200,000.00</b>	<b>41%</b>



# CAYUCOS SANITARY DISTRICT

**TO:** BOARD OF DIRECTORS  
**FROM:** RICK KOON, DISTRICT MANAGER  
**SUBJECT:** MONTHLY MANAGERS REPORT: JANUARY 2022  
**DATE:** FEBRUARY 10, 2022

## ADMINISTRATIVE:

- The District continues to adjust the COVID -19 protection protocols for all employees as required by Cal-OSHA, state and local directives.
- Admin. and collections staff have implemented a new callout/after-hours-call procedure. Now the after-hours calls are routed directly to the on-call staff member. This eliminates the need for an answering service for a savings of approximately \$90 per month.
- Staff has completed the end of the year reporting to multiple regulatory agencies and completed the applications for 2022 (CUPA, APCD, OSHA, EDD, SDRMA) .
- The Treatment Plant is preparing to begin the 1-year cleaning of the membranes. This clean will use both citric acid and chlorine. We will also pull several membrane racks for inspection and cleaning. The Dupont technician will be onsite as part of our warranty compliance.
- In order to comply with AB 361 the Board will need to pass another resolution at its March meeting to continue with remote meetings.
- The IWMA has hired Paavo Ogren as its interim Director. He is working on establishing the IWMA rate setting policy and will then move on to the MOA and Franchise Agreements.

## CAPITAL PROJECTS:

- The District is working with Caltrans to issue a change order to Souza Construction for Phase 2 of the Toro Creek Bridge project.

# OPERATIONS AND MAINTENANCE

January 2022

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## **CIP:**

### **Daily Operations of Note:**

- Pump down, scrape, and bleach wet wells; test backup generators
- Wash bio basins and clean screw press
- Test all alarms at lift stations
- Exercise generators
- Target Solutions Training for SDRMA
- Bypass 3w system; empty and clean recycled water tank for inspection
- JC assisted City of SLO with collections worker interviews
- Clean WRRF equalization basin pump check valves
- FOG inspections
- Fuel all lift station generators
- JB Dewar fuel delivery to WRRF and LS 1
- Replace failing fittings at Ocean Ave. bridge crossing
- Respond to 55 Underground Service Alerts
- Jet 3730 ft
- Confined space entries to retrieve flowmeters for flow study
- Test battery capacities of all standby generators, top off fluids

### **WRRF Effluent Flow**

- 7,257,506 gallons / 234,113 gallons per day

### **Call Outs:**

- 1/1/22 JC out to all stations for first of the month records



## CAYUCOS SANITARY DISTRICT

**TO:** BOARD OF DIRECTORS

**FROM:** RICK KOON, DISTRICT MANAGER

**DATE:** FEBRUARY 10, 2022

**SUBJECT:** PUBLIC HEARING #3: PRESENTATION FROM DANIEL PHILLIPS OF NATIONAL DEMOGRAPHICS CORPORATION REGARDING PROPOSED DIVISION-BASED ELECTIONS DIVISION MAPS

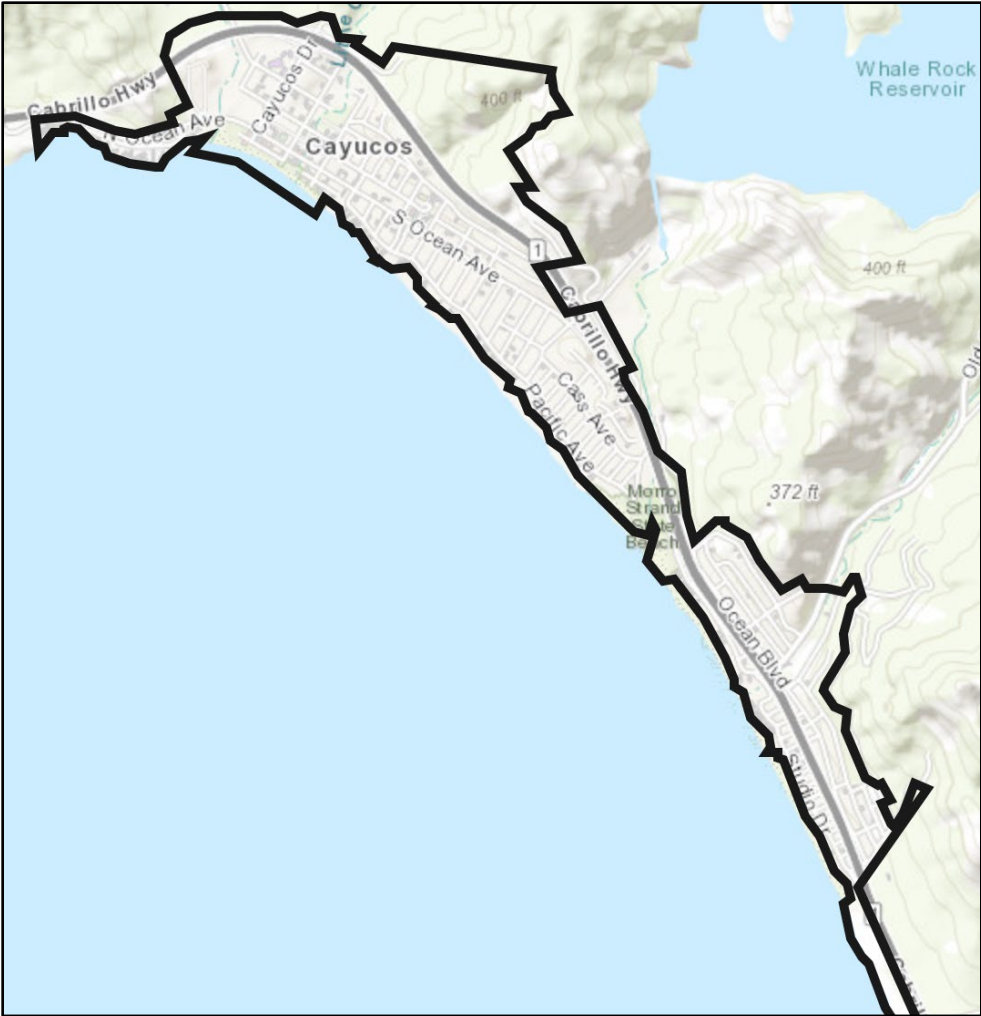
### **DISCUSSION:**

This is the third public hearing as required for the redistricting process. This hearing will include the mapping of the new divisions as drawn by NDC based on Census blocks.

The presented maps are for Board consideration and public comment. The Board will finalize its choice at the March meeting.

### **RECOMMENDATION:**

Staff recommends that the Board provide comments and receive any public comment on this item for staff to pass on to the consultant in order to finalize the divisions at the March meeting.



# Cayucos Sanitary District Transition to Divisions



# Transition Process

Step	Description
Intro meeting: June 17, 2021	Introduce and educate on the transition process.
Initial pre-draft hearings: August 19, 2021 Sep. 16, 2021	Held prior to release of draft plans. Solicit public input on which criteria to use and what are the communities of interest in the district.
Release draft plans: February 10, 2022	Draft plans posted to district website.
Two post-draft hearings: February 17, 2022 March 17, 2022	Two meetings to discuss and, if necessary, revise the draft plans, and to discuss the election sequence.
Map adoption: March 17, 2022	Plan adopted via resolution. Final plan must be posted at least 7 days prior to adoption.

