

SAN MIGUEL COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS  
MAY 23rd, 2019 REGULAR MEETING MINUTES  
MEETING HELD AT DISTRICT OFFICES  
1150 MISSION STREET  
SAN MIGUEL, CA 93451

- I.** Meeting Called to Order by Vice President Sangster – 6:10 P.M.
- II.** Pledge of Allegiance lead by Director Kalvans.
- III. Roll Call:** Directors Present: Sangster, Parent, Kalvans and Palafox  
Director Parent arrived at 6:09 P.M. Director Kalvans arrived at 6:10 P.M.  
Directors Absent: Green  
District Staff in attendance: Rob Roberson, Tamara Parent, Kelly Dodds, Paola Freeman,  
District Engineer Dr. Blaine Reely, and District General Counsel Seikaly  
District Staff Absent: None
- IV. Adoption of Regular Meeting Agenda:**
- Motion by Director Kalvans to adopt Regular Meeting Agenda.
- Seconded by Director Sangster Motion was approved by Vote of 4 AYES and 0 NOES  
and 1 ABSENT
- V. ADJOURN TO CLOSED SESSION:**  
Closed Session convened at 6:11 p.m.
- A. CLOSED SESSION AGENDA:**
- 1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
(Pursuant to Government Code section 54957)  
Title: Interim General Manager
  - 2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
(Pursuant to Government Code §54957)  
Title: Fire Chief
  - 3. CONFERENCE WITH LABOR NEGOTIATORS** (Pursuant to Government Code  
Section 54954.5(f) and Government Code Section 54957.6)  
District Negotiators: Interim General Manager Robert Roberson, District General  
Counsel

Employee Organization: San Miguel Employees' Association

**VI. Call to Order for Regular Board Meeting/Report out of Closed Session: 7:03 P.M.**  
Report out of closed session by District General Counsel Seikaly, no reportable action was taken.

**VII. Public Comment and Communications for matters not on the Agenda: None**

**VIII. Special Presentations/Public Hearings/Other:**

**1. PUBLIC HEARING: Consider Adoption of Resolution No. 2019-22 Adopting the FY 2019-20 Operations and Maintenance Budget.**

Item was presented by Interim General Manager/Fire Chief Rob Roberson, staff report. Was read aloud. See Staff Report at [sanmiguelcsd.org](http://sanmiguelcsd.org) 5-23-2019 Board meeting.

*Director Sangster Opened the Public Hearing portion asking for testimony from the public.*

**Public Comment:** Owen Davis San Miguel Resident asked about the payroll expenses and explained that it was a good part of the budget. Mr. Davis said he was talking about the SMEA (San Miguel Employees Association) and how he feels that they are negotiating their own payroll, benefit and retirement. He voiced that the Board of Director should know what those expenses are and that the District needs to stop hiring their friends and relatives. Director Sangster explained that the Board as a whole knows what the payroll expenses are and thanked him for his comment.

Laverne Buckman San Miguel resident voiced that she has looked at the Districts Financials and knows what the percentage of the budget is payroll and feels that the Districts payroll is lower than other districts. Mrs. Buckman voiced her worry over the "split" between funds that was proposed at the Financial Meeting. Mrs. Buckman feels that the Fire Fund portion is to large and should be relooked at and voiced that the Fire Department doesn't have as much of an impact as Water or Wastewater. Laverne asked about the Computer fund (475/490) and asked for clarification on way it was over budget. Discussion ensued about the Fire and Water Tuffbook tablets.

**Staff Comment:** Interim General Manager Rob Roberson explained that the IT and Computer account is over and voiced that two Toughbook had been purchased to stay in compliance. Computers are always going to be an issue, because we will always need to be upgrading. Discussion ensued about other IT upgrades. Director Parent asked what the budgeted payroll for FY 19-20 is, for clarifying for the public. Director of Utilities voiced that the salary for the budget is \$562,698.00 for all expenses and that is 24% of the Budget. This includes the two new utility operators positions that are scheduled with the new Wastewater Facility, 10 full time employees.

