



BOARD OF DIRECTORS

Ward Roney, President Raynette Gregory, Vice-President
Rod Smiley, Director Owen Davis, Director Anthony Kalvans, Director

REGULAR MEETING AGENDA Open Session 6:00 PM - then convene to Closed Session 601 12th Street San Miguel, CA Date: 02-23-2023

Cell Phones: As a courtesy to others, please silence your cell phone or pager during the meeting and engage in conversations outside the Boardroom.

Americans with Disabilities Act: If you need special assistance to participate in this meeting, please contact the CSD Clerk at (805) 467-3388. Notification 48 hours in advance will enable the CSD to make reasonable arrangements to ensure accessibility to this meeting.

Public Comment: Sign in sheet at podium for public comment. Comments are **limited to three minutes**, unless you have registered your organization with CSD Clerk prior to the meeting. If you wish to speak on an item not on the agenda, you may do so under item "Public Comment and Communications for items not on the agenda". Person(s) who wish to submit written correspondence, may do so at www.sanmiguelcsd.org. All correspondence is distributed to each Board Director and will become part of the record of that board meeting. Any member of the public may address the Board of Directors on items on the consent calendar.

Meeting Schedule: Regular Board of Director meetings are held on the fourth Thursday of each month at 6:00 P.M. Agendas are also posted at: www.sanmiguelcsd.org

Agendas: Agenda packets are available for public inspection 72 hours prior to the scheduled meeting at the Posting Board/ San Miguel CSD office, during normal business hours. Any agenda-related writings or documents provided to a majority of the Board of Directors after distribution of the agenda packet are available for public inspection at the same time.

1. **Call to Order**
2. **Roll Call**
3. **Approval of Regular Meeting Agenda**
4. **Pledge of Allegiance**

5. **Public Comment and Communications for items not on the agenda** *Persons wishing to speak on a matter not on the agenda may be heard at this time; however, no action will be taken until placed on a future agenda. Speakers are **limited to three minutes**. Please sign in with name and address at podium.*
6. **Special Presentations/Public Hearings/Other**
7. **Non- District Reports**
 1. San Luis Obispo County Organizations
Listen to Verbal Report
 2. Community Service Organizations
Listen to Verbal Report
 3. Camp Roberts—Army National Guard
Listen to verbal report
8. **Staff & Committee Reports - Receive & File**
 1. General Manager
Receive verbal report
 2. District Counsel
Receive verbal report
 3. District Utilities
Receive and File
 4. Fire Chief Report
Receive and File
9. **Consent Calendar** *The items listed below are scheduled for consideration as a group and one vote. Any Director may request an item be withdrawn from the Consent Agenda to discuss or to change the recommended course of action. Unless an item is pulled for separate consideration by the Board, the following items are recommended for approval without further discussion*
 1. 01-26-2023 Draft Special Meeting Minutes (Parent)
Receive and File
 2. County Communications MOU (Young)
Review and approve the Fire Chief as the authorized signer for the County Communications MOU.
 3. Authorize the General Manager to act as authorized representative for Drinking Water State

Revolving Fund Grants for the San Miguel Water System Improvement Project Planning Funding (Dodds)

Approve RESOLUTION 2022-12 authorizing the General Manager, Kelly Dodds to act as authorized representative for Drinking Water State Revolving Fund Grants for the San Miguel Water System Improvement Project Planning Funding.

4. Surplus equipment designation (Dodds)

Approve RESOLUTION 2023-11 designating listed property as surplus and authorize the General Manager to dispose of that property in accordance with District policy.

10. Board Action Items

1. Resolution of appreciation in the search for Kyle Doan (Dodds)

Approve Resolution 2023-13 showing appreciation for those who aided in and continue to search for Kyle Doan.

2. Financial Reports - January 2023 (Hido)

Review, Discuss and Receive the Enumeration of Financial Reports for January 2023. The Financial Reports are for review and information. After the Audit a final Financial Report will be presented.

3. Revisions to District Reserve Policy (Dodds)

Review and approve Resolution 2023-10 adopting revisions to the Districts Reserve Policy

4. Review and approve changes to the Board Handbook. (Dodds, White)

Review and approve resolution 2023-09 adopting changes to the Board Handbook.

5. 2022 California Fire Code, 2022 California Building Code, and Local Ordinance 01-2023 (Young)

First reading of the 2022 California Fire Code, 2022 California Building Code, and Local ORDINANCE 01-2023.

6. Fire Department Temporary Housing Unit (Young)

Continue discussion on the process required to provide a Temporary Fire Department Staffing Housing Unit including space for a Sheriff's Beat Station

7. Fire Department Code Enforcement Violation (Young)

Proceed with the correctional measures to resolve the Code Enforcement Notice of Violation for the existing conditions at the San Miguel Fire Station.

11. Board Comment *This section is intended as an opportunity for Board members to make brief announcements, request information from staff, request future agenda item(s) and/or report on their own activities related to District business. No action is to be taken until an item is placed on a future agenda.*

- 12. **Adjourn to Closed Session/Closed Session Agenda** *Public comment for items on closed session agenda.*
- 13. **Report out of Closed Session**
- 14. **Adjournment to Next Regular Meeting March 23rd 2023**

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO) SS.
COMMUNITY OF SAN MIGUEL)

I, Tamara Parent, Board Clerk of San Miguel Community Services District, hereby certify that I caused the posting of this agenda at the SMCSD office.

Date:

Ward Roney, SMCSD Board President 2023
Kelly Dodds, SMCSD General Manager
Tamara Parent, SMCSD Board Clerk

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 7.1

SUBJECT: San Luis Obispo County Organizations

SUGGESTED ACTION: Listen to Verbal Report

DISCUSSION:
Verbal Report

FISCAL IMPACT:
None

PREPARED BY: Tamara Parent

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 7.2

SUBJECT: Community Service Organizations

SUGGESTED ACTION: Listen to Verbal Report

DISCUSSION:
Verbal Report

FISCAL IMPACT:
None

PREPARED BY: Tamara Parent

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 7.3

SUBJECT: Camp Roberts—Army National Guard

SUGGESTED ACTION: Listen to verbal report

DISCUSSION:
Verbal Report

FISCAL IMPACT:
None

PREPARED BY: Tamara Parent

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 8.1

SUBJECT: General Manager

SUGGESTED ACTION: Receive verbal report

DISCUSSION:

Verbal

FISCAL IMPACT:

None

PREPARED BY: Tamara Parent

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 8.2

SUBJECT: District Counsel

SUGGESTED ACTION: Receive verbal report

DISCUSSION:

Verbal

FISCAL IMPACT:

None

PREPARED BY: Tamara Parent

Board of Directors Staff Report

February 23, 2023

AGENDA ITEM: 8.3

SUBJECT: District Utilities

SUGGESTED ACTION: Receive and File

DISCUSSION:

Well Status:

- Well 4 is fully operational – Well Level 75’ 1/23/23 (STATIC)
- Well 3 is fully operational – Well Level 83’ 1/31/23 (STATIC)
- SLT well is fully operational
- **Total combined average running hours per day (8.44)**

(threshold for stage 1 resource severity level determination is 17 hours per day)

Water System status:

Water leaks this month:0 This calendar year: 1

Water related calls through the alarm company after hours this month: 1 This Year: 3

- .

Sewer System status:

Sewer overflows this month: 0 this year: 1

Sewer related calls through the alarm company this month: 0 This Year: 1

- Video inspection of all sewer lines is in progress as time permits.
- .

WWTF status:

- Notice of Intent (NOI) for new general order permit from the Waterboard is in progress.
 - NOI was submitted and we are awaiting a response from the Waterboard.

State Water Resources Control Board (SWRCB):

- .

Division of Water Resources (DWR):

- .

Regional Water Management Group (RWMG)/ Water Resources Advisory Committee (WRAC):

- The RWMG and WRAC approved sending a recommendation to the Board of Supervisors to approve funding for Prop 1 round 2 grant funding.
 - That proposal included \$300,000 for replacement of the water line in the Mission alley between San Luis Obispo and 10th street.

Billing related activity:

- **Total active accounts (at the time of this report)**
- 907 water accounts
- 816 wastewater accounts
- **Overdue accounts (at the time of this report)**
- 10 accounts 60 days past due
- **Accounts on a Payment Arrangement Agreement**
- 1 accounts have started the arrangement
- **Service orders (for this month at the time of this report)**
- 3 service orders issued and completed

Lighting status:

- .

Mission street Landscaping:

- Located and fixed additional leaks in the irrigation along mission street.

Solid Waste:

Mattress recycling

- Mattresses are accepted by appointment only, Monday, Wednesday, Friday between 8 am and 11 am.

E-Waste collection

- E-waste is accepted Monday, Wednesday, Friday between 8 am and 11 am.

SB-1383:

- .

Project status:

- **Replacement water tank and pump station on east side of river/ water line replacement.**
(21007) started February 2022
 - **(POTENTIALLY GRANT FUNDED)**
 - Working on other funding opportunities for this project.
- **Cost of Service Rate Study** (22005) started June 2022
 - Bartle Wells Associates (BWA) provided an overview at the October meeting.

Staffing

- One vacant position.
- WWTF Operator Lead, which will remain vacant until we are closer to WWTF construction.
- Investigating feasibility of hiring an additional person to fill a need for compliance and reporting in the utilities departments.

SLO County in San Miguel:

- .

Caltrans in San Miguel:

- .

FISCAL IMPACT:

None

PREPARED BY: Kelly Dodds

Board of Directors Staff Report

February 23, 2023

AGENDA ITEM: 8.4

SUBJECT: Fire Chief Report

SUGGESTED ACTION: Receive and File

DISCUSSION:

Fire Chief's Report February 23, 2023

Equipment

- All equipment is in service however, 8601 is still experiencing electrical issues.

Communications

- 2-BKM150's have been delivered.
- P8651 has had the radio replaced with one of the new BKM150's.
- E8696 is scheduled for installation in March once parts are available for the headsets.
- ECC notified SMF on 1/13/2023 that our FCC license has been expired for 10 years and 1 day. We are working on correcting this issue ASAP with Cal Fire Staff and the FCC. All fees have been paid and an agreement has been forwarded to the FCC by Cal Fire on behalf of San Miguel Fire.
- Cal Fire requested an updated MOU for the use of the repeater site at the water storage tank on 10th
- The revised MOU is ready for signature.

Training

- 4- Department Members entered the Cal Fire PCF Academy on 1/14/2023, one student was unable to complete the academy due to illness and will be allowed to attend the next available academy, one student was dropped due to conduct, one student had a work related issue that prevented his completion of the academy and will be allowed to attend the next available academy, and one student graduated the academy and will continue with Confined Space Awareness training.
- Crew continue with weekly training at the station.
- Training on 1/24/2023 with Mercy Air 34 went well and future training shall be scheduled.

Please see the attached reports for 2022 response related information.