# Rules and Goals for Drawing Divisions

## Federal Laws

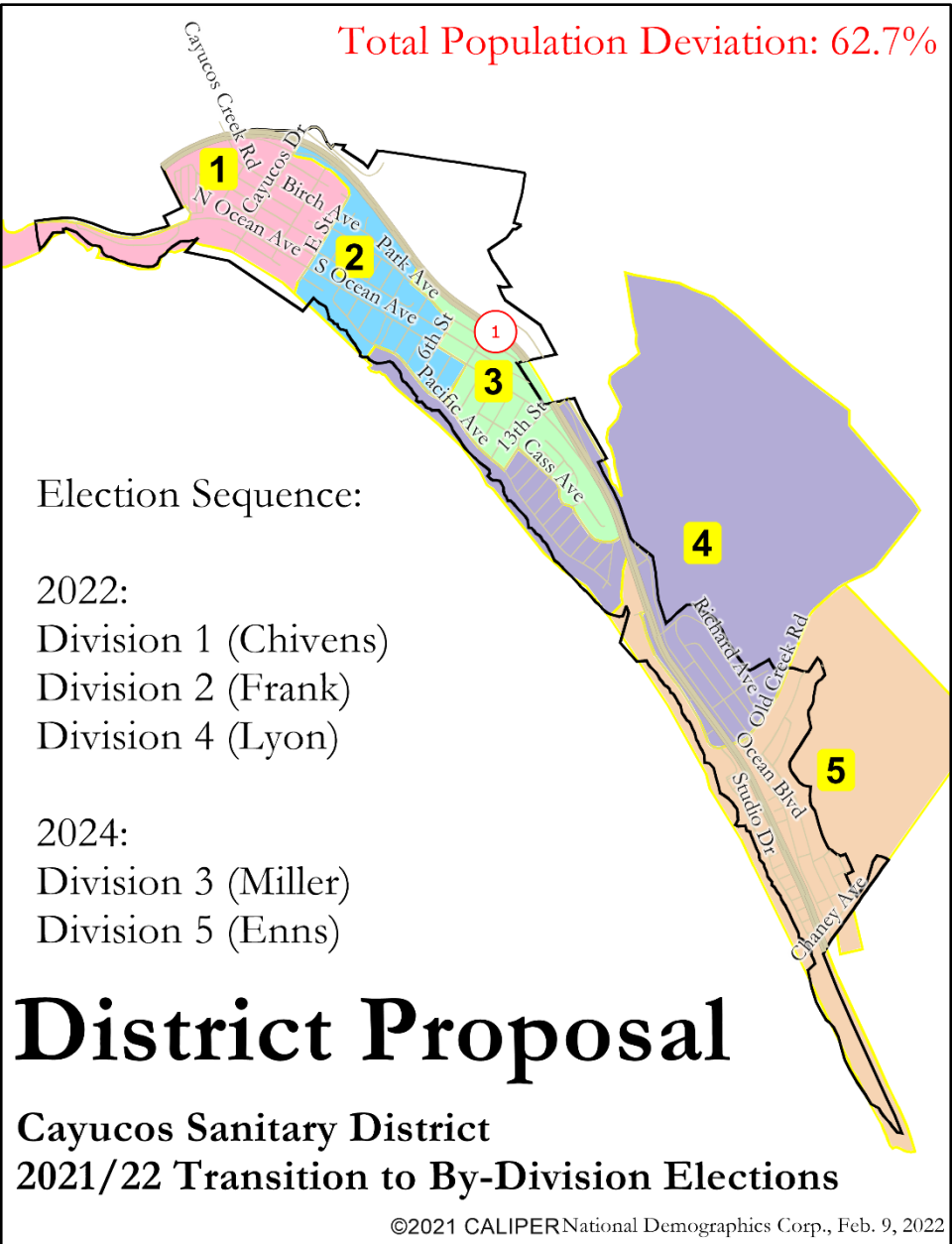
- Equal Population
- Federal Voting Rights Act
- No Racial Gerrymandering

## Traditional Principles

- Communities of interest
- Compactness
- Contiguity
- Following visible (natural and man-made) boundaries
- Respect voters' choices / continuity in office
- Planned future growth



Total Population Deviation: 62.7%

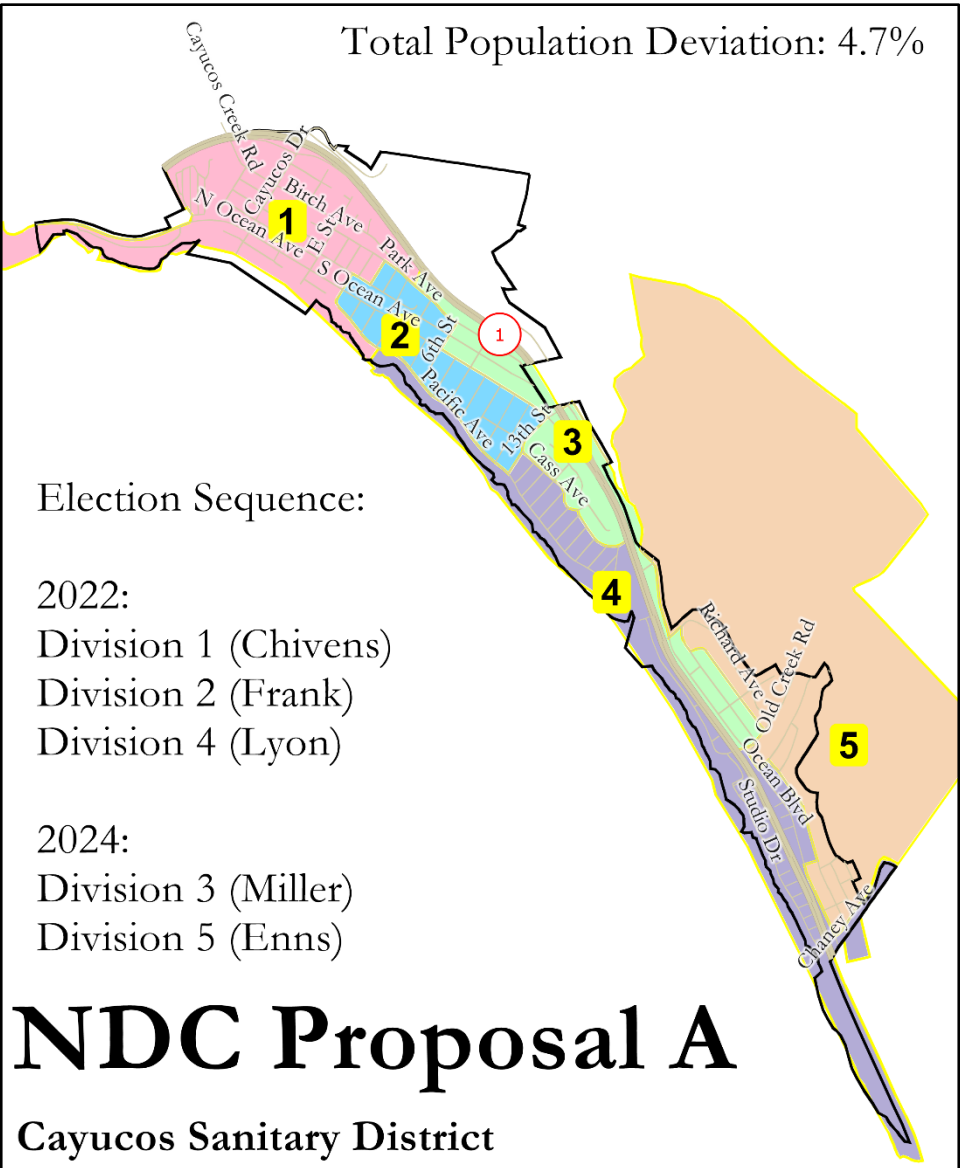


# District Proposal

Cayucos Sanitary District  
2021/22 Transition to By-Division Elections

©2021 CALIPER National Demographics Corp., Feb. 9, 2022

Total Population Deviation: 4.7%



Election Sequence:

- 2022:
  - Division 1 (Chivens)
  - Division 2 (Frank)
  - Division 4 (Lyon)

- 2024:
  - Division 3 (Miller)
  - Division 5 (Enns)