*Director Sangster asked for any other Public Comment.*

None

*Director Sangster Closed Public Hearing on Resolution 2019-22 Adopting the FY 2019-20 Operation and Maintenance Budget*

**Board Comment:** Director Kalvans voiced that most Agencies that are in trouble financially are at 55% range for wages in their budget. Director Kalvans asked if our server room was air conditioned. Mr. Roberson explained that Yes, the District server room has their own A/C.

Director Palafox asked about the Fire Budget and, feels that they are cutting it very close. Interim General Manager Rob Roberson explained that they do not anticipate using all the stiped monies but want to be prepared.

Director Parent voiced that “this” Budget is way more understandable and better then the last few that he has seen. He thanked the staff for all the hard work.

Motion by Director Parent to approve Resolution No. 2019-22 Adopting the FY 2019-20 Operations and Maintenance Budget.

Seconded by Director Palafox. Motion was approved by Vote of 4 AYES and 0 NOES and 1 ABSENT.

#### **STAFF & COMMITTEE REPORTS:**

- |   |           |
|---|-----------|
| <b>1. San Luis Obispo County Sheriff</b>  | No Report |
| <b>2. San Luis Obispo County Board of Supervisors</b>   | No Report |
| <b>3. San Luis Obispo County Planning and/or Public Works</b>   | No Report |
| <b>4. San Miguel Area Advisory Council</b>  | No Report |
| <b>5. Camp Roberts—Army National Guard (LTC Kevin Bender)</b>   | No Report |
| <b>6. Interim General Manager:</b> Interim General Manager/ Fire Chief Rob Roberson, gave a verbal report. Mr. Roberson updated the Board of Directors about SMEA, and that they have had a meeting and the items were presented in closed session. Utilities Worker Matt Stiles passed his Distribution 1 test and has taken his Treatment Exam and is waiting for his results. The Board was informed that they will no longer be 1099 for there stipends but will get a W-2 this next year. The Request for Proposal for District Auditing services has had a good response to date. Landscaping discussion is on this agenda for the Board of Directors to discuss; as asked for by Director Kalvans. Interim General Manager/ Fire Chief Rob Roberson explained that we have quotes for “Translation Services” and the prices for the Water Code is \$.08 cents a word to \$1975.00. Discussion ensued. Interim General Manager/ Fire Chief Rob Roberson explained that the Fire Department is working on our San Luis Obispo Hazardous Mitigation Plan and is reviewing all potential hazards in our local district and sending the information to the County to support the County Master Plan. Explaining that he has meet with County Board Supervisor John Peschong about mutual aid response. Mr. Roberson explained that there was a meeting about the park and how the County is listening to the community about what they would like done. Laverne Buckman went to the Meeting and Interim General Manager/ Fire Chief Rob Roberson asked that she speak about what she heard. |           |

**Board Comment:** Director Kalvans asked if the County could use that money for more parks. Mrs. Buckman explained that the funds are from a grant and can only be used for existing parks.

**Public Comments:** Laverne Buckman San Miguel resident explained that she did go the “Park Meeting” and informed the Board that they are getting input from residents of San

Miguel and are scheduling more meeting to get impute. Suggestions can be emailed to ekavanaugh@co.slo.ca.us

