



BOARD OF DIRECTORS

Raynette Gregory, President Anthony Kalvans, Vice-President
 Ward Roney, Director Hector Palafox, Director Crystal, Lara

**SPECIAL MEETING MINUTES
 6:30 P.M. Closed Session 7:00 P.M. Opened Session
 SMCS D Boardroom 06-23-2022**

I. **Call to Order:** 6:30 PM **Video part 1/ Time: 0**

II. **Roll Call:** *Gregory, Roney, Palafox, Kalvans (arrived @6:48 PM)* **ABSENT:** *Lara*

III. **Approval of Regular Meeting Agenda:**
 Motion by: Director Roney
 Second by: Director Palafox
 Motion: Voice Vote

Board Members	Ayes	Noes	Abstain	Recuse	Absent
R. Gregory	X				
A. Kalvans					X
H. Palafox	X				
W. Roney	X				
C. Lara					X

Public Comment for items on closed session agenda None

IV. **ADJOURN TO CLOSED SESSION: 6:31 PM** **Video part 2/ Time: 0.15**

A. **CLOSED SESSION AGENDA:**

1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
 Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:1

3. PUBLIC EMPLOYMENT
 Title: General Manager; Public Employment Section GC 54957:5

V. **Call to Order for Regular Board Meeting/Pledge of Allegiance: Kalvans** **Video part 3/ Time: 0.15**

VI. **Report out of Closed Session Approximately 7:00 PM**
 Time: 7:05 PM
 1. Report out of closed session by District General Counsel (WhiteBrenner, LLP)
 Direction was given to staff.

VII. **Public Comment and Communications for items not on the Agenda:** **Video part 3/ Time: 2:18**
 Owen Davis spoke on the water/sewer rate increase, cutting spending, and that employees should not use company vehicles, fuel cost

President Gregory voiced that the District received one written comment or communication for item not on the agenda, from an unknown source. It has been provided to all the Board Members and will be maintained on file with the District with tonight's meeting information.

President Gregory then asked if anyone in attendance wished to make any public comment on non-agenda items.
None

VIII. Special Presentations/Public Hearings/Other:

Video part 2/ Time: 4:38

1. PUBLIC HEARING: Proposition 218—Public Hearing on Proposed Increase to Trash Collection and Disposal Service Charges by San Miguel Garbage Company and approve RESOLUTION 2022-33.

Director Of Utilitites Kelly Dodds Presented

Director Gregory asked Board of Directors if they had any questions or needed clariffication from staff or representative from San Miguel Garbage

Director Gregory opened Public Hearing

Public Comment: None

Director Gregory Closed Public Hearing

Board Comment:

Director Kalvans voiced that South County had approved an increase of 30%, and wanted to thank San Miguel Garbage for keeping their increase to 8.59%.

Protest: None

Director Gregory asked the Board Clerk for the raw count of any protest for the proposed rate increase.

Board Clerk Tamara Parent, voiced that the District has not received any protests for the proposed rate increase.

Motion by: Director Roney

Second by: Director Kalvans

Motion: Approve resolution 2022-33 granting an 8.59% rate increase to trash collection and disposal services charges by SMG with increase effective July 1,2022

Board Members	Ayes	Noes	Abstain	Recuse	Absent
A. Kalvans	X				
W. Roney	X				
H. Palafox	X				
R. Gregory	X				
C. Lara					X

Director Gregory declared:

1. *I find that the revenues derived from the garbage rates do not exceed the cost of providing the property-related service*
2. *I find that the revenues to be derived from the fee are not used for any other purpose*
3. *I find that the rate increase does not exceed the proportional cost of this property-related service*
4. *I find that the charges are directly tied to the property-related service being used or immediately available to the property subject to the fee charge: and*
5. *I find that the service is not available to the public in substantially the same manner as it is to property owners*

Video part 2/ Time: 11:27

2. PUBLIC HEARING: Consider approving RESOLUTION 2022-32 confirming the 2022 Weed Abatement Cost Report and Authorizing Collection of the charges on the County Tax Rolls.