FISCAL IMPACT:

None

PREPARED BY: Scott Young

San Miguel Fire Department

San Miguel, CA

This report was generated on 2/15/2023 11:10:55 AM



Daily Log Items per Personnel for Activity Code for Personnel

Activity Codes: All Activity Codes | Personnel: Young, Scott P | Start Time: 00:00 | End Time: 23:00 | Start Date: 01/01/2023 | End Date: 01/31/2023

START	END	LOG TYPE	APPARATUS	NOTES	HOURS
Young, Scott P					
01/01/2023 08:30:00	01/02/2023 08:30:00	DAYBOOK	8600		24.00
01/02/2023 08:30:00	01/03/2023 08:30:00	DAYBOOK	8600		24.00
01/03/2023 08:30:00	01/04/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/03/2023 18:00:00	01/03/2023 22:00:00	DAYBOOK		Firefighter Training: Dawning and Doffing Lead Instructor: Young, Scott P	4.00
01/03/2023 19:33:00	01/03/2023 19:48:00	INCIDENT	E8696	Incident 2023-001 - EMS call, excluding vehicle accident with injury: Apparatus E8696 responded to 8625 N River RD	0.25
01/04/2023 08:30:00	01/05/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/05/2023 14:00:00	01/06/2023 08:30:00	DAYBOOK	8600		18.50
01/05/2023 17:27:00	01/05/2023 17:58:00	INCIDENT	E8696	Incident 2023-002 - EMS call, excluding vehicle accident with injury: Apparatus E8696 responded to 1400 Rio Vista PL	0.52
01/05/2023 22:43:00	01/05/2023 23:06:00	INCIDENT	E8668	Incident 2023-003 - EMS call, excluding vehicle accident with injury: Apparatus E8668 responded to 1145 K ST	0.38
01/07/2023 15:30:00	01/08/2023 08:30:00	DAYBOOK	8600		17.00
01/07/2023 20:23:00	01/07/2023 21:04:00	INCIDENT	E8696	Incident 2023-004 - Lock-out: Apparatus E8696 responded to 1963 San Juan Bautista ST	0.68
01/08/2023 08:30:00	01/09/2023 08:30:00	DAYBOOK	8600		24.00
01/09/2023 07:50:00	01/09/2023 12:50:00	INCIDENT	E8696	Incident 2023-005 - Search for person in water: Apparatus E8696 responded to San Marcos RD	5.00
01/09/2023 08:30:00	01/10/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/09/2023 17:00:00	01/10/2023 06:00:00	DAYBOOK	8600	Shelter in place order given to the residents of Mission Garden development specifically Soka Way residents on 1/9/2023 at 1700. Access to Soka way was closed to nonresidents. Accommodations are made for Lillian Larsen School for temporary shelter and long-term shelter is available at the Mid State Fair Grounds. Order temporarily lifted on 1/10/2023 at 0600 and roadway was reopened. No flooding of residents occurred.	13.00
01/10/2023 08:30:00	01/11/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/10/2023 08:59:00	01/10/2023 10:18:00	INCIDENT	E8668	Incident 2023-006 - Hazardous condition, other: Apparatus E8668 responded to 349 15th ST	1.32
01/10/2023 10:18:00	01/10/2023 12:25:00	INCIDENT	E8668	Incident 2023-007 - Hazardous condition, other: Apparatus E8668 responded to 1500 L ST	2.12
01/10/2023 18:00:00	01/10/2023 22:00:00	DAYBOOK		EMS : EMS Lead Instructor: Young, Scott P	4.00
01/11/2023 08:30:00	01/11/2023 08:30:00	DAYBOOK	SMF 1	Central Coast Mechanical beginning HVAC demo on 2nd floor system.	0.00
01/11/2023 08:30:00	01/12/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/11/2023 16:05:00	01/11/2023 16:30:00	INCIDENT	E8668	Incident 2023-009 - EMS call, excluding vehicle accident with injury: Apparatus E8668 responded to 1402 Mission ST	0.42
01/12/2023 08:30:00	01/13/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/13/2023 08:30:00	01/14/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/14/2023 08:30:00	01/15/2023 08:30:00	DAYBOOK	8600		24.00
01/14/2023 09:30:00	01/14/2023 10:00:00	DAYBOOK	SMF 1	OES Storm Meeting	0.50
01/15/2023 08:30:00	01/16/2023 08:30:00	DAYBOOK	8600		24.00
01/16/2023 07:00:00	01/16/2023 15:30:00	DAYBOOK	SMF 1	Bowen Construction, Baldwin electric and Mid Coast Fire Protection began station demolition	8.50
01/16/2023 07:00:00	01/17/2023 13:00:00	DAYBOOK	P8651	P8651 out of service	30.00

Lists the Daily Log items, grouped by Personnel, corresponding to the selected Activity Code and Personnel.



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START	END	LOG TYPE	APPARATUS	NOTES	HOURS
01/16/2023 08:30:00	01/17/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/17/2023 07:00:00	01/17/2023 15:30:00	DAYBOOK	SMF 1	Bowen, Baldwin Electric, and Mid Coast Fire Protection Continue with Demolition.	8.50
01/17/2023 08:30:00	01/18/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/17/2023 11:30:00	01/17/2023 13:00:00	DAYBOOK	P8651	P8651 back in service 2- batteries replaced	1.50
01/17/2023 18:00:00	01/17/2023 22:00:00	DAYBOOK		EMS : EMS Lead Instructor: Young, Scott P	4.00
01/18/2023 07:00:00	01/18/2023 15:30:00	DAYBOOK	SMF 1	Bowen continuing with demolition	8.50
01/18/2023 08:30:00	01/19/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/18/2023 19:54:00	01/18/2023 20:04:00	INCIDENT	E8668	Incident 2023-010 - Dispatched & cancelled en route: Apparatus E8668 responded to Bldg # 6313	0.17
01/19/2023 07:00:00	01/19/2023 15:30:00	DAYBOOK	SMF 1	Mid Coast Fire Protection on site removing the fire sprinklers within the demolition area.	8.50
01/19/2023 08:30:00	01/20/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/19/2023 14:44:00	01/19/2023 14:59:00	INCIDENT	E8668	Incident 2023-011 - Public service: Apparatus E8668 responded to 9860 N River RD	0.25
01/20/2023 01:14:00	01/20/2023 01:38:00	INCIDENT	E8668	Incident 2023-012 - EMS call, excluding vehicle accident with injury: Apparatus E8668 responded to 854 15th ST	0.40
01/20/2023 08:30:00	01/20/2023 11:30:00	DAYBOOK	SMF 1		3.00
01/20/2023 08:43:00	01/20/2023 09:23:00	INCIDENT	E8668	Incident 2023-013 - EMS call, excluding vehicle accident with injury: Apparatus E8668 responded to 9860 N River RD	0.67
01/20/2023 14:30:00	01/21/2023 08:30:00	DAYBOOK	8600		18.00
01/21/2023 07:00:00	01/21/2023 17:00:00	DAYBOOK	SMF 1	Search and rescue in the area conducting the search for Kyle Doan. Loaned 6 McLeods, 1 pike pole, & 1-short handled ripper. CRFD loaned 4-McLeods and 1-short handled pike pole	10.00
01/21/2023 08:30:00	01/22/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/21/2023 14:00:00	01/21/2023 16:00:00	DAYBOOK	SMF 1	Setup for K-9 Decon	2.00
01/21/2023 18:58:00	01/21/2023 19:29:00	INCIDENT	E8668	Incident 2023-014 - EMS call, excluding vehicle accident with injury: Apparatus E8668 responded to 1323 Verde PL	0.52
01/21/2023 20:10:00	01/21/2023 20:31:00	INCIDENT	E8668	Incident 2023-015 - Smoke scare, odor of smoke: Apparatus E8668 responded to 8898 N River RD	0.35
01/22/2023 08:00:00	01/22/2023 17:00:00	DAYBOOK	SMF 1	Search for Kyle Doan continues	9.00
01/22/2023 08:30:00	01/23/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/22/2023 22:12:00	01/22/2023 22:34:00	INCIDENT	E8668	Incident 2023-016 - EMS call, excluding vehicle accident with injury: Apparatus E8668 responded to 1150 Mission ST	0.37
01/23/2023 01:12:00	01/23/2023 01:41:00	INCIDENT	E8668	Incident 2023-017 - EMS call, excluding vehicle accident with injury: Apparatus E8668 responded to 700 N River RD	0.48
01/23/2023 06:22:00	01/23/2023 06:41:00	INCIDENT	E8668	Incident 2023-018 - Public service assistance, other: Apparatus E8668 responded to 1655 Mission ST	0.32
01/23/2023 08:30:00	01/24/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/24/2023 08:30:00	01/25/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/24/2023 09:30:00	01/24/2023 10:00:00	DAYBOOK	SMF 1	County building inspection of the station OK to cover	0.50
01/25/2023 06:50:00	01/25/2023 07:53:00	INCIDENT	E8696	Incident 2023-019 - Motor vehicle accident with injuries: Apparatus E8696 responded to S Highway 101 HWY	1.05
01/25/2023 08:30:00	01/26/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/25/2023 19:00:00	01/25/2023 22:30:00	DAYBOOK	8600	San Miguel Advisory Counsel meeting regarding THU	3.50
01/26/2023 08:30:00	01/27/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/27/2023 08:30:00	01/27/2023 14:00:00	DAYBOOK	8600		5.50
01/27/2023 13:00:00	01/27/2023 14:00:00	DAYBOOK	8600	Picked up BKM150's for E8696 & P8651	1.00
01/29/2023 09:30:00	01/30/2023 08:30:00	DAYBOOK	8600		23.00
01/30/2023 08:30:00	01/31/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/31/2023 08:30:00	02/01/2023 08:30:00	DAYBOOK	SMF 1		24.00
01/31/2023 17:41:00	01/31/2023 18:20:00	INCIDENT	E8668	Incident 2023-020 - EMS call, excluding vehicle accident with injury: Apparatus E8668 responded to 8283 Cross Canyons RD	0.65
01/31/2023 18:00:00	01/31/2023 22:00:00	DAYBOOK		EMS : EMS Lead Instructor: Young, Scott P	4.00

Lists the Daily Log items, grouped by Personnel, corresponding to the selected Activity Code and Personnel.



START	END	LOG TYPE	APPARATUS	NOTES	HOURS	
					Total Hours for: Young, Scott P	797.92
					Total of all Personnel Hours	797.92

Lists the Daily Log items, grouped by Personnel, corresponding to the selected Activity Code and Personnel.