7. **District General Counsel:** Presented by Counsel Seikaly. ChurchwellWhite, LLC. Counsel Seikaly nothing to report.  
**Board Comments:** Director Kalvans asked about the GSA and the Steinbeck litigation. Discussion ensued about the GSA and water rights within the County, Discussion ensued. District General Counsel had nothing new to report on the Steinbeck litigation. Director Parent informed the Board of Directors that he voted for the District and was the only one to vote 3/1 against allotting 136k more to the consulting team Montgomery & Associates. District Engineer Dr. Reely explained that there are a lot to go over in Chapters 8-9-10, and appendices. Dr. Reely feels that the Board should look at having a workshop meeting in July. Dr. Reely reminded the public and the Board that there is public comment and to go to the District Website for more information; link to public comment for the Paso Basin GSP. Discussion ensued, and Director Parent thanked Dr. Reely for all his help and work.  
**Public Comments:** None
8. **District Engineer:** Written report submitted as is. Dr. Blaine Reely asked for any questions.  
**Board Comments:** Director Kalvans asked about Tract 2729 and asked if they are moving forward with it? Staff voiced that it would be looked into. Dr. Reely explained that the District staff had met with the County Water Conservation Team and they have grant monies they would like to find a home for. District staff with gather information needed and discuss further options with in San Miguel for Conservation.  
**Public Comment:** None
9. **Director of Utilities:** Written report submitted as is. Director of Utilities Kelly Dodds updated the Board that the District had two leaks one on the main and one on a service line. Asked for any questions.  
**Board Comment:** Director Kalvans asked about the surplus property on “N” Street. Director of Utilities Kelly Dodds explained that at this point the District would have to buy the property at surplus at market value, especially now that the County had to pay to fence in the property. Discussion ensued on the process.  
**Public Comments:** Laverne Buckman San Miguel resident asked if the District communicates with the County Planner? Director of Utilities Kelly Dodds explained that he does get referrals, but it is very inconsistent. Dr. Reely voiced that he too has left messages with the designated San Miguel planner. Mrs. Buckman voiced that the community has worked hard with the San Miguel Community Plan and would like the staff to reach out to the San Miguel Planner. Mrs. Buckman also voiced that she feels that if the District talked to County Supervisor Peschong about the surplus property and maybe he might have a solution. Discussion ensued.
10. **Fire Chief:** Fire Chief Rob Roberson, updates the Board of Directors that the District has had a couple of vandalism fires. Discussion ensued about the garbage cans at the park burning.  
**Board Comments:** Director Kalvans asked about the Park fires.  
**Public Comment:** None

## IX. CONSENT ITEMS:

**1. Review and Approve Board Meeting Minutes**

- a) 4-25-2019 Draft Regular Meeting Minutes
- b) 5-2-2019 Draft Special Meeting Minutes

**2. Approve revisions to the District Banner Installation & Display Policy and Permit Application.**

Director Sangster asked to pull Item 1.A

Director Kalvans asked to pull Item 2.

Item 1.a – Director Sangster asked that Action Item 11, it needs be revised to not have Director Parent Motion and Second. Board Clerk voiced that it would be changed to Motion by Director Parent Second by Director Sangster.

Item 2 – Director Kalvans that Section one be revised to state that the “Purpose and Application” read “Event and/or District Business” the Banner is owned by the District. Consensus of Board to change.

Motion by Director Parent – Director Kalvans called point of order - *need public comment*. Director Parent’s Motion denied.

**Board Comment:** None

**Public Comment:** Laverne Buckman voiced that she feels that the whole policy would be better with human relations and it does need to be explained that it is the CSD’s property and the CSD lets non-profits use it. Agreed with Director Kalvans to change some wording.

Motion by Director Parent Approve consent items 1 and 2 with revisions.

Seconded by Director Sangster. Motion was approved by Vote of 4 AYES and 0 NOES and 1 ABSENT.

**XI. BOARD ACTION ITEMS:**

- 1. Review, Discuss, Receive and File the Enumeration of Financial Report for April 2019.** Item was presented by Bookkeeper Paola Freeman, staff report submitted. Mrs. Freeman updated the Board that she is working through the payroll and accounting errors. The FUTA, is being worked out and informed the Board that they are being considered employees and will be issued W-2 this year for the stipend they receive. Paola informed the Board that the District CPA, did not charge to be at the May 2<sup>nd</sup> financial meeting.

**Board Comment:** Director Sangster asked how much was expected back from FUTA payments? Mrs. Freeman explained, that they are looking at around 26k and have sent in the inquiries three times and is waiting for a response.

Director Parent thanked Mrs. Freeman for the changes on the financial staff report.

Director Parent asked about receiving any reimbursements for GSA yet? Mrs. Freeman voiced that the District has not received any reimbursement as of yet.

Discussion ensued.

**Public Comment:** Laverne Buckman voiced that she is concerned with the water deficit and asked the board to take action in regard to making a loan between funds. Mrs. Buckman thanked the financial department for all the work they have accomplished.

Motion by Director Parent to Receive and File the Enumeration of Financial Report for April 2019

Seconded by Director Palafox. Motion was approved by Vote of 4 AYES and 0 NOES and 1 ABSENT.

