

SAN MIGUEL COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
May 25, 2017 SPECIAL MEETING MINUTES
MEETING HELD AT DISTRICT OFFICES
1150 MISSION STREET
SAN MIGUEL, CA 93451

- I.** Meeting Called to Order by Director Reuck - 6:45 p.m.
- II.** Pledge of Allegiance lead by Director Reuck
- III.** Roll Call: Directors Present: Buckman, Reuck, Parent, and Green. President Kalvans is absent at this time due to traffic and is on his way. Anticipates arriving within the hour.
District Staff in attendance: Kelly Dodds, District General Counsel White, Counsel Seikaly, Counsel Schweikert, Counsel Fuller and Churchwell White Legal Secretary Donna Gulrich.
- IV.** Adoption of Regular Meeting Agenda:
Motion by Director Green to adopt Regular Meeting Agenda as presented.
Seconded by Director Parent. Motion was approved by vote of 4 AYES, 0 NOES, 1 Absent.
- V.** **Public Comment and Communications (for items not on the agenda):**
No public comment.
- VI. ADJOURN TO CLOSED SESSION:**
Closed Session convened at 6:50 p.m.
- A. CLOSED SESSION AGENDA:**
- 1. Conference with District General Counsel –Anticipated Litigation**
Pursuant to Government Code Section 54956.9(d)(2) (1 case)
 - 2. Conference with Labor Agreement Negotiators**
Pursuant to Government Code Section 54957.6
Agency Designated Representatives: District General Counsel
Employee Organization: San Luis Obispo County Employees Association
Title: Memorandum of Understanding Negotiations with the Association
 - 3. Public Employment**
Title: Interim General Manager
- B. RECONVENE TO OPEN SESSION**
Director Reuck reconvened to Open Session at 7:21 p.m.

C. REPORT OUT OF CLOSED SESSION

Report out of Closed Session by District General Counsel White.
Authority to start interim General Manager negotiations with Rob Roberson.

VII. Call to Order for Regular Board Meeting (time: 7:21 p.m.)

VIII. Public Comment and Communication:

No public comment

IX. Staff & Committee Reports – Receive & File:

No reports were given.

District Staff & Committee Reports

6. Acting General Manager - Douglas White

Discussed the need to have a special board meeting Thursday, June 1, 2017, at 6:00 p.m. and Friday, June 9, 2017 at 10:30 a.m. Suggested the budget be discussed at the special meetings either 6/1/17 or 6/9/17, or at the regular meeting on 6/22/17, unless it gets moved. District Counsel White introduced Joan Aguilar as the Budget Consultant for San Miguel, and that she will be attending the meeting on 6/1/17. Suggested the F&B portion of meeting start at 4:30 p.m. to discuss the budget for the fiscal year. Ms. Aguilar then introduces herself to the Board and gives them her background and experience.

7. District General Counsel – Douglas White

Suggests to the Board the budget be revisited. Would like Director Buckman to meet with Ms. Aguilar next week at the Special F&B Committee meeting on 6/1/17.

8. Dist Eng/Utility Service Mgr.

Reely gives verbal report. Kelly Dodds speaks about low income housing project for 2018, and smaller projects. Conversation between Mr. Dodds and _____ regarding whether there is any leftover money somewhere for the project, which Mr. Dodds says he believes there is and will look into it to be sure. No more comments.

9. Fire Chief

Director Green reports about the website and the status for fire danger weather. Would like website to show the degrees of the fire warnings, i.e. high, medium, low, whether it is safe to burn, etc. Would like the information on the website to show for the current day. Doesn't want to see Red Flag or No Red Flag warnings if they have not been officially declared. Zone map showing inland, coastal, burning permits.

10. Finance & Budget Committee

General Counsel White had no report, but asked about Director's Reuck's availability for having the F&B Committee meeting on June 1, 2017, around 4:30 p.m. (approximately 1-1/2 hours before the regular meeting starts at 6:00 p.m.) to introduce Ms. Aguilar. Director Reuck said he was available.

11. GSA Advisory Committee

President Kalvans was not present at this time to give report. Director Reuck introduces Dr. Reely who gives a verbal report. Discussion with Reely and the Board regarding the MOA and issues with boundaries and LAFCO.

X. CONSENT ITEMS:

No consent items

XI. BOARD ACTION ITEMS:

1. Review and Discuss Proposed Utility Billing Late Fees and Collection Procedures.

Item presented by District General Counsel White. District General Counsel White has requested to table this item until June 1, 2017 meeting.

Staff recommendation: Staff recommends review and discussion of the proposed utility billing late fees and collection procedures.

Staff Comment: No comment.

Board Comment: No comment.

Public Comments: No public comment

2. Review and Discuss Status Report on Equipment and Funding for WWTP Aerators and Dissolved Oxygen Meters.

Item presented by District General Counsel White.