San Miguel Fire Department

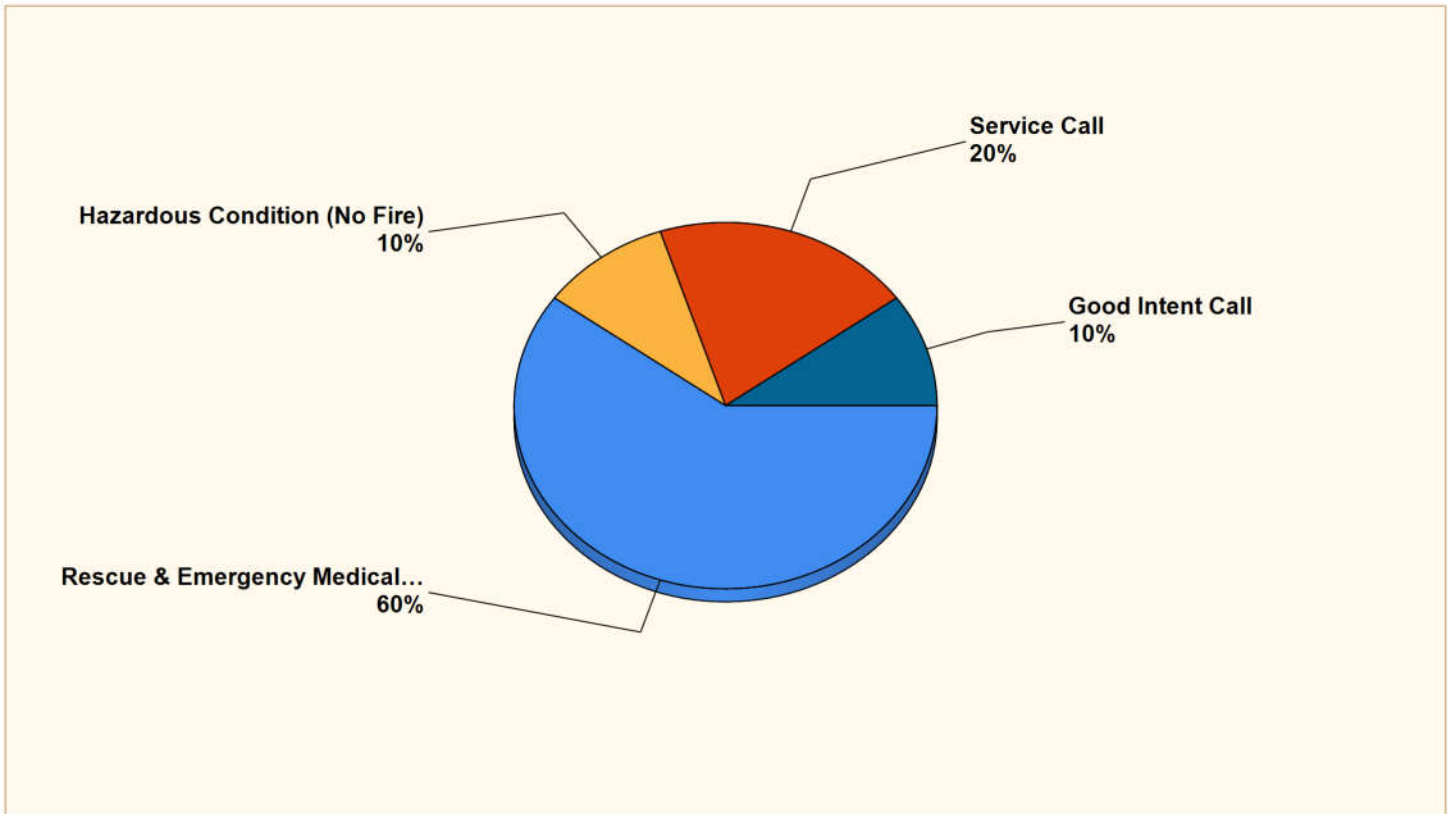
San Miguel, CA

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Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 01/01/2023 | End Date: 01/31/2023



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Rescue & Emergency Medical Service	12	60%
Hazardous Condition (No Fire)	2	10%
Service Call	4	20%
Good Intent Call	2	10%
TOTAL	20	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
321 - EMS call, excluding vehicle accident with injury	10	50%
322 - Motor vehicle accident with injuries	1	5%
342 - Search for person in water	1	5%
400 - Hazardous condition, other	2	10%
511 - Lock-out	2	10%
550 - Public service assistance, other	1	5%
553 - Public service	1	5%
611 - Dispatched & cancelled en route	1	5%
651 - Smoke scare, odor of smoke	1	5%
TOTAL INCIDENTS:	20	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



San Miguel Fire Department

San Miguel, CA

This report was generated on 2/15/2023 11:34:26 AM



Number of Responders per Apparatus per Incident for Date Range

Start Date: 01/01/2023 | End Date: 01/31/2023

INCIDENT #	INCIDENT DATE	INCIDENT TYPE	APP.	NO.
2023-001	1/3/2023 7:33:00 PM	EMS call, excluding vehicle accident with injury	E8696	6
2023-002	1/5/2023 5:27:00 PM	EMS call, excluding vehicle accident with injury	E8696	3
2023-003	1/5/2023 10:43:00 PM	EMS call, excluding vehicle accident with injury	E8668	2
2023-004	1/7/2023 8:23:00 PM	Lock-out	E8696	4
2023-005	1/9/2023 7:50:00 AM	Search for person in water	8601	1
2023-005	1/9/2023 7:50:00 AM	Search for person in water	E8696	5
2023-006	1/10/2023 8:59:00 AM	Hazardous condition, other	E8668	2
2023-006	1/10/2023 8:59:00 AM	Hazardous condition, other	P8651	3
2023-007	1/10/2023 10:18:00 AM	Hazardous condition, other	8601	1
2023-007	1/10/2023 10:18:00 AM	Hazardous condition, other	E8668	2
2023-007	1/10/2023 10:18:00 AM	Hazardous condition, other	P8651	3
2023-008	1/10/2023 5:14:00 PM	Lock-out	P8651	3
2023-009	1/11/2023 4:05:00 PM	EMS call, excluding vehicle accident with injury	E8668	4
2023-010	1/18/2023 7:54:00 PM	Dispatched & cancelled en route	E8668	4
2023-011	1/19/2023 2:44:00 PM	Public service	E8668	2
2023-012	1/20/2023 1:14:00 AM	EMS call, excluding vehicle accident with injury	E8668	2
2023-013	1/20/2023 8:43:00 AM	EMS call, excluding vehicle accident with injury	E8668	2
2023-014	1/21/2023 6:58:00 PM	EMS call, excluding vehicle accident with injury	E8668	3
2023-015	1/21/2023 8:10:00 PM	Smoke scare, odor of smoke	E8668	2
2023-016	1/22/2023 10:12:00 PM	EMS call, excluding vehicle accident with injury	E8668	4
2023-017	1/23/2023 1:12:00 AM	EMS call, excluding vehicle accident with injury	E8668	2
2023-018	1/23/2023 6:22:00 AM	Public service assistance, other	E8668	2
2023-019	1/25/2023 6:50:00 AM	Motor vehicle accident with injuries	E8696	2
2023-019	1/25/2023 6:50:00 AM	Motor vehicle accident with injuries	P8651	2
2023-020	1/31/2023 5:41:00 PM	EMS call, excluding vehicle accident with injury	E8668	3

Only REVIEWED incidents included



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San Miguel Fire Department

San Miguel, CA

This report was generated on 2/15/2023 11:22:46 AM



Turnout Times per Incident for Date Range

Start Date: 01/01/2023 | End Date: 01/31/2023

INCIDENT DATE	INC. #	ADDRESS	INCIDENT TYPE	TURNOUT TIME in minutes (Dispatch to Enroute)
01/03/2023	2023-001	8625 N River RD Paso Robles (CCD), CA, 93446	EMS call, excluding vehicle accident with injury	0:00
01/05/2023	2023-002	1400 Rio Vista PL San Miguel, CA, 93451	EMS call, excluding vehicle accident with injury	1:00
01/05/2023	2023-003	1145 K ST San Miguel, CA, 93451	EMS call, excluding vehicle accident with injury	5:00
01/07/2023	2023-004	1963 San Juan Bautista ST San Miguel, CA, 93451	Lock-out	4:00
01/09/2023	2023-005	San Marcos RD San Miguel, CA, 93451	Search for person in water	5:00
01/10/2023	2023-006	349 15th ST San Miguel, CA, 93451	Hazardous condition, other	2:00
01/10/2023	2023-007	1500 L ST San Miguel, CA, 93451	Hazardous condition, other	0:00
01/10/2023	2023-008	1185 Mission ST San Miguel, CA, 93451	Lock-out	0:00
01/11/2023	2023-009	1402 Mission ST San Miguel, CA, 93451	EMS call, excluding vehicle accident with injury	1:00
01/18/2023	2023-010	Bldg # 6313 San Miguel, CA, 93451	Dispatched & cancelled en route	4:00
01/19/2023	2023-011	9860 N River RD San Miguel, CA, 93451	Public service	1:00
01/20/2023	2023-012	854 15th ST San Miguel, CA, 93451	EMS call, excluding vehicle accident with injury	5:00
01/20/2023	2023-013	9860 N River RD San Miguel, CA, 93451	EMS call, excluding vehicle accident with injury	14:00
01/21/2023	2023-014	1323 Verde PL San Miguel, CA, 93451	EMS call, excluding vehicle accident with injury	4:00
01/21/2023	2023-015	8898 N River RD San Miguel, CA, 93451	Smoke scare, odor of smoke	3:00
01/22/2023	2023-016	1150 Mission ST San Miguel, CA, 93451	EMS call, excluding vehicle accident with injury	4:00

TURNOUT TIME field calculated from the difference between the earliest DISPATCH time and earliest ENROUTE time provided. Only REVIEWED incidents included.



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Doc Id: 755

Page # 1 of 2

INCIDENT DATE	INC. #	ADDRESS	INCIDENT TYPE	TURNOUT TIME in minutes (Dispatch to Enroute)
01/23/2023	2023-017	700 N River RD San Miguel, CA, 93451	EMS call, excluding vehicle accident with injury	5:00
01/23/2023	2023-018	1655 Mission ST San Miguel, CA, 93451	Public service assistance, other	5:00
01/25/2023	2023-019	S Highway 101 HWY San Miguel, CA, 93451	Motor vehicle accident with injuries	4:00
01/31/2023	2023-020	8283 Cross Canyons RD San Miguel, CA, 93451	EMS call, excluding vehicle accident with injury	2:00

TURNOUT TIME field calculated from the difference between the earliest DISPATCH time and earliest ENROUTE time provided. Only REVIEWED incidents included.