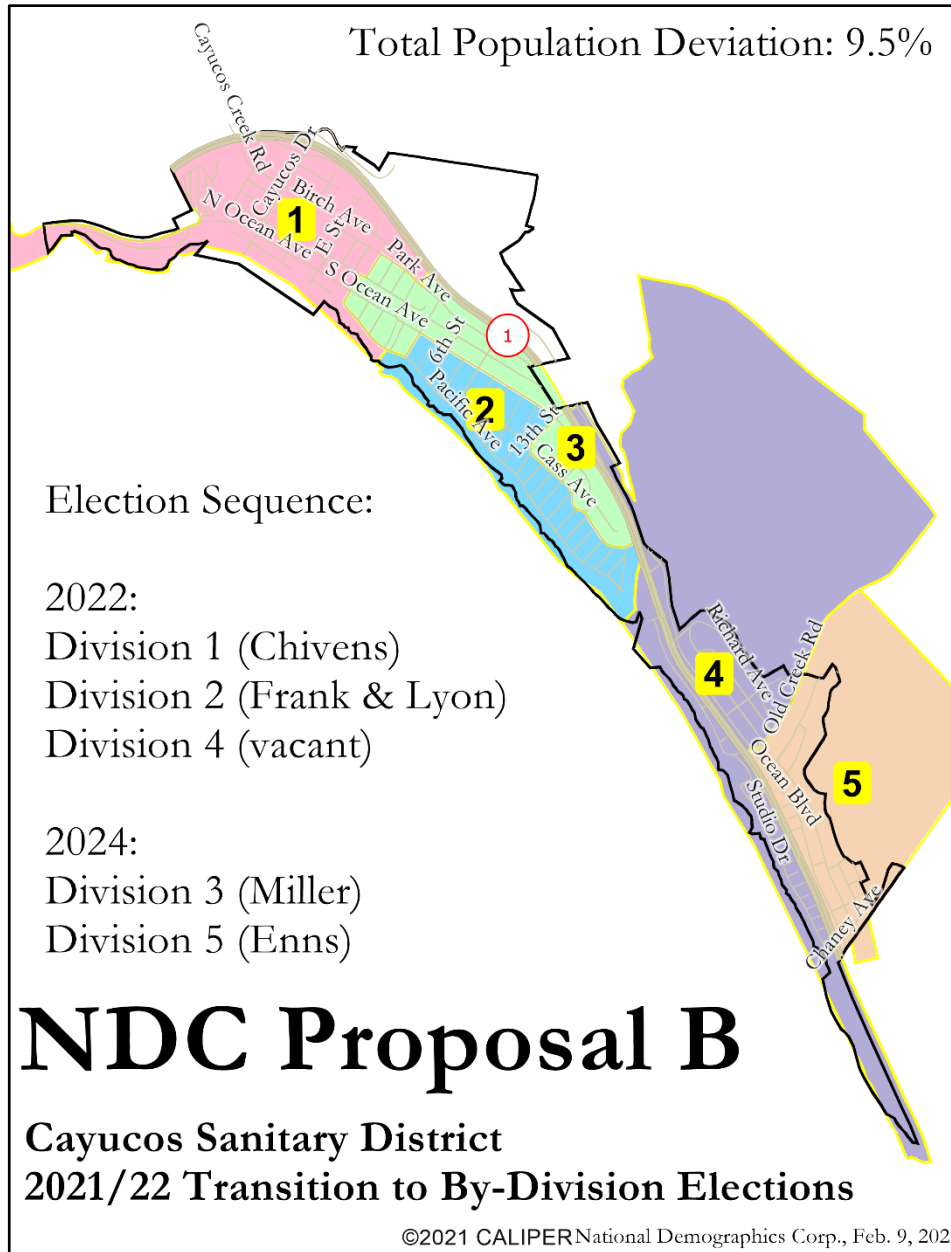
# NDC Proposal A

Cayucos Sanitary District  
2021/22 Transition to By-Division Elections

©2021 CALIPER National Demographics Corp., Feb. 9, 2022



Total Population Deviation: 9.5%



Election Sequence:

2022:

- Division 1 (Chivens)
- Division 2 (Frank & Lyon)
- Division 4 (vacant)

2024:

- Division 3 (Miller)
- Division 5 (Enns)

# NDC Proposal B

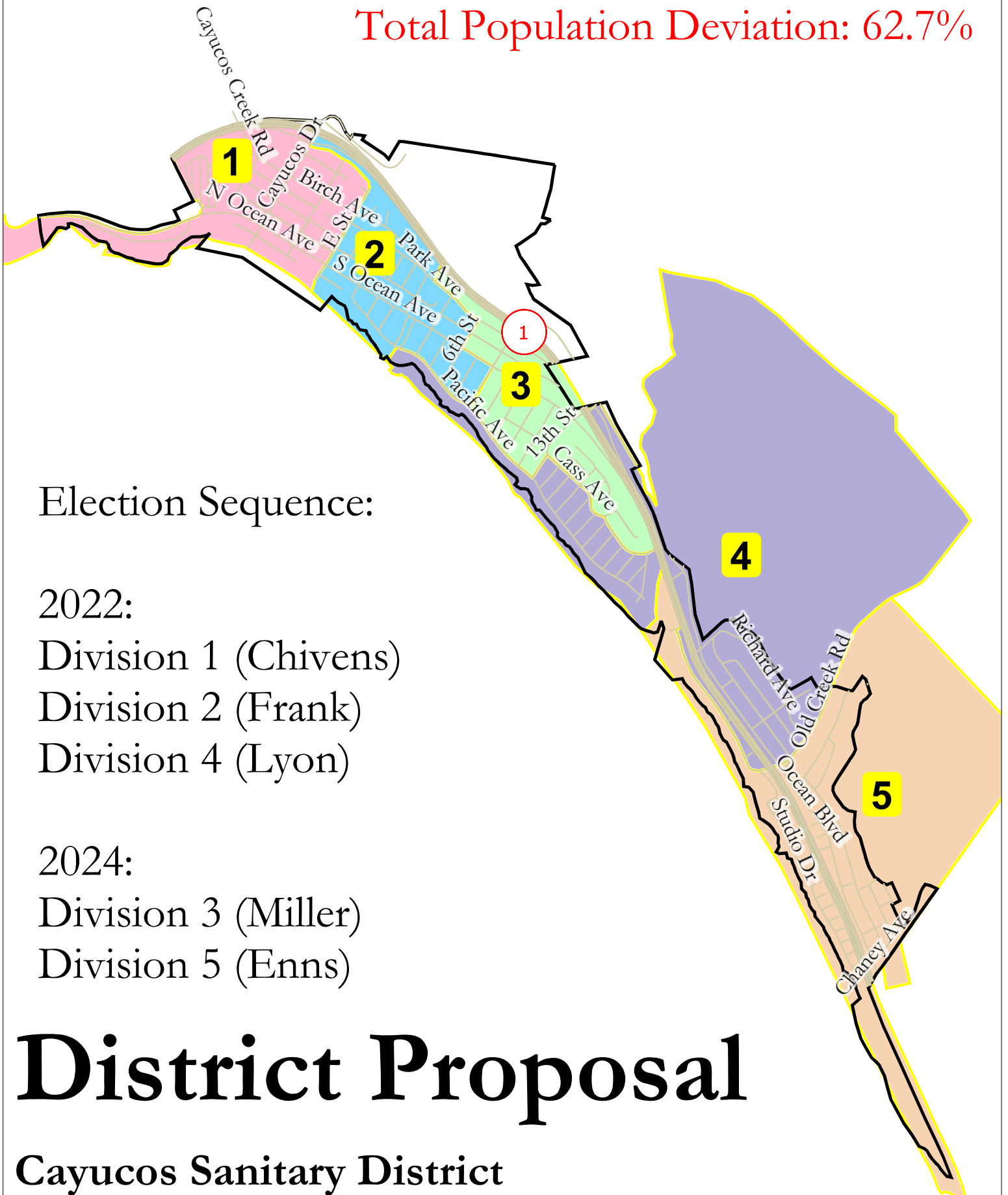
Cayucos Sanitary District  
2021/22 Transition to By-Division Elections

©2021 CALIPER National Demographics Corp., Feb. 9, 2022

# Public Hearing & Discussion

- ❑ Questions about the draft plans?
- ❑ Which plan do you prefer?
- ❑ What, if anything, would you like to see revised in your preferred plan?
- ❑ Please refer to the [Interactive Review Map](#) to review the draft plans more extensively, where you can zoom in for more detail, or zoom out to see the entire district

Total Population Deviation: 62.7%



### Election Sequence:

2022:

Division 1 (Chivens)

Division 2 (Frank)

Division 4 (Lyon)

2024:

Division 3 (Miller)

Division 5 (Enns)