Staff Recommendation: Staff recommends review and discussion of the status report on equipment and funding for WWTP aerators and dissolved oxygen meters.

Staff Comment: Kelly Dodds reports on the onbill financing and how it works. Talked about funding being available without obligation to the District.

Board Comment: Director Parents wants status update.

Public Comments: Question was brought regarding the aeration from energy watch program, the equipment costs. Was informed the cost will not be known until the engineer report.

No other questions were asked. No action necessary

[District Counsel White asks Board if we could move out of order to discuss Item 4, due to Counsel Schweikert needing to leave meeting. Board has no objection. Moved to Item #4.]

3. Review and Discuss Status Report on 10th and 11th Street Water System Conditions and Funding for CDBG Replacement Projects.

Item presented by: Kelly Dodds

Staff Recommendation: Staff recommends and review and discussion of the status report on 10th and 11th Street water line conditions and direction to District staff.

Staff Comment: Kelly Dodds reports. Would like a District engineer to oversee the project.

Dr. Reely said the environmental cost would be approximately \$21,000, approval is important because of safety issue. There is no grant money funding this year CDBG but it needs to be done. Discussion about grant money for next year. Would need to deal with the county only and would like to see it moved forward to get authorization in place.

District General Counsel White would like to see a resolution, possibly next week.

Board Comment: Director Parent commented that we should have this ready to go so if they want to give us the Grant we are ready. Dr. Reely of Monsoon Consultants, explained the process. Kelly Dodds agreed.

Public Comments: No public comment.

4. Review and Discuss Status Report on Real Property Acquisition of APNs 021-121-003, APN 021-231-017, APN 021-231-024, and 021-231-041.

Item presented by District General Counsel White.

Counsel Schweikert gives status update. The property on K Street not available for acquisition until next year. General Manager to bring up next year. N Street property acquired by county. Paperwork still ongoing. Counsel Schweikert will follow-up with public works director. A question was raised about the price. Counsel Schweikert did not have a final price. Auction placed it at \$500 tax lien no additional amounts. Counsel Schweikert concludes his report.

Staff Recommendation: Staff will provide an information status report on the sale of these properties and is not requesting any direction from the Board at this time.

Staff Comment: None.

Board Comment: None.

Public Comments: None.

5. Discuss and Authorize Dr. Reely of Monsoon Consultants to propose revised boundaries for the San Miguel Groundwater Sustainability Agency.
[President Kalvans, who is not present yet, has asked that this item be moved to later in the meeting, until he arrives. Board has no problem. Board moved on to Item #6.]

President Kalvans (upon his arrival) presents item.

Reely gives report. Would like to extend the boundaries of the district. Asked legal counsel about the right to generate from properties or regulate. Little benefit to extend those boundaries. Amend GSA prior to June 30 deadline. Legal mentions that it can be done after the fact. If so, negotiating with county would have to deal with _____. Concern they will tap into district water. Director _____ asks if there is benefit. Dr. Reely says District could not regulate. Counsel Fuller addresses legal part. Areas outside the jurisdiction to regulate. Out of boundary agreement needs to be in place. Outside user agreement to regulate properties. Director _____ talks about Estrella. Work with some of the properties. Talks about ways of not putting in GSA and the options to get there. GSP could be looked into. Discussion continues about the boundaries. It is mentioned that Estrella is not going to make June 30 deadline. County will need to step in. Lots needs to happen with county and board of supervisors. Discussion continues regarding GSP. Director Buckman asks Dr. Reely about boundary. Board refers to map behind them and discussion continues.

Staff Recommendation: Staff requests authorization to propose potential revised boundaries for the San Miguel Groundwater Sustainability Agency.

Staff Comment: No comment

Board Comment: Director Kalvans echos public person's comments. Asks Director Buckman regarding outreach for west 10th Street area. President Kalvans-recharge – outreach for those areas. Present Kalvans asks Directors Green and Parent if any comments. President Kalvans then asks legal. Counsel Fuller reiterates the June 30 deadline is close, can address other concerns, said the door won't close if keep moving forward past the deadline. Board agrees. MOA process will come to board. Dr. Reely would like to start process of GSP. Director Green agrees.

Public Comments: Gentlemen comments regarding the GSA map Green Line Camp Roberts boundary. Discrepancy on boundary map. Outreach in the area. Agrees with comment regarding 10th Street, west of town. Major concern for water. Preserve the reservoirs.

President Kalvans asks Directors Green, Buckman and Parent if they have any other comments. Board has no other comments.

6. Review and Discuss District Consultant's Proposal to Prepare and Submit a Grant Application to the Department of Water Resources for Funding of the District's Portion of the Paso Robles Basin Groundwater Sustainability Agency.

Item presented by Dr. Reely.