San Miguel Fire Department

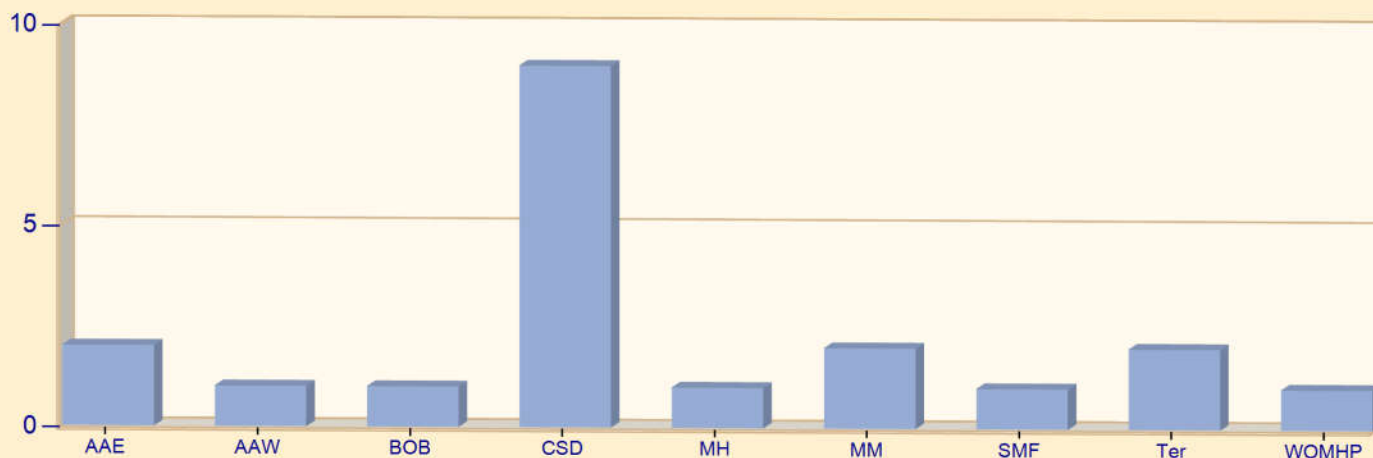
San Miguel, CA

This report was generated on 2/15/2023 11:20:47 AM



Incident Type Count per Zone for Date Range

Start Date: 01/01/2023 | End Date: 01/31/2023



ZONES	INCIDENT TYPE	COUNT
AAE - Auto Aid East		
	321 - EMS call, excluding vehicle accident with injury	2
	<i>Total Incidents for AAE - Auto Aid East:</i>	2
AAW - Auto Aid West		
	342 - Search for person in water	1
	<i>Total Incidents for AAW - Auto Aid West:</i>	1
BOB - Camp Roberts		
	611 - Dispatched & cancelled en route	1
	<i>Total Incidents for BOB - Camp Roberts :</i>	1
CSD - CSD Limits		
	321 - EMS call, excluding vehicle accident with injury	3
	322 - Motor vehicle accident with injuries	1
	400 - Hazardous condition, other	2
	511 - Lock-out	1
	550 - Public service assistance, other	1
	553 - Public service	1
	<i>Total Incidents for CSD - CSD Limits:</i>	9
MH - Mission Heights		
	511 - Lock-out	1
	<i>Total Incidents for MH - Mission Heights :</i>	1
MM - Mission Meadows		

Zone information is defined on the Basic Info 3 screen of an incident.
Only REVIEWED incidents included.



ZONES	INCIDENT TYPE	COUNT
	321 - EMS call, excluding vehicle accident with injury	2
	<i>Total Incidents for MM - Mission Meadows:</i>	2
SMF - San Miguel Fire		
	321 - EMS call, excluding vehicle accident with injury	1
	<i>Total Incidents for SMF - San Miguel Fire :</i>	1
Ter - San Lawerance Terrace		
	321 - EMS call, excluding vehicle accident with injury	1
	651 - Smoke scare, odor of smoke	1
	<i>Total Incidents for Ter - San Lawerance Terrace:</i>	2
WOMHP - White Oaks Mobile Home Park		
	321 - EMS call, excluding vehicle accident with injury	1
	<i>Total Incidents for WOMHP - White Oaks Mobile Home Park:</i>	1
Total Count for all Zone:		20

Zone information is defined on the Basic Info 3 screen of an incident.
Only REVIEWED incidents included.



San Miguel Fire Department

San Miguel, CA

This report was generated on 2/15/2023 11:18:30 AM



Average (Dispatch-Turnout-Response) Times per Zone per Major Incident Type

Start Incident Type: 100 | End Incident Type: 911 | Zone: All Zones | Start Date: 01/01/2023 | End Date: 01/31/2023

Major Incident Type	Response Mode	Avg Travel	Avg Dispatch	Avg TurnOut	Avg Response
Zone: AAE - Auto Aid East					
Rescue & Emergency Medical Service					
	Lights and Sirens	7:00	0:00	1:00	8:00
Zone: AAW - Auto Aid West					
Rescue & Emergency Medical Service					
	Lights and Sirens	24:00	0:00	5:00	29:00
Zone: CSD - CSD Limits					
Rescue & Emergency Medical Service					
	Lights and Sirens	2:30	0:00	2:45	5:15
Hazardous Condition (No Fire)					
	Lights and Sirens	1:00	0:00	1:00	2:00
Service Call					
	Lights and Sirens	3:30	0:00	3:00	6:30
	No Lights or Sirens	0:00	0:00	0:00	0:00
Zone: MH - Mission Heights					
Service Call					
	No Lights or Sirens	4:00	0:00	4:00	8:00
Zone: MM - Mission Meadows					
Rescue & Emergency Medical Service					
	Lights and Sirens	2:30	0:00	4:30	7:00
Zone: SMF - San Miguel Fire					
Rescue & Emergency Medical Service					
	Lights and Sirens	0:00	0:00	4:00	4:00
Zone: Ter - San Lawrence Terrace					
Rescue & Emergency Medical Service					
	Lights and Sirens	3:00	0:00	14:00	17:00
Good Intent Call					
	Lights and Sirens	8:00	0:00	3:00	11:00
Zone: WOMHP - White Oaks Mobile Home Park					
Rescue & Emergency Medical Service					
	Lights and Sirens	2:00	0:00	5:00	7:00

CFAI Compliant - Report calculates the average time difference between (ALARM to DISPATCH = Avg Dispatch) and (DISPATCH to ENROUTE = Avg Turnout) and (ALARM to ARRIVAL = Avg Response). Only REVIEWED incidents are included. When no data is provided for ENROUTE times this report makes the assumption it is the same as the Dispatch Time

San Miguel Fire Department

San Miguel, CA

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Effective Response Force Times by Incident for Date Range

Agencies On Scene: All Agencies | Census Tract(s): All Census Tracts | Cities: All Cities | Map Page(s): All Map Pages | Mutual Aid: All Types and None | Primary Action (s) Taken: All Codes | Property Use(s): All Types and None | Response Mode(s): All Response Modes | Shift(s): All Shifts | Zone(s): All Zones | Incident Type(s): All Incident Types | Station(s): All Stations | Complaints Reported by Dispatch: All Complaints Reported by Dispatch | Start Date: 01/01/2023 | End Date: 01/31/2023

Incident Date	Incident #	Losses - Property	Losses - Contents	Alarm Time	Total Personnel - Effective Response	First On Scene Apparatus	Last On Scene Apparatus	Earliest Turnout	Call Processing Time	First Unit Total Response Time	First Unit Travel Time	Total Travel Time Effective Response	Total Response Time Effective Response
01/03/2023	2023-001	0	0	19:33:00	6	E8696	E8696	00:00	00:00	00:06:00	00:06:00	00:06:00	00:06:00
01/05/2023	2023-002	0	0	17:27:00	3	E8696	E8696	01:00	00:00	00:05:00	00:04:00	00:04:00	00:05:00
01/05/2023	2023-003	0	0	22:43:00	2	E8668	E8668	05:00	00:00	00:07:00	00:02:00	00:02:00	00:07:00
01/07/2023	2023-004	0	0	20:23:00	4	E8696	E8696	04:00	00:00	00:08:00	00:04:00	00:04:00	00:08:00
01/09/2023	2023-005	0	0	07:50:00	6	E8696	E8696	05:00	00:00	00:29:00	00:24:00	00:24:00	00:29:00
01/10/2023	2023-006	0	0	08:59:00	5	E8668	E8668	02:00	00:00	00:04:00	00:02:00	00:02:00	00:04:00
01/10/2023	2023-007	0	0	10:18:00	6	E8668	E8668	00:00	00:00	00:00:00	00:00:00	00:00:00	00:00:00
01/10/2023	2023-008	0	0	17:14:00	3	P8651	P8651	00:00	00:00	00:00:00	00:00:00	00:00:00	00:00:00
01/11/2023	2023-009	0	0	16:05:00	4	E8668	E8668	01:00	00:00	00:02:00	00:01:00	00:01:00	00:02:00
01/19/2023	2023-011	0	0	14:44:00	2	E8668	E8668	01:00	00:00	00:06:00	00:05:00	00:05:00	00:06:00
01/20/2023	2023-012	0	0	01:14:00	2	E8668	E8668	05:00	00:00	00:08:00	00:03:00	00:03:00	00:08:00
01/20/2023	2023-013	0	0	08:43:00	2	E8668	E8668	14:00	00:00	00:17:00	00:03:00	00:03:00	00:17:00
01/21/2023	2023-014	0	0	18:58:00	3	E8668	E8668	04:00	00:00	00:06:00	00:02:00	00:02:00	00:06:00
01/21/2023	2023-015	0	0	20:10:00	2	E8668	E8668	03:00	00:00	00:11:00	00:08:00	00:08:00	00:11:00
01/22/2023	2023-016	0	0	22:12:00	4	E8668	E8668	04:00	00:00	00:04:00	00:00:00	00:00:00	00:04:00
01/23/2023	2023-017	0	0	01:12:00	2	E8668	E8668	05:00	00:00	00:07:00	00:02:00	00:02:00	00:07:00
01/23/2023	2023-018	0	0	06:22:00	2	E8668	E8668	05:00	00:00	00:07:00	00:02:00	00:02:00	00:07:00
01/25/2023	2023-019	0	0	06:50:00	4	E8696	E8696	04:00	00:00	00:07:00	00:03:00	00:03:00	00:07:00
01/31/2023	2023-020	0	0	17:41:00	3	E8668	E8668	02:00	00:00	00:10:00	00:08:00	00:08:00	00:10:00

This is a custom report. Only Reviewed Incidents are included. Cancelled Apparatus are excluded. Only apparatus and personnel from the earliest Dispatch Time are included in this report. Travel Time is Enroute Time to Arrive Time. Total Travel Time for the Effective Response Force (ERF) is the difference between the apparatus with the earliest Enroute Time and the apparatus with the last Arrived Time. Total Travel Time for the ERF is calculated from units that were part of the earliest Dispatch Time. Total Response Time for the ERF is earliest Alarm Time to the last Arrive Time.



San Miguel Fire Department

San Miguel, CA

This report was generated on 2/15/2023 11:09:29 AM



Incident Statistics

Zone(s): All Zones | Start Date: 01/01/2023 | End Date: 01/31/2023

INCIDENT COUNT			
INCIDENT TYPE		# INCIDENTS	
EMS		12	
FIRE		8	
TOTAL		20	
TOTAL TRANSPORTS (N2 and N3)			
APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT CONTACTS
E8668	0	0	9
E8696	0	0	4
TOTAL	0	0	13
PRE-INCIDENT VALUE		LOSSES	
\$0.00		\$0.00	
CO CHECKS			
TOTAL			
MUTUAL AID			
Aid Type		Total	
Aid Given		2	
Aid Received		1	
OVERLAPPING CALLS			
# OVERLAPPING		% OVERLAPPING	
2		10	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)			
Station	EMS	FIRE	
Station 1	0:10:17	0:04:00	
AVERAGE FOR ALL CALLS		0:08:00	
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)			
Station	EMS	FIRE	
Station 1	0:04:12	0:01:37	
AVERAGE FOR ALL CALLS		0:03:35	
AGENCY		AVERAGE TIME ON SCENE (MM:SS)	
San Miguel Fire Department		61:27	

Only Reviewed Incidents included. EMS for Incident counts includes only 300 to 399 Incident Types. All other incident types are counted as FIRE. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of incidents where apparatus transported. # Patient Transports = All patients transported by EMS. # Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate. For overlapping calls that span over multiple days, total per month will not equal Total count for year.