# District Proposal

## Cayucos Sanitary District

### 2021/22 Transition to By-Division Elections

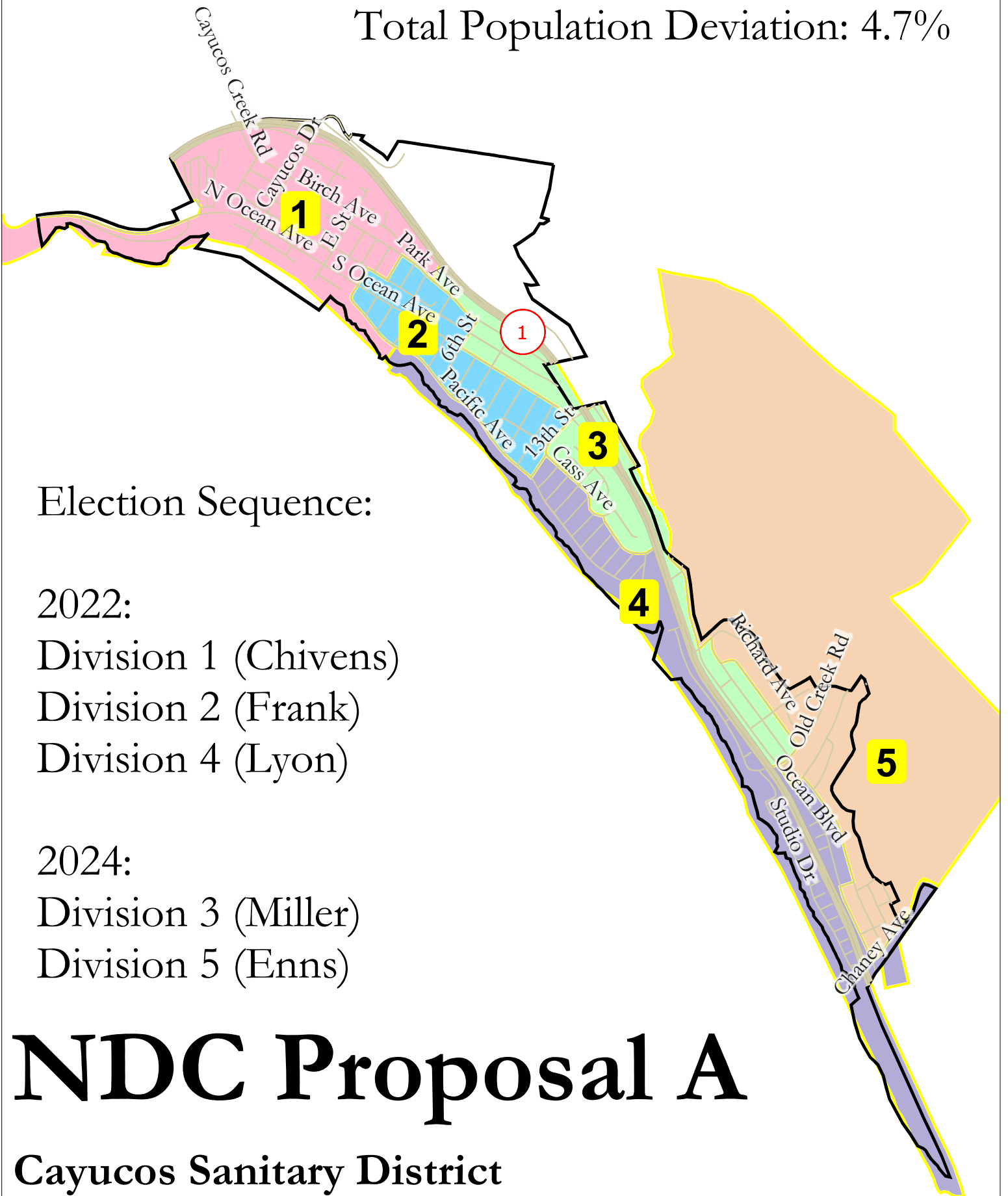
***Cayucos Sanitary District - District Proposal***

Category	Field	1	2	3	4	5	Total
2020 Census	Total Population	294	498	466	603	603	2,464
	Population Deviation	-199	5	-27	110	110	309
	Pct. Deviation	-40.37%	1.01%	-5.48%	22.31%	22.31%	62.68%
Total Pop.	Hispanic/Latino	11%	10%	11%	14%	8%	11%
	NH White	80%	82%	84%	79%	83%	81%
	NH Black	1%	1%	0%	0%	1%	1%
	NH Asian/Pac.Isl.	4%	5%	2%	4%	5%	4%
	NH Native Amer.	2%	2%	2%	2%	2%	2%
Citizen Voting Age Pop	Total	261	441	511	515	528	2,256
	Hisp	19%	12%	13%	7%	3%	10%
	NH White	77%	83%	84%	92%	96%	88%
	NH Black	0%	0%	0%	0%	0%	0%
	Asian/Pac.Isl.	4%	5%	0%	1%	1%	2%
	Native Amer.	0%	0%	4%	0%	0%	1%
Voter Registration (Nov 2020)	Total	271	411	403	475	511	2,071
	Latino est.	5%	5%	7%	4%	6%	5%
	Spanish-Surnamed	5%	5%	7%	4%	6%	5%
	Asian-Surnamed	1%	3%	1%	2%	2%	2%
	Filipino-Surnamed	0%	1%	2%	0%	1%	1%
	NH White est.	91%	92%	90%	94%	91%	92%
	NH Black	0%	0%	0%	0%	0%	0%
Voter Turnout (Nov 2020)	Total	239	359	370	419	466	1,853
	Latino est.	5%	4%	7%	4%	6%	5%
	Spanish-Surnamed	5%	4%	7%	4%	6%	5%
	Asian-Surnamed	1%	3%	1%	2%	2%	2%
	Filipino-Surnamed	0%	1%	2%	0%	1%	1%
	NH White est.	91%	92%	90%	94%	91%	92%
	NH Black	0%	0%	0%	0%	0%	0%
Voter Turnout (Nov 2018)	Total	199	299	322	332	354	1,506
	Latino est.	5%	4%	6%	4%	7%	5%
	Spanish-Surnamed	5%	4%	6%	4%	7%	5%
	Asian-Surnamed	1%	3%	1%	2%	1%	2%
	Filipino-Surnamed	1%	1%	1%	0%	1%	1%
	NH White est.	91%	92%	92%	94%	90%	92%
	NH Black est.	0%	0%	0%	0%	0%	0%
Age	age0-19	7%	8%	11%	20%	25%	16%
	age20-60	53%	46%	36%	30%	28%	36%
	age60plus	40%	45%	53%	49%	47%	48%
Immigration	immigrants	5%	4%	4%	4%	4%	4%
	naturalized	62%	62%	62%	62%	62%	62%
Language spoken at home	english	94%	92%	89%	93%	95%	92%
	spanish	2%	5%	9%	5%	3%	5%
	asian-lang	3%	2%	0%	0%	0%	1%
	other lang	2%	2%	2%	2%	2%	2%
Language Fluency	Speaks Eng. "Less than Very Well"	0%	2%	4%	1%	0%	1%
Education (among those age 25+)	hs-grad	48%	47%	45%	40%	37%	43%
	bachelor	21%	22%	23%	21%	20%	21%
	graduatedegree	11%	13%	15%	18%	20%	16%
Child in Household	child-under18	9%	11%	14%	14%	14%	13%
Pct of Pop. Age 16+	employed	59%	55%	49%	50%	51%	52%
Household Income	income 0-25k	11%	13%	16%	22%	27%	19%
	income 25-50k	15%	18%	24%	15%	7%	15%
	income 50-75k	40%	31%	15%	18%	22%	24%
	income 75-200k	27%	31%	39%	38%	36%	35%
	income 200k-plus	6%	6%	6%	7%	8%	7%
Housing Stats	single family	76%	83%	97%	96%	95%	91%
	multi-family	24%	17%	3%	4%	5%	9%
	rented	49%	45%	39%	38%	36%	40%
	owned	51%	55%	61%	62%	64%	60%

Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database ("Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate).