Fire Chief Rob Roberson presented

Director Gregory asked Board of Directors if they had any questions or needed clarification from staff

Director Gregory Opened Public Hearing

Public Comment: None

Director Gregory Closed Public Hearing

Board Comment: None

Protest: None

Motion by: Director Palafox

Second by: Director Kalvans

Motion: Approve resolution 2022-32 confirming the 2022 Weed Abatement Cost Report and Authorizing Collection of the charges on the County Tax Rolls.

Board Members	Ayes	Noes	Abstain	Recuse	Absent
A. Kalvans	X				
W. Roney	X				
H. Palafox	X				
R. Gregory	X				
C. Lara					X

IX.

1. **Staff & Committee Reports – Receive & File:**

Non-District Reports:

San Luis Obispo County:

Video part 2 Time: 16:08

San Luis Obispo County Sheriff gave verbal report for May call statistics.

Board Comment:

Director Kalvans asked if the Sheriff Department still wants citizens to "see something, say something"; Sheriff agree

Director Klavans asked about type of crimes in the San Miguel area, compared to other areas in the County.

Discussion ensued

Public Comment:

None

2. Camp Roberts—Army National Guard No Report

Video part 2 Time: 22:42

Ms. Baird PIO, informed the Board that they will start training on July 7th, information of fourth of July event, no control burns scheduled, and gave her number for more information 805-610-6742

Board Comment: None

Public Comment: None

3. Community Service Organizations:

Video part 2 Time: 25:50

Firefighter Association President Scott Young gave verbal report on participation with the June 7th, and flags are up for the July 4th celebration, cleaning of the old fire station with the help of Paso Army Recruiter.

Board Comment: None

Public Comment: None

4. District Staff & Committee Reports:

Interim General Manager :

Video part 2 Time: 27:29

Rob Roberson gave verbal report on Covid, Billing Clerk Kindsay Valencia was hired in June, information on filling pools, Auditor Update, Investment policy update, Strategic Planning update, and that 2 Board seats are up for election in November.

Board Comment:

None

Public Comment:

Owen Davis asked about new Account Clerk.

5. District General Counsel:

Video part 3 Time: 6:17

Counsel Dervin had nothing to report

Board Comment: None

Public Comment: None

6. Director of Utilities: Report Attached

Video part 3 Time: 6:27

Director pf Utilities Kelly Dodds informed the Board that a Community Clean-up day (sponsored by a grant from CalTrans) will be on June 25th from 7AM-12 Noon, and that the last generator has shipped.

Board Comment:

Director Kalvans asked about the street light on 11th & 12th Street and if it was a private, correct that it is a private Streetlight, and if there has been any interest in the Clean-up from the residents.

Director Gregory explained that there was a mattress dropped on Cross Canyon.

Public Comment: None

7. Fire Chief: Report Attached

Video part 3 time: 10:21

Report is submitted as written. 4th of July there will be full coverage

Board Comment: None

Public Comments for all reports: None

X. Consent Calendar:

Video part 3 Time: 11:00

1. Approval of RESOLUTION 2022-34 approving a rate increase from \$5.38 per HCF to \$5.55 per HCF for construction hydrant meter usage to be effective July 16th, 2022

2. Approval RESOLUTION 2022-35 adopting the 2nd amendment and restated Integrated Waste Management Authority (IWMA) JPA and MOA with Special Districts, and authorize the General Manager to sign the Amendment to the MOA

Board Comment: None

Public Comment: Owen Davis was given a copy of the staff report for Item X-2

Motion by: Director Palafox

Second by: Director Gregory

Motion: Approve Consent Calendar

Board Members	Ayes	Noes	Abstain	Recuse	Absent
A. Kalvans	X				
W. Roney	X				
H. Palafox	X				
R. Gregory	X				
C. Lara					X