San Miguel Fire Department

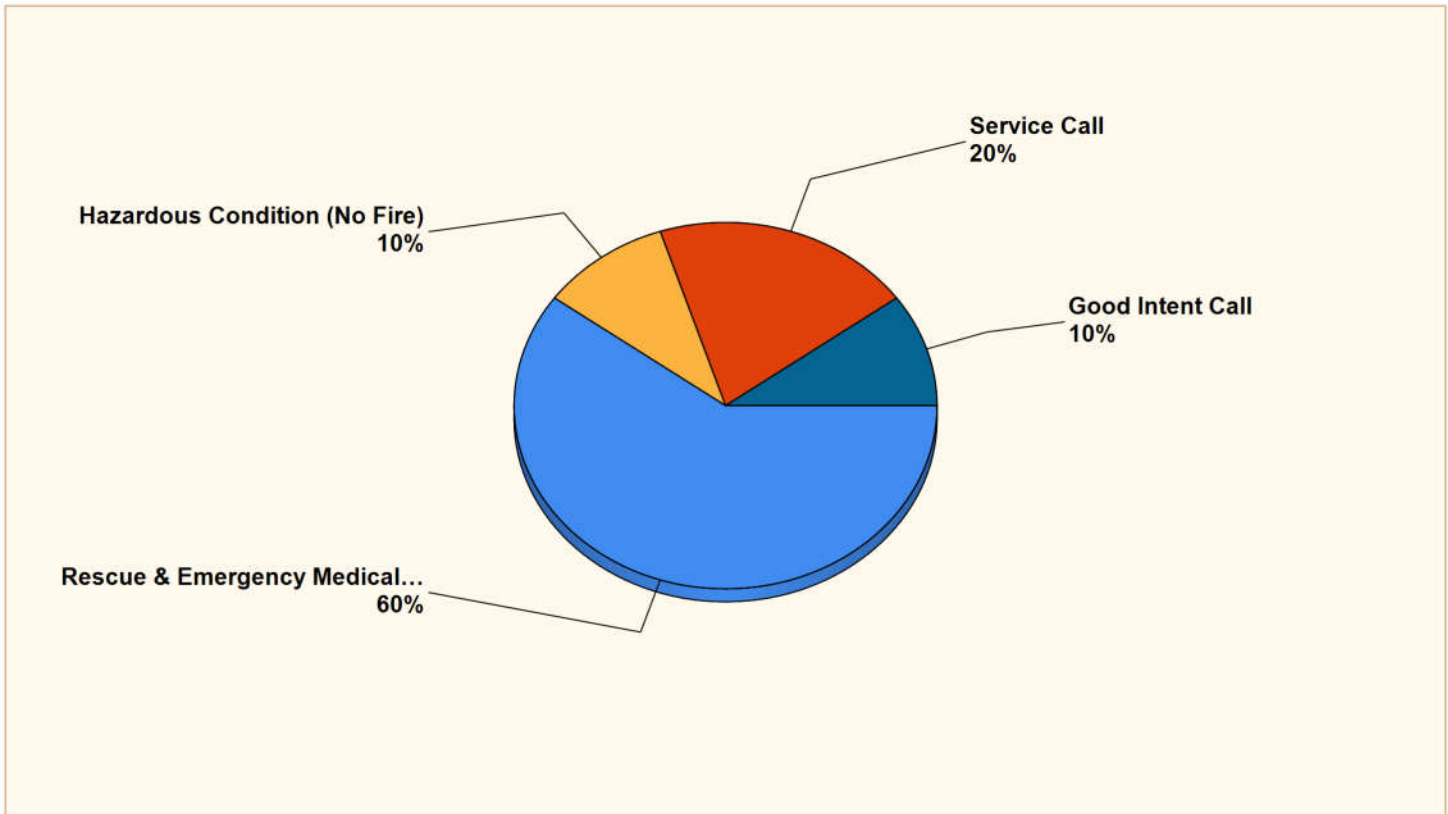
San Miguel, CA

This report was generated on 2/15/2023 10:53:12 AM



Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 01/01/2023 | End Date: 01/31/2023



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Rescue & Emergency Medical Service	12	60%
Hazardous Condition (No Fire)	2	10%
Service Call	4	20%
Good Intent Call	2	10%
TOTAL	20	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
321 - EMS call, excluding vehicle accident with injury	10	50%
322 - Motor vehicle accident with injuries	1	5%
342 - Search for person in water	1	5%
400 - Hazardous condition, other	2	10%
511 - Lock-out	2	10%
550 - Public service assistance, other	1	5%
553 - Public service	1	5%
611 - Dispatched & cancelled en route	1	5%
651 - Smoke scare, odor of smoke	1	5%
TOTAL INCIDENTS:	20	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 9.1

SUBJECT: 01-26-2023 Draft Special Meeting Minutes (Parent)

SUGGESTED ACTION: Receive and File

DISCUSSION:

FISCAL IMPACT:

None

PREPARED BY: Tamara Parent



BOARD OF DIRECTORS

Ward Roney, President Raynette Gregory, Vice-President
Anthony Kalvans, Director Owen Davis, Director Rod Smiley, Director

REGULAR MEETING MINUTES

01-26-2023 6:00 P.M.

**Closed Session to follow opened Session
601 12th St.**

1. Call to Order:

Meeting call to Order at 6:02 P.M.

2. Roll Call: *Ward Roney, Raynette Gregory(absent/excused), Owen Davis, Anthony Kalvans, Rod Smiley*

3. Approval of Regular Meeting Agenda:

Motion By: Anthony Kalvans

Second By: Rod Smiley

Motion: To Approve Regular Meeting Agenda for 1-26-2023

Board Members	Ayes	Noes	Abstain	Absent
Ward Roney	X			
Rod Smiley	X			
Owen Davis	X			
Anthony Kalvans	X			
Raynette Gregory				X

4. Pledge of Allegiance:

Pledge of Allegiance by Director Kalvans

5. Public Comment and Communications for items not on the agenda: Public Comment: None

6. Special Presentations/Public Hearings/Other: None

7. Non-District Reports:

1. Community Service Organizations

Listen to Verbal Report

Scott Young President of the San Miguel Firefighter Association, explained that the

Association finished up the Christmas season and is working on the "Buzz Run" scheduled for February 18th, 2023
Board Comment: None
Public Comment: None

2. San Luis Obispo County Organizations

Listen to verbal report

Sheriff's Department gave verbal report for end of year call statistics. Sheriff's Department wanted to thank the San Miguel Fire Department for their response to the Missing Child and the support that they have offered to all the search teams.

Board Comments: Director Kalvans voiced his appreciation to the search and rescue group from San Luis Obispo County Sheriff's, and gave a Thank You to the San Miguel Fire Department.

Public Comment: None

3. Camp Roberts—Army National Guard

Listen to verbal report

None

Board Comment: None

Public Comment: None

8. Staff & Committee Reports - Receive & File:

1. General Manager

Receive verbal report

District General Manager Kelly Dodds gave a verbal report, updating the Board of Directors. Mr. Dodds explained that the Streetlight on N Street is a private streetlight and has been disconnected by the property owner. General Manager Kelly Dodds explained that on January 9th the Salinas River crested to nearly the 100 year flood level, and that he has had a levee constructed at the Machado Wastewater Facility. Also, on January 9th the Mission Gardens tract was partially flooded and that included the SMCSO Lift Station and caused some damage to control panels. General Manager Dodds explained that San Luis Obispo County has set up a website for the residents that have been effected by the storm. www.readyslo.org. General Manager Kelly Dodds also explained that on January 14th a vehicle went off of the road at the intersection of Mission and 13th Street and destroyed a trash enclosure, killed a tree, and damaged a streetlight in front of 1299 Mission Street. CHP was called and the District is filing an insurance claim for damages. Discussion and congratulations to Director Kalvans for completing the "Certificate in Special District Governance" from the Special District Leadership Foundation.

Board Comment: Director Smiley voiced that it was a 30 year rain event for San Luis Obispo County.

Director Kalvans asked about the ownership of the N street streetlight. Discussion ensued. The District will look into what it would take to placing a streetlight in that area.

Public Comment: None

2. District Counsel

Receive verbal report

Doug White Nothing to report tonight

Board Comment: None

Public Comment: None

3. District Utilities

Receive and File

Kelly Dodds voiced that report is submitted as written

Board Comment: Director Roney asked about the cause of the vehicle off road on January 14th, on Mission Street. General Manager Kelly Dodds voiced that the police report said that the driver fell asleep.

Public Comment: none

4. Fire Chief Report

Receive and File

Report submitted as written.

Board Comment: Director Kalvans asked about the progress of the SOI/MSR with LAFCO. Chief Young explained that it is still being reviewed by LAFCO.

Public Comment: None

9. Consent Calendar:

Board Comment: None

Public Comment: None

Motion By: Rod Smiley

Second By: Anthony Kalvans

Motion: To Approve as written

Board Members	Ayes	Noes	Abstain	Absent
Ward Roney	X			
Rod Smiley	X			
Owen Davis	X			
Anthony Kalvans	X			
Raynette Gregory				X

1. Public Records Request Policy, revision to policy and fees. (Dodds)

Review and approve RESOLUTION 2023-06 adopting a revised Public Records Request policy and fee.

2. 12-15-2022 Draft Special Meeting Minutes (Parent)

Receive and File

10. Board Action Items:

1. Financial Reports - December 2022 (Hido)

Review, Discuss and Receive the Enumeration of Financial Reports for December 2022. The Financial Reports are for review and information. After the Audit a final Financial Report will be presented.

Presented by Financial Officer Michelle Hido, Report is submitted as written. Ms Hido updated the Board of Directors that all 1099 and W2 have been sent out, and will be submitting the State Compensation Report in Febuary. Mrs. Hido explained that the December 2022 Financial reports are just for receiving the information.

Board Comment: Director Kalvans asked about the Audit, and when it will be scheduled to

be presented. Ms. Hido explained that the Auditor is still working on it, and that she is also not happy about it not being completed. Director Kalvans voiced that he feels that the Audit is late at this point. General Manager Kelly Dodds explained that he has had discussion with the Auditor and Michelle has kept him updated. Public Comment: None

2. Authorizing Banking Powers for Current Board Members, and removing banking powers for former Director Hector Palafox. (Dodds)

Approve RESOLUTION 2023-01 authorizing banking powers for current Board Members Ward Roney, Raynette Gregory, Anthony Kalvans, Owen Davis and Rod Smiley for all District bank accounts and removing banking powers for former Director Hector Palafox. Item was presented by General Manager Kelly Dodds explaining that this item will get the new Directors authorized at the Bank and remove former Director Palafox for any banking authorization.

Board Comment: None

Public Comment: None

Motion By: Rod Smiley

Second By: Anthony Kalvans

Motion: To Approve Resolution 2023-01

Board Members	Ayes	Noes	Abstain	Absent
Ward Roney	X			
Rod Smiley	X			
Owen Davis	X			
Anthony Kalvans	X			
Raynette Gregory				X

3. Adopting the Operations and Maintenance Mid-Year Budget Adjustment (Dodds)

Review and Approve RESOLUTION 2023-03 Adopting the Operations and Maintenance Mid-Year Budget Adjustments.

Presented by General Manager Kelly Dodds, explaining that the current Budget has been reviewed and a recommendation for Mid-Year Adjustment are being submitted for Board review and approval. The Budget Adjustments were reviewed based on 50% of the year being complete. Objects that were near or exceed 50% were reviewed for a potential adjustment. There were minor changes, Workers Compensation & Property Liability insurance was more than expected. No change for the Fire Department, and the District Budget increase overall is 1%.