Total Population Deviation: 4.7%



### Election Sequence:

2022:

Division 1 (Chivens)

Division 2 (Frank)

Division 4 (Lyon)

2024:

Division 3 (Miller)

Division 5 (Enns)

# NDC Proposal A

## Cayucos Sanitary District

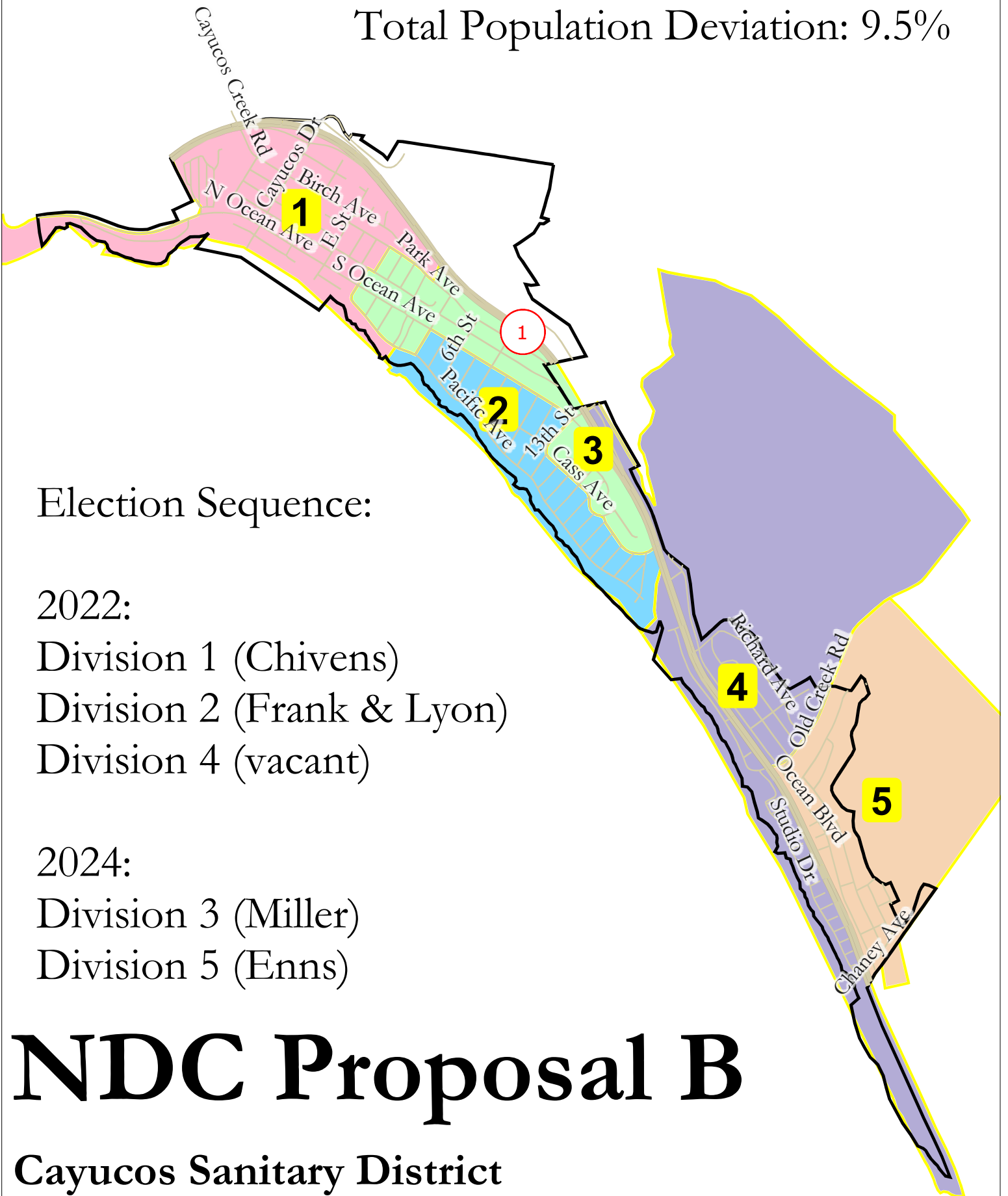
## 2021/22 Transition to By-Division Elections

**Cayucos Sanitary District - NDC Proposal A**

Category	Field	1	2	3	4	5	Total
2020 Census	Total Population	506	500	487	488	483	2,464
	Population Deviation	13	7	-6	-5	-10	23
	Pct. Deviation	2.64%	1.42%	-1.22%	-1.01%	-2.03%	4.67%
Total Pop.	Hispanic/Latino	10%	10%	15%	10%	9%	11%
	NH White	80%	83%	79%	84%	81%	81%
	NH Black	1%	1%	0%	1%	0%	1%
	NH Asian/Pac.Isl.	5%	4%	5%	3%	5%	4%
	NH Native Amer.	3%	2%	1%	1%	4%	2%
Citizen Voting Age Pop	Total	446	488	470	440	411	2,256
	Hisp	17%	12%	10%	7%	3%	10%
	NH White	77%	86%	88%	93%	96%	88%
	NH Black	0%	0%	0%	0%	0%	0%
	Asian/Pac.Isl.	6%	1%	1%	0%	1%	2%
	Native Amer.	0%	2%	2%	0%	0%	1%
Voter Registration (Nov 2020)	Total	441	421	385	428	396	2,071
	Latino est.	4%	6%	6%	6%	5%	5%
	Spanish-Surnamed	4%	6%	6%	6%	5%	5%
	Asian-Surnamed	2%	1%	1%	2%	2%	2%
	Filipino-Surnamed	1%	2%	1%	0%	1%	1%
	NH White est.	91%	92%	91%	93%	92%	92%
	NH Black	0%	0%	0%	0%	0%	0%
Voter Turnout (Nov 2020)	Total	386	379	340	394	354	1,853
	Latino est.	4%	6%	6%	6%	5%	5%
	Spanish-Surnamed	4%	6%	6%	6%	5%	5%
	Asian-Surnamed	2%	1%	1%	2%	2%	2%
	Filipino-Surnamed	1%	2%	1%	0%	1%	1%
	NH White est.	91%	92%	91%	93%	92%	92%
	NH Black	0%	0%	0%	0%	0%	0%
Voter Turnout (Nov 2018)	Total	332	309	290	298	277	1,506
	Latino est.	4%	6%	6%	6%	6%	5%
	Spanish-Surnamed	4%	6%	6%	6%	6%	5%
	Asian-Surnamed	2%	2%	1%	2%	2%	2%
	Filipino-Surnamed	1%	0%	1%	0%	1%	1%
	NH White est.	92%	93%	93%	92%	91%	92%
Age	age0-19	7%	10%	17%	19%	25%	16%
	age20-60	53%	39%	32%	31%	28%	36%
	age60plus	40%	51%	51%	50%	47%	48%
Immigration	immigrants	5%	4%	4%	4%	4%	4%
	naturalized	62%	62%	62%	62%	62%	62%
Language spoken at home	english	94%	90%	91%	92%	95%	92%
	spanish	2%	8%	6%	5%	3%	5%
	asian-lang	3%	1%	0%	0%	0%	1%
	other lang	2%	2%	2%	2%	2%	2%
Language Fluency	Speaks Eng. "Less than Very Well"	0%	3%	2%	2%	0%	1%
Education (among those age 25+)	hs-grad	48%	46%	42%	40%	37%	43%
	bachelor	21%	23%	22%	21%	20%	21%
	graduatedegree	11%	15%	17%	18%	20%	16%
Child in Household	child-under18	9%	13%	14%	14%	14%	13%
Pct of Pop. Age 16+	employed	59%	51%	50%	50%	51%	52%
Household Income	income 0-25k	11%	15%	20%	22%	27%	19%
	income 25-50k	15%	22%	18%	14%	7%	15%
	income 50-75k	40%	21%	17%	19%	22%	24%
	income 75-200k	27%	36%	38%	37%	36%	35%
	income 200k-plus	6%	6%	7%	7%	8%	7%
Housing Stats	single family	76%	92%	97%	96%	95%	91%
	multi-family	24%	8%	3%	4%	5%	9%
	rented	49%	42%	38%	37%	36%	40%
	owned	51%	58%	62%	63%	64%	60%

Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database ("Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate).