4/0/1

XI. Board Action Items:

Video part 3 Time: 12:36

1. Review, Discuss and Receive the Enumeration of Financial Reports for May 2022

Board Comment: None

Public Comment: None (*Owen Davis asked about Consent Item X-2*)

Motion by: Director Kalvans

Second by: Director Palafox

Motion: Receive and file Financial Reports for May 2022

Board Members	Ayes	Noes	Abstain	Recuse	Absent
A. Kalvans	X				
W. Roney	X				
H. Palafox	X				
R. Gregory	X				
C. Lara					X

4/0/1

Video part 3 Time: 15:59

2. Discuss and approve RESOLUTION 2022-37 authorizing a contract with Bartle Wells Associates for a Utility Rate Study and appropriate funding from fund 30, 40, 50, and 60 Capital Reserves

Recommendation: Approve RESOLUTION 2022-37 authorizing the General Manager or Director of Utilities to contract with Bartle Wells Associates to prepare a Utility Rate Study analysis and to appropriate funding for the rate study project from Capital Reserves.

Board Comment:

Director Kalvans voiced that he is looking forward to reviewing all the information, he feels that Bartle Wells Assoc. understand Small Districts, and discussion ensued about looking at different methodologies and structures.

Director Palafox asked what the cost was five years ago. Discussion on cost ensued

Director Roney voiced that he liked that the proposal had workshops with communities involvement

Public Comment:

Owen Davis asked about community involvement, and that Director Kalvans has spent more than the aloted time for board comment, he would like to have board comment be 5 minutes per Director.

Director of Utilities Kelly Dodds voiced that public is always encouraged to attend all public meetings and to make call Board Clerk to make an appointment. Discussion ensued.

Motion by: Director Roney

Second by: Director Palafox

Motion: Approve RESOLUTION 2022-37 authorizing the General Manager or Director of Utilities to contract with Bartle Wells Associates to prepare a utility Rate Study analysis and to appropriate funding for the rate study project from capital reserves.

Board Members	Ayes	Noes	Abstain	Recuse	Absent
A. Kalvans	X				
W. Roney	X				
H. Palafox	X				
R. Gregory	X				
C. Lara					X

4/0/1

Video part 4 Time: 2:30

3. Consider approving RESOLUTION 2022-36 authorizing the Interim General Manager or Director of Utilities to execute a Purchase and Sale Agreement in the amount of \$100,000 for the sale of District property (Assessor parcel number 021-261-019) to Colin Weyrick.

Recommendation: Approve RESOLUTION 2022-36 authorizing the Interim General Manager or Director of Utilities to execute a Purchase and Sale Agreement in the amount of \$100,000 for the sale of District property (Assessor parcel number 021-261-019) to Colin Weyrick.

Board Comment:

Director Gregory asked if it was a "cash" offer, yes.

Director Gregory asked about the other offer, discussion on offer ensued.

Director Kalvans asked about the funds, indication about time frame for development, and what the District paid for acquiring the property. Discussion ensued about adding a line-item to financials

Public Comment: None

Motion by: Director Roney

Second by: Director Palafox

Motion: Approve Resolution 2022-36

Board Members	Ayes	Noes	Abstain	Recuse	Absent
A. Kalvans	X				
W. Roney	X				
H. Palafox	X				
R. Gregory	X				
C. Lara					X

4/0/1

Video part 4 Time: 13:09

4. Discussion on status of Machado Wastewater Treatment Facility expansion and aeration upgrade project

Director of Utilities updated the Board on the flow and status of the Machado WWTF

Board Comment: None

Public Comment: None

Discussion Item Only

XII. BOARD COMMENT:

Video part 0 Time: 0

Director Kalvans reminded the Board of Directors to apply for Scholarship form SDLF for the CSDA's Special District Leadership Academy (SDLA) in September, and discussed having a policy regarding Delinquent Tax Property within the District.

Director Gregory asked about the Board time limit, Counsel Dervin explained that portion of the Board Handbook. Discussion ensued.

XIII. ADJOURNMENT TO NEXT REGULAR MEETING

8:25 PM