Board Comment: Director Smiley voiced that the adjustments seemed reasonable. Director Kalvans voiced that likes that it is only 1%, cost increase overall.

Public Comment: None

Motion By: Rod Smiley

Second By: Anthony Kalvans

Motion: To Approve Resolution 2023-03

Board Members	Ayes	Noes	Abstain	Absent
Ward Roney	X			

Rod Smiley	X			
Owen Davis	X			
Anthony Kalvans	X			
Raynette Gregory				X

4. Approval of (2) Two year Memorandum of Understanding between the San Miguel Employees’ Association Confidential and Non-Confidential Units and the San Miguel Community Services District for the Period of February 1, 2023 through June 30, 2025 (Dodds)

Review & Approve Resolution 2023-04 Approving the Memorandum of Understanding between the San Miguel Employees’ Association Confidential and Non-Confidential Units and the San Miguel Community Services District for the Period of February 1, 2023 through June 30, 2025.

Presented by General Manager Kelly Dodds and explained that this is a Review & Approval of (2) Two year Memorandum of Understanding between the San Miguel Employees’ Association Confidential and Non-Confidential Units and the San Miguel Community Services District for the Period of February 1, 2023 through June 30, 2025. Mr. Dodds explained that he has meet with SMEA members approximately six times, and then explained the changes within the MOU.

Board Comment: Director Davis voiced that he was going to abstain because he did not have time to review.

Public Comment: None

Motion By: Anthony Kalvans

Second By: Ward Roney

Motion: To Approve Resolution 2023-04

Board Members	Ayes	Noes	Abstain	Absent
Ward Roney	X			
Rod Smiley	X			
Anthony Kalvans	X			
Owen Davis			X	
Raynette Gregory				X

5. Regional Governmental Services Contract (Dodds)

Approve RESOLUTION 2023-07 authorizing the General Manager to contract with Regional Governmental Services (RGS) for Mediation, Teambuilding and Job Classification Study in an amount not to exceed \$31,876, including a budget adjustment in an equal amount.

General Manager Kelly Dodds presented item and voiced that Legal and himself have been working together to resolve some internal personnel issues and have contacted Regional Governmental Services (RGS) to provide mediation, team building and job classification assessment services to the District.

Board Comment: Director Roney asked how the cost was calculated and what the total cost would be? General Manager Kelly Dodds explained that the cost comes from the total number of hours that RGS thinks that it will take to finish the scope of work.

Director Smiley voiced that he does not think that the District so big that we can not do this in house, and asked if he was not correct in thinking that this is part of the General Managers Job. General Manager Kelly Dodds explained that Director Smiley was correct but voiced that it would be an unbiased opinion from professionals that do this everyday. Discussion ensued.

Director Roney asked about why this was being brought to the Board at this time? General Manager Kelly Dodds explained that this is something that he has been working on, off and on and that he feels that this type of analysis is the first step in moving forward. Discussion ensued.

Director Smiley asked about the employees, and what the issues that the District will be coming into. Discussion ensued about growth in the District and explained that this might be better to look at, at a later date.

Director Roney asked about what the worst case scenario if we did not proceeded at this point. General Manager Kelly Dodds explained that putting this off would not be catastrophic but feels that this is still something that would need to be assessed in the near future.

Director Davis agree with Director Smiley, and feel that we pay the General Manager and he should be able to manage the District, and voiced that it did not make any sense at this time.

Director Kalvans asked about the bidding process, and maybe the Board should be looking at tabling the item to a later date.

Public Comment: Ashley Sangster, San Miguel Resident spoke about the likelihood of the total cost and his professional opinion that most not to exceed contracts meet the cost amount. Mr. Sangster voiced that he feels that this will only bring on more District spending.

Motion By: Rod Smiley

Second By: Ward Roney

Motion: To Postpone to a later date

Board Members	Ayes	Noes	Abstain	Absent
Ward Roney	X			
Rod Smiley	X			
Owen Davis	X			
Anthony Kalvans	X			
Raynette Gregory				X

6. Update to Surplus Equipment Policy (Dodds)

Review and approve RESOLUTION 2023-05 adopting a revised Surplus Equipment Policy. Presented by General Manager Kelly Dodds explained that this would rescind the 2013 Resolution and would provide a uniform method and accounting of equipment and materials that were no longer usable or useful for the successful operation of the District. The proposed policy would provide the necessary flexibility to use a venue that will most benefit the District.

Board Comment: Director Smiley voiced that he agreed that this is the right direction, discussion about 777 Auctions ensued.

Director Roney voiced that he thinks that this will be most cost effective for the District.

Director Davis explained that he has had great success with auctions.
 General Manager discussed the donation process if that was to be used.
 Public Comment: Ashley Sangster, San Miguel Resident voiced that he agreed with streamlining the process, but would like the District to look at selling some small items together in a "lot". Mr. Sangster spoke about not selling to Staff or the Directors.

Motion By: Rod Smiley

Second By: Anthony Kalvans

Motion: To Approve Resolution 2023-05

Board Members	Ayes	Noes	Abstain	Absent
Ward Roney	X			
Rod Smiley	X			
Anthony Kalvans	X			
Owen Davis			X	
Raynette Gregory				X

7. Surplus Equipment Designation (Dodds)

Approve RESOLUTION 2023-08 designating listed property as surplus and authorize the General Manager to dispose of that property in accordance with District policy.

Item Presented to General Manager Kelly Dodds explained that the District has some Generators, and the old phone system and microphones that have become obsolete.

Board Comment: Director Davis voiced that the Diesel Generators that can not be permitted to use to APCD/EPA regulations, but feels that it does have a value outside of California and would like District to look at Nelson Actions. Discussion ensued on items that he has had success selling through Nelson Actions.

Director Kalvans voiced that he is not in favor of giving any funds to APCD. Public Comment: None

Motion By: Rod Smiley

Second By: Anthony Kalvans

Motion: To Approve Resolution 2023-08

Board Members	Ayes	Noes	Abstain	Absent
Ward Roney	X			
Rod Smiley	X			
Owen Davis	X			
Anthony Kalvans	X			
Raynette Gregory				X

8. Fire Department Temporary Housing Unit (Young)

Continue discussion on the process required to provide a Temporary Fire Department Staffing Housing Unit including space for a Sheriff's Beat Station.

Fire Chief Scott Young submitted report as written, and updated the Board of Directors that this project went before the San Miguel Advisory Counsel on 1/25/2023, and was approved. Chief Young also thanked the Board of Directors for running effective meetings.

Board Comment: Director Kalvans asked what is next? Chief Young explained that he thinks that the presentation to the Advisory Counsel was just a placeholder to satisfy the Minor Use Permit component for this project. The project is currently with the San Luis Obispo Planning Department. Discussion Ensued.

Public Comment: Ashley Sangster, San Miguel Resident spoke about cost associated with the Housing unit, he feels that all the cost are not laid out.

Director Smiley asked Chief Young if he had a cost for the land included. Chief Young explained that the property lease is approximately five-thousand a year, and that the structure has had a 50% deposit put on it. Discussion ensued about the escrow account.

9. Fire Department Code Enforcement Violation (Young)

Proceed with the correctional measures to resolve the Code Enforcement Notice of Violation for the existing conditions at the San Miguel Fire Station.

Fire Chief Scott Young submitted report as written. Chief Young explained that the demolition was performed on January 16th thru 18th, and inspector for County has approved, but will need to do a final inspection once everything is buttoned up. Discussion ensued on what still needs to be done.

Board Comment: None

Public Comment: None

11. Board Comment:

Director Davis asked about the cost to build up the Temporary Housing Unit land, and feels that it will need a lot of dirt. Discussion on trees and grading plan ensued.

Director Smiley asked the District to look into Community Organizations Monuments to be put up at the San Miguel Gateway signs. This would help the community know that these organizations exist in San Miguel.

Director Kalvans agreed with Community Organizations Monument, and lighting at the San Miguel Gateway signs.

Consensus of the Board is to look into the Community Organizations Monument signs. Director Kalvans asked to agendize and item to recognize the SMFD, National Guard, and Community Member Pastor Mike.

Director Kalvans voiced the CSDA training dates, and scholarships are available.

CSDA's Special Leadership Academy is 2-26-2023 to 3-1-2023 in Palm Springs and October 22-25 in Santa Rosa.

12. Adjourn to Closed Session/Closed Session Agenda:

Public Comment: None

7:30 P.M.

1.

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Kelly Dodds, General Manager - Douglas L. White, General Counsel

Unrepresented Employee: Board Clerk/ Account Manager

Discussion

2. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:1

Discussion

13. Report out of Closed Session:

8:14 PM

Direction was given to Staff

14. Adjournment to Next Regular Meeting February 23rd 2023:

Adjourned at 8:15 PM

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 9.2

SUBJECT: County Communications MOU (Young)

SUGGESTED ACTION: Review and approve the Fire Chief as the authorized signer for the County Communications MOU.

DISCUSSION:

Every 5 years the County of San Luis Obispo reviews and revises the MOU for the placement of emergency services commutations equipment housed on San Miguel CSD property.
The attached MOU has been revised to reflect the current District information.

FISCAL IMPACT:

None

PREPARED BY: Scott Young

MEMORANDUM OF UNDERSTANDING
BETWEEN COUNTY OF SAN LUIS OBISPO
AND
SAN MIGUEL COMMUNITY SERVICES DISTRICT

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is entered into by and between the County of San Luis Obispo, a political subdivision of the State of California hereinafter referred to as "COUNTY," and San Miguel Community Services District, hereinafter referred to as "DISTRICT," and will replace and supersede any and all prior written or verbal agreements made and entered into by and between County and District relative to the real property hereinafter described.

WHEREAS, County has a need for additional radio communications for County of San Luis Obispo Fire Department / Cal Fire to better serve the community of San Miguel; and

WHEREAS, the District manages that certain District owned real property and water tank appurtenance located off Tenth Street in the community of San Miguel (the "Property"), which currently has equipment rack space suitable for a County owned radio repeater; and

WHEREAS, the District has space available on its antenna to accommodate County radio communications; and

WHEREAS, on November 6, 2014, the District and County entered into a MOU, which expired on January 31, 2018, for the purpose of allowing the County to install and operate a radio repeater in a portion of the District's building at the Property; and

WHEREAS, on January 25, 2018, the District and County entered into a MOU, which expires on January 31, 2023, for the purpose of County's continued use of a radio repeater in a portion of the District's building, as well as space for one antenna at the Property; and

WHEREAS, the District and County desire to enter into this MOU to allow for the County's continued occupancy of a portion of said District owned rack and antenna space located at the Property for the purpose of accommodating the County's radio equipment to enhance radio communications for the public safety.

NOW, THEREFORE, in consideration of the mutual promises, covenants, agreements and conditions herein set forth, County and the District mutually agree as follows:

1. PREMISES: District hereby rents to County, and County hires and takes from District for the term, and upon the conditions hereinafter set forth, those certain premises hereinafter referred to as the "Premises", and more particularly described as a Tait TB8100 Repeater on River Command Channel, Duplexer and an antenna (on a single bay dipole) with an Astron power supply and backup battery, otherwise generally known as rack space and antenna space at the Property.