Total Population Deviation: 9.5%



### Election Sequence:

2022:

- Division 1 (Chivens)
- Division 2 (Frank & Lyon)
- Division 4 (vacant)

2024:

- Division 3 (Miller)
- Division 5 (Enns)

# NDC Proposal B

## Cayucos Sanitary District

## 2021/22 Transition to By-Division Elections

**Cayucos Sanitary District - NDC Proposal B**

Category	Field	1	2	3	4	5	Total
2020 Census	Total Population	482	483	471	518	510	2,464
	Population Deviation	-11	-10	-22	25	17	47
	Pct. Deviation	-2.23%	-2.03%	-4.46%	5.07%	3.45%	9.53%
Total Pop.	Hispanic/Latino	11%	11%	11%	14%	9%	11%
	NH White	81%	85%	82%	78%	82%	81%
	NH Black	1%	1%	0%	0%	1%	1%
	NH Asian/Pac.Isl.	4%	2%	5%	4%	6%	4%
	NH Native Amer.	2%	1%	2%	2%	3%	2%
Citizen Voting Age Pop	Total	423	488	475	435	434	2,256
	Hisp	17%	11%	13%	4%	3%	10%
	NH White	78%	87%	83%	94%	97%	88%
	NH Black	0%	0%	0%	0%	0%	0%
	Asian/Pac.Isl.	5%	0%	2%	2%	1%	2%
	Native Amer.	0%	2%	2%	0%	0%	1%
Voter Registration (Nov 2020)	Total	421	418	415	402	415	2,071
	Latino est.	4%	4%	7%	5%	6%	5%
	Spanish-Surnamed	4%	4%	7%	5%	6%	5%
	Asian-Surnamed	2%	2%	2%	1%	2%	2%
	Filipino-Surnamed	1%	1%	1%	1%	1%	1%
	NH White est.	91%	93%	90%	94%	91%	92%
	NH Black	0%	0%	0%	0%	0%	0%
Voter Turnout (Nov 2020)	Total	368	387	370	351	377	1,853
	Latino est.	4%	4%	7%	5%	6%	5%
	Spanish-Surnamed	4%	4%	7%	5%	6%	5%
	Asian-Surnamed	2%	2%	2%	1%	2%	2%
	Filipino-Surnamed	1%	1%	1%	1%	1%	1%
	NH White est.	91%	93%	90%	94%	91%	92%
	NH Black	0%	0%	0%	0%	0%	0%
Voter Turnout (Nov 2018)	Total	318	323	305	274	286	1,506
	Latino est.	4%	5%	6%	5%	7%	5%
	Spanish-Surnamed	4%	5%	6%	5%	7%	5%
	Asian-Surnamed	3%	2%	1%	1%	2%	2%
	Filipino-Surnamed	1%	0%	1%	0%	1%	1%
	NH White est.	92%	93%	92%	94%	90%	92%
Age	age0-19	7%	11%	10%	25%	25%	16%
	age20-60	53%	36%	40%	28%	28%	36%
	age60plus	40%	53%	50%	47%	47%	48%
Immigration	immigrants	5%	4%	4%	4%	4%	4%
	naturalized	62%	62%	62%	62%	62%	62%
Language spoken at home	english	94%	89%	90%	95%	95%	92%
	spanish	2%	9%	7%	3%	3%	5%
	asian-lang	3%	0%	1%	0%	0%	1%
	other lang	2%	2%	2%	2%	2%	2%
Language Fluency	Speaks Eng. "Less than Very Well"	0%	4%	3%	0%	0%	1%
Education (among those age 25+)	hs-grad	48%	45%	46%	37%	37%	43%
	bachelor	21%	23%	23%	20%	20%	21%
	graduatedegree	11%	15%	14%	20%	20%	16%
Child in Household	child-under18	9%	14%	13%	14%	14%	13%
Pct of Pop. Age 16+	employed	59%	49%	51%	51%	51%	52%
Household Income	income 0-25k	11%	16%	15%	27%	27%	19%
	income 25-50k	15%	24%	22%	7%	7%	15%
	income 50-75k	40%	15%	22%	22%	22%	24%
	income 75-200k	27%	39%	36%	36%	36%	35%
	income 200k-plus	6%	6%	6%	8%	8%	7%
Housing Stats	single family	76%	97%	91%	95%	95%	91%
	multi-family	24%	3%	9%	5%	5%	9%
	rented	49%	39%	42%	36%	36%	40%
	owned	51%	61%	58%	64%	64%	60%

Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database ("Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate).

**RESOLUTION 2022-03**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE CAYUCOS SANITARY DISTRICT MAKING  
FINDINGS IN ACCORDANCE WITH AB 361 AND GOVERNMENT  
CODE SECTION 54953(e), AUTHORIZING REMOTE TELECONFERENCE MEETINGS  
OF THE LEGISLATIVE BODIES OF THE CAYUCOS SANITARY DISTRICT**

WHEREAS, on March 4, 2020 Governor Newsom declared a State of Emergency in the State of California pursuant to Government Code Section 8625 as a result of the threat of the Coronavirus (COVID-19) pandemic; and

WHEREAS, subsequently, in March 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Orders N-25-20 and N-29-20. These orders suspended certain elements of the Brown Act and specifically allowed for legislative bodies as defined by the Brown Act to hold their meetings entirely electronically with no physical meeting place. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which provided that the provisions in Executive Order N-29-20 suspending certain elements of the Brown Act would continue to apply through September 30, 2021; and

WHEREAS, on September 16, 2021 Governor Newsom signed AB 361, which added subsection (e) to Government Code section 54953 of the Brown Act, and makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition of AB 361 is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the State caused by conditions as described in Government Code section 8558; and

WHEREAS, there has been a significant increase in COVID-19 cases in San Luis Obispo County due primarily to the Delta variant of SARS-CoV-2, the virus that causes COVID-19. Emerging evidence indicates that the Delta variant is far more transmissible than prior variants of the virus, causes more severe illness, and that even fully vaccinated individuals can spread the virus to others; and

WHEREAS, the Board of Directors now desires to adopt a Resolution finding that the requisite conditions exist for the legislative bodies of the Cayucos Sanitary District, as defined in the Brown Act, to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cayucos Sanitary District as follows:

1. The above recitals are true, correct and are incorporated herein by this reference.

2. In accordance with the requirements of Government Code Section 54953(e)(3), the Board of Directors of the Cayucos Sanitary District hereby finds and determines that it has reconsidered the circumstances of the State of Emergency and that the State of Emergency continues to exist and to directly impact the ability of the members to meet safely in person due to the COVID-19 pandemic, and its continued spread in San Luis Obispo County and Cayucos through the Delta and Omicron variants of SARS-CoV-2, which are both far more transmissible than prior variants of the virus, and that even fully vaccinated individuals can spread the virus to others, and therefore holding meetings in person would present imminent risks to the health or safety of attendees.
3. The District Manager and legislative bodies of the Cayucos Sanitary District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public remote teleconferencing meetings in accordance with the requirements of Government Code section 54953(e) and other applicable provisions of the Brown Act.
4. This Resolution shall take effect immediately upon its adoption and shall be effective for thirty (30) days after its adoption, subject to being extended for an additional 30 day period by the Board of Directors adoption of a subsequent resolution in accordance with Government Code section 54953(e)(3) to further extend the time during which the legislative bodies of the Cayucos Sanitary District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of Government Code section 54953.

PASSED AND ADOPTED this 17<sup>th</sup> day of February, 2022.

Ayes:  
Nays:  
Absent:  
Abstain:

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Robert Enns, President  
Board of Directors

ATTEST:

APPROVED AS TO FORM:

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Rick Koon  
District Manager

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Timothy J. Carmel  
District Counsel



AGENDA ITEM: 7

DATE: February 17, 2022

## CAYUCOS SANITARY DISTRICT

**TO: BOARD OF DIRECTORS**

**FROM: RICK KOON, DISTRICT MANAGER**

**DATE: FEBRUARY 17, 2022**

**SUBJECT: DISCUSSION AND CONSIDERATION TO ADOPT RESOLUTION  
2022-04 ADOPTING AND AUTHORIZING SUBMITTAL OF  
NOTIFICATION OF INTENT TO COMPLY IN ACCORDANCE WITH SB  
619 TO CALRECYCLE**

### **DISCUSSION:**

The California Department of Resources Recycling and Recovery (CalRecycle), has developed prescriptive regulations to achieve the State's organic waste reduction goals. In addition to the Ordinance that the Board of Directors adopted for the District's Mandatory Organic Waste Disposal Reduction Regulations, in order to comply with the State's new SB 1383 regulations, amendments to the District's Solid Waste Franchise Agreement with Mission Country Disposal are also necessary.