2. **Review and Discuss Draft Report for CEQA “Initial Study and Groundwater Recharge study for the Machado Wastewater Treatment Facility Expansion/ Renovation project.** Item was presented by District Engineer Blaine Reely informing the Board of Directors that the Initial Study and Groundwater Recharge study was funded by a grant. Discussion ensued about groundwater recharge and the new wastewater facility. The District will be looking at all options for groundwater recharge. Draft report: [https://www.sanmiguelcsd.org/files/6d8f7d3c2/XI+-+2+-+2+-+05-16-19\\_SMCSO\\_WWTP\\_InitialStudy+PROGRESS+DRAFT\\_WITH+ATTACHMENTS.pdf](https://www.sanmiguelcsd.org/files/6d8f7d3c2/XI+-+2+-+2+-+05-16-19_SMCSO_WWTP_InitialStudy+PROGRESS+DRAFT_WITH+ATTACHMENTS.pdf)

**Board Comments:** Director Parent asked about water diversion, with blended wastewater, and what needs to be done with the high salt content. Dr. Reely voiced that to correct there needs to be dilution, and that the river water has been tested and in low in salt content.

Director Kalvans voiced that he has read the report and feels that San Miguel is in a good position for most of these proposed projects.

Director Palafox asked if the District has reached out to any of the Vineyard owners? Dr. Reely explained that he has reached out and the owners are very interested in our water because they also have to become sustainable. District Engineer Blaine Reely explained that the grant is with DWR, and the application has been accepted and the release of funds will be around December 2019. Discussion ensued.

**Public Comments:** None

*Information item only Dr. Reely asked for consent to move forward with CEQA process.*

Board consensus is to have Dr. Reely move forward with the CEQA process.

3. **Review and Discussion on status of Machado Wastewater Treatment Facility expansion and aeration upgrade project**

Item presented by Director of Utilities Kelly Dodds, explained that there is not much to update from last month. Staff report states the hydraulic flow.

**Board Comment:** Director Kalvans asked what would happen if the District hit the 200k limits a day? Mr. Dodds explained that it would be reported to the state and if it continued, the state would levy violations.

**Public Comment:** None

*Information item only*

**4. Adopt a Resolution 2019-20 approving an employment agreement of the Interim General Manager/Fire Chief Robert Roberson and authorizing the Board President to execute and enter into the agreement on behalf of the District and approve a FY2018-19 Budget Adjustment.**

Item presented by District General Counsel Seikaly, asked Rob Roberson to leave as the Board discussed his contract. Counsel Seikaly explained that both positions are exempt with no benefits and the contract is for two years. Salary position of Interim General Manager/ Fire Chief will be \$74,117.76.

**Board Comment:** Director Parent voiced that the wage is appropriate, and Mr. Roberson is an asset to the community.

Director Sangster voiced that the position is a bargain.

Director Kalvans voiced that he knows what other General Managers make in other districts and Mr. Roberson is a community member and the contract is a bargain.

**Staff Comment:** Mr. Dodds asked about the resolution and it needing to say, "Two-Year Agreement". Director Kalvans agreed and asked for changes in resolution.

Director Palafox agrees and feels that the position cost is a bargain.

**Public Comment:** Owen Davis San Miguel resident voiced that asked why we are increasing the Fire Chief salary. Counsel Seikaly explained that the position has been changed to have both positions in one.

Laverne Buckman San Miguel resident voiced that she agrees with the Board and that it is a bargain for what the District are getting. Mrs. Buckman voiced that she has been through many General Managers and feels Mr. Roberson is a great asset not because of his expertise but for his commitment to the community. Mrs. Buckman voiced she is 100% in favor of this position appointment.

**Staff Comment:** Scott Young Assistant Fire Chief voiced that the District is getting a great value and is a good mentor and cares for the community.

Motion by Director Kalvans Approving Resolution No 2019-20 approving an employment of the Interim General Manager/Fire Chief Robert Roberson and authorizing the Board President to execute and enter into the agreement on behalf of the District and approve a FY2018-19 Budget Adjustment with amendment to the resolution to state two-year contract.

Seconded by Director Sangster, Motion was approved by Vote of 4 AYES and 0 NOES and 1 ABSENT.