2. **TERM:** The term of this MOU shall be for a period commencing February 1, 2023, until January 31, 2028, unless terminated by either party giving thirty (30) days prior written notice to the other party of its intention to do so.

3. **RENT:** There is no rental charge as the placement of the County's radio equipment is a benefit to the community of San Miguel.

4. **TENANT IMPROVEMENTS:** County shall make no alterations to the Premises without District's prior written consent. All materials and/or outside contractor costs for materials or services for the County owned facilities or equipment on the Premises, including, but not limited to the radio repeater shall be paid directly by County.

5. **USE OF PREMISES:** The Premises shall be used for business of the County to provide communications for public safety and for no other purpose. The County will notify the District when any construction and/or moving of equipment is planned within the building by County.

6. **UTILITIES:** The District agrees to pay electric utility service charges used by County during its occupation of the Premises and Property. Any and all fire suppression systems and any existing fire detection systems shall be maintained by the District according to the requirements of CalFire/County of San Luis Obispo Fire Department.

7. **REPAIRS AND MAINTENANCE:** County is solely responsible for maintenance and repair of its County installed radio equipment and the District is responsible for maintaining and repairing the equipment rack space and antenna. Upon termination of this MOU, County shall restore the Premises to original condition by removal of the County's rack equipment, radio repeater and antenna, to the satisfaction of the District.

8. **DESTRUCTION OF PROPERTY:** If, during the term, the Property is partially destroyed from a risk not otherwise covered by insurance, rendering the Property totally or partially inaccessible or unusable, then District, at District's sole cost and expense, shall restore the Property and County's Premises to substantially the same design and functionality as existed immediately before destruction. All restoration and construction shall conform to all applicable local, state and federal codes and regulations in effect at the time of restoration. If the Property are destroyed or damaged so as, in County's judgment, to hinder the effective use of the Premises, County may elect to terminate this MOU as of the date of the damage or destruction by so notifying described in paragraph 12 not more than forty-five (45) days following the date of damage. In such event, all rights and obligations of the parties, shall cease as of the date of the damage or destruction and County shall be entitled to the reimbursement of any Rent prepaid by County.

9. **ACCESS:** District shall use its best efforts to provide County with access to the Property on a twenty-four hour a day, seven days a week basis.

10. **INSURANCE:**

A. Fire Insurance.

1) District: District's policy as to the Property and Premises shall be primary. District at its cost shall maintain during the term of this MOU on the Property and Premises a policy

or policies of standard fire and extended coverage insurance to the extent of at least ninety (90%) percent of full replacement value thereof.

2) County: County is presently self-insured. County at its cost shall procure and maintain during the term of this MOU, a policy of fire insurance on County's personal Premises including improvements paid for by the County, within the Premises.

B. Liability Insurance.

1) District: District agrees to maintain in force throughout the term hereof, at District's cost, commercial general liability insurance. This insurance shall include, but shall not be limited to, commercial general liability insurance providing protection against third party claims arising from bodily and personal injury, including death resulting therefrom, and damage to Property resulting from any act or occurrence arising out of District's operations during the time of this MOU. The commercial general liability policies shall name "County of San Luis Obispo, its officers, officials, and employees" as additional insureds. The policy shall provide that the District's insurance will operate as primary insurance and that no other insurance maintained by the County will be called upon to contribute to a loss hereunder.

2) County: County is presently self-insured.

C. Exemption of County from Liability.

Except for County's willful sole neglect conduct, District hereby agrees that County shall not be liable for any reason in connection with the Property and building, including, without limitation, events that occur in the common areas, or for damage or injury caused by fire, utility outage or interruption, pipe or sprinkler leakage, or similar causes, injury to District's business or loss of income therefrom or for damage to the goods, wares, merchandise, or other Property of District, District's employees, or District's invitees, in or about the Property; nor shall County be liable for injury to the person of District, District's employees, or District's invitees, whether such damage results from conditions arising upon the Property or upon other portions of the Property or building in which the Premises are a part, or from any other sources or places. County shall not be liable to District for any damages arising from any act or neglect of any other tenant, if any, of the Property or building in which the Premises are located.

11. INDEMNIFICATION: To the fullest extent permitted by law, District shall indemnify, defend, and hold harmless the County and its officers, agents, employees, and volunteers from and against all claims, demands, damages, liabilities, loss, costs, and expense (including attorney's fees and costs of litigation) of every nature arising out of or in connection with District's performance or attempted performance of any obligation or duty provided for or relating to this MOU and/or the Property, except such loss or damage which was caused by sole negligence or willful misconduct of the County.

12. NOTICES: Any notices, demands, or communication, under or in connection with this MOU, may be served upon County by personal service, or by mailing the same by certified mail in the United States Post Office, postage prepaid, and directed to County at:

County of San Luis Obispo
Central Services Department
Real Property Services Division
1087 Santa Rosa Street
San Luis Obispo, CA 93408
Attention: Sarah Diggs, County Real Property Manager

Direct: (805) 781-5206
Email: central_rps@co.slo.ca.us

and may likewise be served on the District by mailing the same addressed to:

San Miguel Community Services District
Post Office Box 180, San Miguel, CA 93451
Attention: Scott Young, Fire Chief
Direct: (805) 467-3300
Email: scott.young@sanmiguelcsd.ord

Either County or District may change such address by notifying the other party in writing as to such new address as Landlord or County may desire used and which address shall continue as the address until further written notice.

13. ASSIGNMENT: This MOU is of a personal nature and County shall not assign, sublet, pledge or otherwise transfer this MOU, either voluntarily or by operation of law, in whole or in part.

14. ENVIRONMENTAL MATTERS/COVENANTS REGARDING HAZARDOUS MATERIALS: District shall at all times and in all respects comply with all federal, state and local laws, ordinances and regulations ("Hazardous Materials Laws") relating to industrial hygiene, environmental protection or the use, analysis, generation, manufacture, storage, disposal or transportation of any oil, flammable explosives, asbestos, urea formaldehyde, radioactive materials or waste, or other hazardous, toxic, contaminated or polluting materials, substances or wastes, including, without limitation, any "hazardous substances," "hazardous wastes," "hazardous materials" or "toxic substances" under such laws, ordinance or regulations (collectively, "Hazardous Materials").

District shall further indemnify, defend, protect, and hold County free and harmless from and against any and all claims, liabilities, penalties, forfeitures, losses or expenses (including attorneys' fees) or death of or injury to any person or damage to any Property whatsoever, arising from or caused in whole or in part, directly or indirectly, by:

(A) the presence in, on, under or about the Property or discharge in or from the Property of any Hazardous Materials or District's use, analysis, storage, transportation, disposal, release, threatened release, discharge or generation of Hazardous Materials to, in, on, under, about or from the Property, or

(B) District's failure to comply with any Hazardous Materials Law. District's and obligations hereunder shall include, without limitation, and whether foreseeable or unforeseeable, all costs of any required or necessary repair, cleanup or detoxification or decontamination of the Property, and the preparation and implementation of any closure, remedial action or other required plans in connection therewith, and shall survive the expiration or earlier termination of the term of this lease. For purposes of the release and indemnity provisions hereof, any acts or omissions of District, or by employees, agents, assignees, contractors or subcontractors of District or others acting for or on behalf of District (whether or not they are negligent, intentional, willful or unlawful) shall be strictly attributable to District.

15. INTERFERENCE: County agrees to install, maintain, and operate its electronic equipment in accordance with the non-interference rules of the FCC, and any other statutes pertaining to the use of electronic equipment. In the event County's installation or operation, in any

way hinders or interferes with the radio or electronic equipment of the District, or any existing User and/or tenant at the Property, County shall at its sole cost and expense, upon written notification, cease the interfering installation or operation.

A. If such hindrance or interference cited above is not eliminated or does not fully cease within thirty (30) days of written notification, District shall have the right to order cessation of County's equipment as may be necessary to continuously eliminate said interference. In the event of County's inability or refusal to eliminate said interference, District may at its option, immediately terminate this MOU and evict County.

B. Any interference, caused by County, with District electronic equipment during an emergency incident will require immediate cessation of County's operation, transmission or further use of County's equipment. Failure to do so immediately upon notification of such interference will be grounds for immediate termination of this MOU and eviction of County.

C. County shall provide District with a twenty-four (24) hour phone number for notification pursuant to Paragraph 12 above.

16. INSPECTION: The District shall have the right to inspect the Premises and to perform maintenance and repairs to the Property or the building of which the Premises is a part.

17. STATUS: County shall during the entire term of this MOU, be construed to be an independent contractor, and shall in no event be construed to be an employee of District.

18. CLOSURE: At any time should an occurrence necessitate the closing of the Property, County shall have no recourse by law to District for losses incurred.

19. EMPLOYEES OF COUNTY: All employees, agents and assignees of County shall be licensed when required by law. All such employees, agents, and assignees shall be employees, agents, or assignees of County only and shall not in any instance be, or construed to be, employees, agents or assignees of District.

20. VENUE: This MOU has been executed and delivered in the State of California and the validity, enforceability and interpretation of any of the clauses of this MOU, shall be determined and governed by the laws of the State of California. The duties and obligations of the parties created hereunder are performable in San Luis Obispo County and such County shall be the venue for any action or proceeding that may be brought or arise out of, in connection with or by reason of this MOU.

21. SEVERABILITY: The invalidity of any provision of this MOU shall not affect the validity, enforceability or any other provision of this MOU.

22. ENTIRE AGREEMENT AND MODIFICATIONS: This MOU supersedes all previous agreements and constitutes the entire understanding of the parties hereto. County shall be entitled to no other benefits than those specified herein. District makes no other promises or covenants beyond the scope of this MOU. No changes, amendments, or modifications shall be effective unless in writing and signed, in advance of the effective date of the change, amendment or modification, by both parties. County specifically acknowledges that in entering into this MOU, County relies solely upon the provisions contained in the MOU and no other MOU or oral discussions prior to entering this MOU.

/////////////////////////////////NOTHING FURTHER PAST THIS POINT EXCEPT SIGNATURES/////////////////////////////////

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding this ____ day of _____, 2023.

COUNTY OF SAN LUIS OBISPO

By: _____
Christopher Lopez, Central Services
Director

Date: _____

APPROVED AS TO FORM AND LEGAL EFFCT:

RITA L. NEAL
County Counsel

**SAN MIGUEL COMMUNITY SERVICES
DISTRICT**

By: _____
Deputy County Counsel

By: _____
Scott Young, Fire Chief

Date: _____

Date: _____

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 9.3

SUBJECT: Authorize the General Manager to act as authorized representative for Drinking Water State Revolving Fund Grants for the San Miguel Water System Improvement Project Planning Funding (Dodds)

SUGGESTED ACTION: Approve RESOLUTION 2022-12 authorizing the General Manager, Kelly Dodds to act as authorized representative for Drinking Water State Revolving Fund Grants for the San Miguel Water System Improvement Project Planning Funding.

DISCUSSION:

The approval of RESOLUTION 2022-12 approves the General Manager as the authorized representative for the acceptance, signing, and administration of DWSRF planning grant for the San Miguel Water System Improvement Project.

FISCAL IMPACT:

None.