CalRecycle's regulations became enforceable on January 1, 2022. For violations, CalRecycle has discretion to determine the level of penalty necessary to remedy any given violation by jurisdictions, but can impose penalties of up to \$10,000 per day. The Cayucos Sanitary District (CSD) was required to implement SB 1383 (collection and recycling of organic waste) starting on January 1, 2022. As jurisdictions with solid waste authority are preparing to implement the law throughout the State, many local governments are facing challenges due to the COVID-19 pandemic and other issues. In response, Governor Newsom signed SB 619 (Laird, Chapter 508, Statutes of 2021) into law to support local governments as they design and implement successful organic waste recycling programs throughout the state. The law authorizes CalRecycle to waive civil penalties if a jurisdiction submits a Notification of Intent to Comply for some or all of the regulatory requirements and successfully implements a plan to correct their violations. Jurisdictions that are unable to fully implement the regulations due to the COVID-19 pandemic, may submit a Notification of Intent to Comply to CalRecycle with the attached Resolution by March 1, 2022.

The District has experienced a delay in updating required amendments to the Solid Waste Franchise Agreement with its hauler, Mission Country Disposal, since the agreement must be coordinated through the Integrated Waste Management Authority (IWMA) in conjunction with other local jurisdictions. This process has been further complicated by the departure of San Luis Obispo County from the IWMA. IWMA's consultant, HF&H, has assisted in drafting amendments to the Franchise Agreements for a number of entities that have haulers who are subsidiaries of Waste Connections, which includes Mission Country Disposal; however, the process has not been concluded. We were recently informed that draft amended language has been submitted to Waste Connections' legal counsel for review, and we are hoping to bring the amendments to the Board for its consideration in the near future. Since this effort is being coordinated through IWMA and its consultants, it is unclear when it will be completed, though.

We were also recently informed by IWMA that Cara Morgan, Branch Chief at CalRecycle, has been in touch with them in response to IWMA's request for further clarification on SB 619. Ms. Morgan has recommended that jurisdictions not apply under SB 619 if they have completed the following by June 30, 2022:

1. Franchise agreement (with SB 1383 required language inserted) Board/Council approved and signed.
2. SB 1383 Ordinance Board/Council approved and signed.

The obvious dilemma for agencies is that while we are hopeful that the amendment to the Solid Waste Franchise Agreement with Mission Country Disposal will be completed and approved by the Board by June 30, 2022, the statutory deadline for filing for relief under SB 619 is March 1, 2022.

**RECOMMENDATION:**

Staff recommends that the Board of Directors adopt Resolution 2022-04 and authorize the District Manager to submit the SB 619 Notification of Intent to Comply to CalRecycle. The Resolution is based upon a suggested format provided by CalRecycle. In the event the Franchise Agreement amendment is completed prior to June 30, 2022, we will advise CalRecycle and request that the District's submittal under SB 619 be withdrawn.



**RESOLUTION NO. 2022-04**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CAYUCOS  
SANITARY DISTRICT ADOPTING AND AUTHORIZING SUBMITTAL OF  
NOTIFICATION OF INTENT TO COMPLY IN ACCORDANCE WITH SB  
619 TO CALRECYCLE**

WHEREAS CalRecycle, in consultation with the California Air Resources Board, has adopted regulatory requirements (Regulations), consistent with the mandate of Senate Bill 1383 (Lara, 2016), that are designed to achieve the organic waste reduction goals established in Section 39730.6 of the Health and Safety Code through a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025; and

WHEREAS, the Cayucos Sanitary District is a local jurisdiction required to comply with the Regulations; and

WHEREAS, the Cayucos Sanitary District is or expects to be facing continuing violations of the Regulations commencing during the 2022 calendar year, as further set forth in the attached Notification of Intent to Comply; and

WHEREAS, Senate Bill 619 (Laird, 2021), through amendments to Section 42652.5 of the Public Resources Code (Statute), created a mechanism called a Notification of Intent to Comply through which a local jurisdiction may secure administrative civil penalty relief from any continuing violations of the Regulations for the 2022 calendar year and may be eligible for a broader and longer-term regulatory compliance path, including suspended administrative civil penalties, through a corrective action plan; and

WHEREAS, the Cayucos Sanitary District is a local jurisdiction authorized by the Statute to submit a Notification of Intent to Comply for CalRecycle approval; and

WHEREAS, CalRecycle shall approve a Notification of Intent to Comply that is duly adopted by the jurisdiction by formal written resolution and meets the requirements of the Statute.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE CAYUCOS SANITARY DISTRICT DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

1. The Cayucos Sanitary District by and through its Board of Directors hereby formally adopts the Notification of Intent to Comply attached as Exhibit "A."
2. The Cayucos Sanitary District hereby authorizes and directs its District Manager, on its behalf, to submit the Notification of Intent to Comply attached as Exhibit "A" to CalRecycle for approval pursuant to the Statute.

3. By submitting the Notification of Intent to Comply pursuant to and subject to the above referenced requirements, the Cayucos Sanitary District represents and certifies that it will implement the proposed actions to remedy the violations according to the proposed schedule as approved by CalRecycle and in accordance with the Statute and Regulations.
  
4. The Cayucos Sanitary District by and through its Board of Directors also acknowledges and agrees to comply with any maximum compliance deadline in any corrective action plan that CalRecycle, in its sole discretion, determines to be necessary and appropriate under the circumstances for the correction of any violation(s) of the Statute and Regulations identified in its Notification of Intent to Comply.

On motion of \_\_\_\_\_, second by \_\_\_\_\_,  
and on the following roll call vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

The foregoing resolution is hereby adopted this 17<sup>th</sup> day of February, 2022.

ATTEST:

\_\_\_\_\_  
Rick Koon, District Manager

\_\_\_\_\_  
Robert B. Enns, President

(SEAL)

## Notification of Intent to Comply

CalRecycle is providing this optional form as a convenience to assist jurisdictions (counties, cities, a county and city, or special districts providing solid waste collection services) for purposes of submitting a notification of intent to comply to CalRecycle [see Public Resources Code (PRC) section 42652.5(c)].

A jurisdiction may submit a notification of intent to comply if it is facing continuing violations of the Short-lived Climate Pollutants: Organic Waste Reductions requirements in Title 14 California Code of Regulations (14 CCR). The written notification of intent to comply, adopted by resolution of the jurisdiction's governing body, shall be sent to CalRecycle no later than **March 1, 2022**, to [NOIC@CalRecycle.ca.gov](mailto:NOIC@CalRecycle.ca.gov).

A jurisdiction shall, at minimum, include the following in its notification:

1. A description, with specificity, of the continuing violations.
2. A detailed explanation of the reasons, supported by documentation, why the local jurisdiction is unable to comply.
3. A description of the impacts of the COVID-19 pandemic on compliance.
4. A description of the proposed actions the local jurisdiction will take to remedy the violations within the timelines established in 14 CCR section 18996.2 with a proposed schedule for doing so. The proposed actions shall be tailored to remedy the violations in a timely manner.

Upon approval by CalRecycle of a jurisdiction's notification and implementation of the intent to comply, a jurisdiction may be eligible for both of the following:

1. Administrative civil penalty relief for the 2022 calendar year pursuant to PRC section 42652.5(d).
2. A corrective action plan pursuant to 14 CCR section 18996.2.
  - a. CalRecycle may address through a corrective action plan any violations disclosed in a jurisdiction's notification that will take more than 180 days to correct. In this situation, the proposed actions and schedule in the jurisdiction's approved notification will be in effect until a corrective action plan is issued.

CalRecycle will respond in writing to a jurisdiction within 45 business days of receiving its notification with an approval, disapproval, request for additional information, or timeline for a decision on approval or disapproval. CalRecycle will include details about why a jurisdiction did not meet the requirements for a Notification of Intent to Comply when disapproving the jurisdiction's notification.