- 5. Review and approve an agreement between the County of San Luis Obispo (County) and San Miguel Community Services District (District) for the County to continue collecting Fire Public Facilities fees on behalf of the District through the County's permit process.** Item presented by Scott Young Assistant Fire Chief explaining that this agreement has been through District Legal Counsel. Mr. Young explained that these fees are set and can not be changed. Cambria and Templeton collect their own fees and they can set the fees, these are Capital Restricted Funds. The District has to manage the impact fees properly or there will be consequences.

**Board Comment:** Director Sangster asked if there was any negotiation with this agreement? Mr. Young voiced that District Counsel tightened up the agreement, but the fees are non-negotiable. Director Sangster asked District General Counsel what changes were made. Counsel Seikaly voiced she just made clarification and tightened up the agreement.

Director Kalvans asked what the benefits are for Templeton/Cambria collecting their own fees? Scott Young Assistant Fire Chief explained that they are able to set the rate for impact fees but doesn't feel that collecting the fees would be best at this point.

**Public Comment:** None

Motion by Director Kalvans approve an agreement between the County of San Luis Obispo (County) and San Miguel Community Services District (District) for the County to continue collecting Fire Public Facilities fees on behalf of the District through the County's permit process.

Seconded by Director Palafox, Motion was approved by Vote of 4 AYES and 0 NOES and 1 ABSENT.

- 6. Review and Adoption of RESOLUTION NO. 2019-24 Authorizing the Abatement of Weeds Within the District Boundaries.** Item presented by Interim General Manager Rob Roberson explaining that the District again at the time of year that weeds need to be abated. Mr. Roberson, Fire Chief explained that this year is strange because we have had rain off and on and there has been a second growth of weeds. This resolution gives authorization to the Fire Chief/General Manager to have weeds abated.

**Board Comment:** Director Parent voiced that it was a hefty list to maintain and asked what is next in the process. Chief Roberson explained that the lots on the list will be looked at on June 1<sup>st</sup> and then the District will hire a qualified landscaper to abate the properties that have not been abated. The June 27<sup>th</sup> Regular Board meeting will have a public hearing to approve cost report for tax roll liens.

Director Kalvans asked about the property next to his residence. Chief Roberson voiced that he would look but nothing will be done until June 7<sup>th</sup>, 2019.

**Public Comment:** Owen Davis, San Miguel resident voiced that we should not hire the last years landscaper because they don't know what they are doing and feels that they were a danger with the tractor.

Motion by Director Parent to approve RESOLUTION NO. 2019-24 Authorizing the Abatement of Weeds Within the District Boundaries.



Seconded by Director Kalvans, Motion was approved by Vote of 4 AYES and 0 NOES and 1 ABSENT.

**7. Discuss and provide direction to staff on assuming landscaping responsibilities as part of the Lighting Department.**

Item was presented by Director of Utilities Kelly Dodds, explaining the background. It was explained that the San Miguel Chamber has applied for a beatification grant to fix the main lines in the flower beds.

**Board Comment:** Director Kalvans voiced that something has to be done and that is why he had asked to discuss this item. Discussion ensued.

Director Sangster voiced that pending the grant funding, he would like to see how that goes and would like the District staff to reach out to the San Miguel Chamber and discuss conservation. Director of Utilities Kelly Dodds, explaining that he would offer his services and help the Chamber if they needed any guidance. Discussion ensued about connecting the County Conservation group with the San Miguel Chamber and how the flowerbed are county property.

Director Kalvans voiced that the downtown area is an important part of San Miguel.

**Public Comment:** Laverne Buckman San Miguel Resident explained that back when they put the planters in the previous General Manager made an agreement that the District would not maintain the landscaping but would exempt the water fees. Discussion ensued on what needs to be done and who is taking care of the other County areas in the District.

*Information Item only*

Vice President Sangster voiced the consensus of the Board is to have the Director of Utilities Kelly Dodds talk with the San Miguel Chamber and offer help. The Board would like to know if they did get a grant. Director Kalvans asked for cost for weeding the San Miguel gateway sign. Then back to the Board.

**X. BOARD COMMENT:** Director Parent asked that information be brought to the Board about new well sites in the near future. Asked for Consensus.

Board gave censuses to staff to bring item forward.

Director Sangster thanked Interim General manager/Chief Roberson for his dedication to the CSD.

**XIII. ADJOURNMENT TO NEXT MEETING 6-27-2019 Regular Meeting: 10:00 P.M**