Dr. Reely reported. Disadvantage some communities. He checked with some county folks and said San Miguel is one of the severely disadvantage communities. (grant for \$50,000). Authority of up to \$2,500. Recommends putting together application and apply for funds. Said would be a great opportunity.

Staff Recommendation: Staff requests authorization for Monsoon Consultants to proceed with preparation and submission of grant to the Department of Water Resources.

Staff Comment [if applicable] _____

Board Comment: Director Buckman asks Dr. Reely, wants more research. Director Parent had no comment

Public Comments: Women asked question about the project for \$2,500. Water system. Expressed concerned about the alleyway between the park and the Lion's Club. Said it is a mess. No other comments from public.

Motion by Director Buckman Seconded by Director J. Parent. Motion was approved by a vote of 3 AYES, 0 NOES, 1 ABSENT

President Kalvans arrives to meeting at 8:10 p.m. and Director Reuck leaves. New roll given by Counsel Seikaly. 4 present, 1 absent. [Discussion moved out of order, back to Item #4, for President Kalvans' report].

7. Review and Discuss the Proposed Cost Sharing Agreement for the Groundwater Sustainability Plan Among all Groundwater Sustainability Agencies in the Paso Robles Basin.

Item presented by President Kalvans.

Dr. Reely gives report. County requested allocation be changed to 51% reduction in Estrela future GSA and _____. Reiterates allocation of GSP. Discussion about the costs and terms of MOA and approval of GSP processing (voting). Concerned about county taking additional percentage. County increases from 32% to 51% if Estrela doesn't form.

President Kalvans thanks Dr. Reely for the report. Counsel Fuller mentions that the \$400,000 is only an initial number that could change. DWR still reviewing. President Kalvans asks Director Parent if any comment. Directors Parent, Green and Buckman have not further comments.

Staff Recommendation: Staff requests direction on the negotiation of the draft Cost Sharing Agreement.

Staff Comment: None

Board Comment: President Kalvans asks who will be doing RFP. Board discussion continues.

Director Buckman leaves the room. Recess occurred at 8:50 p.m. for 5 minutes. Session resumes at 8:52 p.m.

Public Comments: Yes.

Motion by Director Green to direct Staff on the negotiation of draft Cost Sharing Agreement

Seconded by Director J. Parent. Motion was approved by a vote of 4 AYES and 0 NOES.

8. Discuss and Provide Direction to District Staff on a Revised Board Meeting Schedule for June through September 2017.

Item presented by President Kalvans.

President Kalvans reads. Full attendance needed for meetings. Director Green and President Kalvans had calendar conflicts with 2 meeting dates. District General Counsel White proposes a special meeting on June 1, 2017, 6:00 p.m.; June 9, 2017, 10:30 a.m.; and whether to keep the regular meeting on June 22, 2017, or move it to June 29, 2017 at 6:00 p.m. District General Counsel White stated he would like an RFP for a permanent candidate for GM position by 6/29/17. Also stated that there will be a need for more meetings in August to discuss potential candidates. Director Parent mentioned he will not be available June 22, 2017, for the regular meeting. It was decided the regular meeting will be moved to June 29, 2017 and will be a little longer to discuss budget adoption.

District General Counsel White suggested dates in July, it was determined that the regular board meeting on July 27th will work for all Board members and District General Counsel White, however, Director _____ may miss that one. The proposed dates for July 2017 are 7/6/17 at 6:00 p.m., 7/27/17, 6:00 p.m. Counsel Schweikert mentions that the weed abatement only needs a quorum. August and September dates will be determined later once recruitment put together.

Staff Recommendation: Staff requests direction from the Board for a revised Board meeting schedule.

Staff Comment: No comment

Board Comment: Discussion Ensued about summer schedules for Board members

Public Comments: Public asks if weed abate meeting needs to be at 6:00. District General Counsel White says proposed quorum ok.

Motion by Director Green to approve
Seconded by Director Parent. Motion was approved by a vote of 4 AYES and 0 NOES

9. Consider Adoption of **Resolution No. 2017-2017** Authorizing the Abatement of Weeds Within the District Boundaries.

Item presented by Rob Roberson

Staff Recommendation: Staff requests that the Board hold a hearing to consider objections to the “Notice to Remove, Destroy, and/or Abate Vegetation, Rubbish and Debris”, overrule any objections and adopt **Resolution No. 2017-20** Authorizing Fire Chief to have weed abatement work performed.

Staff Comment: None

Board Comment: None

Public Comments: None

Motion by Director Green to adopt Resolution No. 2017-20 Authorizing Fire Chief to have weed abatement work performed.
Seconded by Director Parent. Motion was approved by a vote of 4 AYES, 0 NOES

XII. BOARD COMMENT

President Kalvans thanks Director Green and Parent.

XIII. ADJOURNMENT

President Kalvans adjourns the meeting at 9:10 p.m.