Please clearly print or type responses. Attach additional pages as necessary.

Jurisdiction Name: Cayucos Sanitary District

County: San Luis Obispo

Person Completing the Form:

First Name: Rick

Last Name: Koon

Title: District Manager

Mailing Address: PO Box 333

City: Cayucos, CA

Zip Code: 93430

Email Address: rkoon@cayucossd.org

Phone Number: (805) 995-3290

1. Select using the check boxes below or write in the continuing violations for each applicable regulatory section. For each selection, please describe the specific violations related to the regulatory section.

**Example:**

- (B) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services
- i. Not implementing mandatory residential foodwaste collection for all residents. Note: City already provides mandatory greenwaste collection to all residents*
  - ii. Not implementing mandatory commercial organics collection for all businesses under 2 cubic yards. Note: City already provides mandatory commercial organics collection to all businesses 2 cubic yard or more.*

**Disclaimer: The list of possible continuing violations below is not inclusive of all potential violations of the regulations.**

- (A) 14 CCR section 18984 Combined Organic Waste Collection Services. *This requirement is not included since the requirements are further specified in sections 18984.1-18984.11.*
- (B) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services
- (C) 14 CCR section 18984.2 Two-Container Organic Waste Collection Services
- (D) 14 CCR section 18984.3 Unsegregated Single Container Collection Services
- (E) 14 CCR section 18984.4 Recordkeeping Requirements for Compliance with Organic Waste Collection Services
- (F) 14 CCR section 18984.5 Container Contamination Minimization
- (G) 14 CCR section 18984.6 Recordkeeping Requirements for Container Contamination Minimization
- (H) 14 CCR section 18984.7 Container Color Requirements
- (I) 14 CCR section 18984.8 Container Labeling Requirements
- (J) 14 CCR section 18984.11 Waivers Granted by a Jurisdiction
- (K) 14 CCR section 18985.1. Organic Waste Recovery Education and Outreach.
- (L) 14 CCR section 18985.2. Edible Food Recovery Education and Outreach
- (M) 14 CCR section 18985.3. Recordkeeping Requirements for a Jurisdiction's Compliance with Education and Outreach Requirements
- (N) 14 CCR section 18988.1. Jurisdiction Approval of Haulers and Self-Haulers
- (O) 14 CCR section 18988.3. Self-haulers of Organic Waste
- (P) 14 CCR section 18988.4. Recordkeeping Requirements for Compliance with Jurisdiction Hauler Program
- (Q) 14 CCR section 18989.1. CALGreen Building Codes
- (R) 14 CCR section 18989.2 Model Water Efficient Landscape Ordinance

- (S) 14 CCR section 18991.1. Jurisdiction Edible Food Recovery Program
- (T) 14 CCR section 18991.2. Recordkeeping Requirements for Jurisdiction Edible Food Recovery Program
- (U) 14 CCR section 18992.1. Organic Waste Recycling Capacity Planning
- (V) 14 CCR section 18992.2. Edible Food Recovery Capacity
- (W) 14 CCR section 18993.1. Recovered Organic Waste Product Procurement Target
- (X) 14 CCR section 18993.2. Recordkeeping Requirements for Recovered Organic Waste Procurement Target
- (Y) 14 CCR section 18993.3. Recycled Content Paper Procurement Requirements
- (Z) 14 CCR section 18993.4. Recordkeeping Requirements for Recycled Content Paper Procurement
- (AA) 14 CCR section 18994.2. Jurisdiction Annual Reporting  
*Note: This requirement is not included since jurisdictions are still expected to report to CalRecycle.*
- (BB) 14 CCR section 18995.1. Jurisdiction Inspection Requirements  
*Note: Section 18995.1(a)(1) should not be included because a jurisdiction should already be completing this action due to the requirements of PRC Chapter 12.9 (commencing with Section 42649.8)*
- (CC) 14 CCR section 18995.2. Implementation Record and Recordkeeping Requirements
- (DD) 14 CCR section 18995.3. Jurisdiction Investigation of Complaints of Alleged Violations  
*Note: This requirement is not included since jurisdictions are still expected to investigate complaints.*
- (EE) 14 CCR section 18995.4. Enforcement by a Jurisdiction

Use the check box(es) below to write in the continuing violations for any regulatory section(s) not reflected above and describe the specific violations related to the regulatory section.

**Example:**

- (1) (Type regulatory section number) (Type regulatory section title)
  - i. *Describe the specific violations related to the regulatory section*
- (1) The Cayucos Sanitary District has experienced delays in the approval of amendments to its solid waste franchise agreement with its hauler, Mission Country Disposal, in order to comply with SB 1383. The District has been working on the amendments through the San Luis Obispo County Integrated Waste Management Authority (IWMA) and its consultant, HF&H. We are informed that draft amendments have been submitted to the hauler and are currently under review by its legal counsel.
- (2)
- (3)
- (4)
- (5)

2. A detailed explanation of the reasons why the jurisdiction is unable to comply, supported by documentation, if applicable.

The District is part of IWMA and has been using the services of IWMA's consultant, HF&H, in negotiating amendment to its solid waste franchise agreement with Mission Country Disposal. HF&H has also been negotiating similar amendments for a number of other agencies in San Luis Obispo County for other haulers that are subsidiaries of Waste Connections. This effort has also included seeking to have consistent provisions in the several franchise agreement amendments implementing SB 1383, since IWMA will be delegating responsibilities relating to implementation. Waste Connections' legal counsel

has the proposed amendments, but has not completed their review and it is anticipated that there may be issues that will require additional negotiations in order to finalize the amendments.

3. A description of the impacts of the COVID-19 pandemic on compliance.

4. Provide a description of the proposed actions the jurisdiction will take to remedy the violations with a proposed schedule for completing each action. The proposed actions shall be tailored to remedy the violations in a timely manner. See optional format below.

The District intends to continue to work with IWMA and its consultants to coordinate the language in the franchise agreement amendments. We are hopeful that the amendments to the franchise agreement will be agreed to by Mission Country Disposal and approved by the District's Board of Directors by June 30, 2022, or as soon as possible thereafter.

I hereby certify under penalty of perjury that the information provided herein is true and correct to the best of my knowledge.

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Signature                      Printed Name                      Title                      Date

Description of the proposed actions with proposed schedules the jurisdiction will take to remedy the violations. The proposed actions shall be tailored to remedy the violations in a timely manner.

<b>Regulatory Requirement and Description</b>	
<b>Action</b>	<b>Proposed Schedule</b>
TASK 1: completion of approval of amendments to solid waste franchise agreement with Mission Country Disposal	Date to be completed: 6/30/22 or as soon as possible thereafter
TASK 2:	Date to be completed:
TASK 3:	Date to be completed:

<b>Regulatory Requirement and Description</b>	
<b>Action</b>	<b>Proposed Schedule</b>
TASK 1:	Date to be completed:
TASK 2:	Date to be completed:

**EXAMPLE**

<b>Regulatory Requirement: (B.i.) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services</b>	
<b>Description:</b> Not implementing mandatory residential foodwaste collection for all residents. Note: City already provides mandatory greenwaste collection to all residents	
<b>Action</b>	<b>Proposed Schedule</b>
TASK 1: <i>Purchase two additional collection trucks and modify collection routes</i>	Date to be completed: 4/7/2022
TASK 2: <i>The city will work with its hauler to find a facility to accept mixed organic waste.</i>	Date to be completed: 4/14/2022

<b>Regulatory Requirement: (B.ii.) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services</b>	
<b>Description:</b> Not implementing mandatory commercial organics collection for all businesses under 2 cubic yards. Note: City already provides mandatory commercial organics collection to all businesses 2 cubic yard or more.	
<b>Action:</b>	<b>Proposed Schedule</b>
TASK 1: <i>Purchase two additional collection trucks and modify collection routes</i>	Date to be completed: 4/21/2022
TASK 2: <i>The city will work with its hauler to acquire and distribute appropriate containers to all commercial accounts. The city will obtain monthly reports from the hauler to monitor full distribution of carts.</i>	Date to be completed: 4/28/2022