PREPARED BY: Kelly Dodds

RESOLUTION NO. 2023-12

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MIGUEL COMMUNITY SERVICES DISTRICT AUTHORIZING THE GENERAL MANAGER TO SIGN AND FILE A FINANCIAL ASSISTANCE APPLICATION FOR FINANCING OF THE PLANNING AND DESIGN OF WATER SYSTEM IMPROVEMENTS WITH THE STATE WATER RESOURCES CONTROL BOARD ON BEHALF OF SAN MIGUEL COMMUNITY SERVICES DISTRICT.

WHEREAS, San Miguel Community Services District (“District”) has the responsibility to maintain the community’s water production, distribution, and system facilities; and

WHEREAS, there may be grant funds available from the California State Water Resources Control Board Clean Water State Revolving Fund Program to use for funding the planning and design of high priority water system projects, including two new storage tanks, a new booster pumping facility, a new pipeline, and a groundwater quality and well head treatment study.

NOW THEREFORE, BE IT RESOLVED, the Board does, hereby resolve, direct, and order as follows:

1. The General Manager is authorized and directed to sign and file, for and on behalf of the District, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning and design of improvements for the San Miguel Water System Improvements Project (the “Project”).
2. The General Manager is authorized and directed to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto.
3. The General Manager is authorized and directed to represent the District in carrying out the District’s responsibilities under the financing agreement, including certifying disbursement requests on behalf of the District and compliance with applicable state and federal laws.

PASSED AND ADOPTED by the Board of Directors of the San Miguel Community Services District at a regular meeting held on this 23rd day of February 2023, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

Kelly Dodds, SMCS D General Manager

Ward Roney, Board President

ATTEST:

Douglas L. White, District General Counsel

CERTIFICATION

I do hereby certify the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the San Miguel Community Services District on the 23rd day of February 2023.

Tamara Parent, Board Clerk

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 9.4

SUBJECT: Surplus equipment designation (Dodds)

SUGGESTED ACTION: Approve RESOLUTION 2023-11 designating listed property as surplus and authorize the General Manager to dispose of that property in accordance with District policy.

DISCUSSION:

In accord with District policy the Board must identify District property as surplus in order for it to be disposed of. The equipment and materials listed below have been deemed by department heads and the General Manager as no longer necessary for the operation of the District, or through regulation change no longer able to be used in the operation of the District.

Other equipment to be surplus:

Scissor Lift

- JLG Scissor Lift

Office Trailer

- 10' x 40' office trailer
-

FISCAL IMPACT:

Proceeds from the sale of Surplus District property will be accounted for under the department(s) which originally held the property.

PREPARED BY: Kelly Dodds

RESOLUTION NO. 2023-11

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN MIGUEL COMMUNITY SERVICES DISTRICT DESIGNATING SPECIFIC EQUIPMENT
AND MATERIALS AS SURPLUS AND AUTHORIZING THE GENERAL MANAGER TO
DISPOSE OF THE SPECIFIC EQUIPMENT AND MATERIALS IN ACCORDANCE WITH
DISTRICT POLICY.**

WHEREAS, the San Miguel Community Services District (“District”) has equipment and materials that are no longer necessary for the operation of the District; and

WHEREAS, the equipment and materials to be surplused are as follows:

- JLG Scissor Lift (Fund 30)
- 10’ x 40’ office trailer (Funds 30, 40, 50, 60)

WHEREAS, the San Miguel Community Services District Board of Directors (“Board”) finds that the listed equipment are no longer necessary for the operation of the District and authorizes the General Manager to dispose of the listed equipment in accordance with District Policy; and

NOW THEREFORE, BE IT RESOLVED, the Board does hereby resolve, determine, and order as follows:

1. The Board designates the listed equipment as surplus.
2. The Board authorizes the General Manager to dispose of the designated equipment in accordance with District Policy
3. Any proceeds from the sale of any equipment or materials will be credited back to the department(s) which held the equipment or materials.

On the motion of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAINING:

the foregoing Resolution is hereby passed and adopted this 23th day of February 2023.

Ward Roney, Board President

ATTEST:

APPROVED AS TO FORM AND CONTENT:

Kelly Dodds, General Manager

Douglas L. White, District General Counsel

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 10.1

SUBJECT: Resolution of appreciation in the search for Kyle Doan (Dodds)

SUGGESTED ACTION: Approve Resolution 2023-13 showing appreciation for those who aided in and continue to search for Kyle Doan.

DISCUSSION:

On January 9th 2023 young Kyle Doan was swept away by swift waters in the Wellsona Creek after being involved in a vehicle accident. The attached resolution is in support for all those agencies and individuals who searched for Kyle in the hours and days following the accident. As well as those whom continue to search for Kyle.

The District thanks all those involved for their selfless dedication in search of Kyle and support of the family in this very difficult and sad time.

FISCAL IMPACT:

None

PREPARED BY: Kelly Dodds



RESOLUTION NO 2023-13

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SAN MIGUEL COMMUNITY SERVICES DISTRICT
IN APPRECIATION FOR THE SUPPORT AND DILLIGENCE IN THE SEARCH FOR
KYLE DOAN.**

WHEREAS, on January 9, 2023, during a heavy storm and flooding event, Kyle Doan and his mother were involved in a vehicle accident at San Marcos Road and Wellsona Creek Crossing; and

WHEREAS, the San Miguel Community Service District Board of Directors wishes to thank those involved in the search for Kyle, who was swept away in the swift currents; and

WHEREAS, the outpouring of support from the community is tremendous; and

WHEREAS, the District wishes to specifically thank the following people in their support of the family and community: Pastor Richard Burch, Pastor Mike of Fuente De Agua Viva Church, and all the family and community members who volunteered their time; and

WHEREAS, the District wishes to specifically thank the supporting agencies: San Miguel Fire Department, Cal-Fire, California Highway Patrol, Army National Guard, County of San Luis Obispo Sheriff and USAR, Monterey County, and Santa Barbara County; and

WHEREAS, the Board commends all those who aided in the search for Kyle and all those who continue to search for Kyle during this very difficult and sad time.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors commends and declares its appreciation and support of the District's staff with its exceptional record of service and protection of all citizens and properties of the District.

PASSED AND ADOPTED on February 23rd 2023 by the Board of Directors on a motion of Director _____, seconded by Director _____, and by the following Roll Call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAINING:
VACANCY:

Ward Roney, President

Board of Directors

ATTEST:

APPROVED AS TO FORM:

Kelly Dodds, General Manager

Douglas L. White, District General Counsel

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 10.2

SUBJECT: Financial Reports - January 2023 (Hido)

SUGGESTED ACTION: Review, Discuss and Receive the Enumeration of Financial Reports for January 2023. The Financial Reports are for review and information. After the Audit a final Financial Report will be presented.

DISCUSSION:
See Attachments

FISCAL IMPACT:
None

PREPARED BY: Michelle Hido



San Miguel Community Services District JANUARY 2023 Financial Report

February 15th, 2023

BOARD ACTION: Review the enumeration of Financial Reports for January 2023

JANUARY 2023 Revenue: \$406,702.35 Sales Revenue, Property Taxes, Franchise Fees, Grants

JANUARY 2023 Expenses: \$174,207.57

FIRE DEPT PROJECTS:

Resolution 2021-05: MDC- Budget: \$20,000.00

DECEMBER costs: \$0

Project costs to date: \$7,944.34 (40% spent)

Status: In Process

Fire Temporary Housing Unit (Escrow)

JANUARY costs: \$0

Resolution 2022-21, 22: Budget: \$274,378.95 Escrow amount used: \$113,130.00 (41.23% spent)

Total Escrow costs to date: \$113,130.00

Status: In Process

Fire Temporary Housing Unit (Operation)

JANUARY costs: \$0

Costs to date: \$15,726.97

Status: In Process

Total THU Project costs to date: \$128,856.97

Fire Station Remodel- Budget: none

JANUARY costs: \$0

Project costs to date: \$3,545.34

Status: In Process

Resolution 2022-31 Fire Station Code Enforcement Violation- Budget: \$46,500.00

JANUARY costs: Demo, Dump run, paint \$4,214.37

Project costs to date: \$14,766.67 (31.76% spent)

Status: In Process

Resolution 2022-48,52: VFF Equipment- Budget: \$36,307.18

JANUARY costs: \$0

Project costs to date: \$25,808.02 (71% spent)

Status: In Process

UTILITY DEPT PROJECTS:

WWTF Expansion Resolution 2021-20,32,33,35- by SWRCB Order June 2018

JANUARY costs: WSC Engineering \$24,554.05

Project costs to date: \$559,911.21

Status: In Process

**San Miguel Community Services District
JANUARY 2023 Financial Report**

WWTF Resolution 2021-33: MBR- Budget: \$206,835.37/\$6,894,512.30

JANUARY costs: \$0
Project costs to date: \$128,468.83 (62% spent)
Status: In Process

WWTF Resolution 2021-35: Headworks- Budget: \$250,231.00

JANUARY costs: \$0
Status: Started

WWTF Resolution 2022-51: Scissor Lift- Budget: \$30,000.00

JANUARY costs: \$0
Project costs to date: \$0 (0% spent)
Status: In Process

WWTF Resolution 2022-04: WSC – NOI for Permit- Budget: \$50,000.00

JANUARY costs: \$0
Project costs to date: \$18,075.00 (36% spent)
Status: In Process

WWTF Resolution 2022-66: SLT Tank & Booster Pump- Budget: \$22,960.00

JANUARY costs: WSC Engineering & Surveys \$850.00
Project costs to date: \$1,827.50 (8% spent)
Status: In Process

WWTF Resolution 2022-58: Capital Improvement Plan Update- Budget: \$12,280.00

JANUARY costs: WSC CIP Project/Master Plan update \$1,720.00
Project costs to date: \$1,720.00 (14% spent)
Status: In Process

C.S.D. PROJECTS:

Resolution 2022-41: C.S.D. Temporary Office Set-up- Budget: \$28,645.00

JANUARY costs: WSC Office Design \$3,397.50
Project costs to date: \$6,364.45 (22.0% spent)
Status: In Process

LEGAL SERVICES

JANUARY Legal bills: December \$14,760.00

2022/23 LEGAL EXPENSES TO DATE:

BOARD MEETINGS:	\$ 8,621.49
CSD BOARD REQUESTS:	\$ 1,124.92
FIRE:	\$ 2,269.20
GENERAL CSD/ADMIN:	\$ 15,722.60
GENERAL HR AND HR CONTRACTS:	\$ 27,315.92
HR INVESTIGATION/ARBITRATION:	\$ -
PUBLIC RECORDS REQUESTS:	\$ 776.58
RECALL:	\$ 1,310.39
SEWER:	\$ 7,376.80
SOLID WASTE:	\$ -
WATER:	\$ 131.80

**San Miguel Community Services District
JANUARY 2023 Financial Report**

TOP 5 GENERAL OPERATING EXPENSES (at the time of this report):

- Wilber Construction \$8,961.00 – WWTF Pump House Levy
- CIO Solutions \$3,406.72 – January IT Support
- Lexipol, LLC \$3,049.50 – Fire Policy Manuals and Training
- Swift Tectonics, Inc \$2,899.44 – K St sidewalk 10th-11th
- ULINE \$1,244.69 – Mission St Trashcans parts

MONTHLY RECURRING EXPENSES (at the time of this report):

CalPERS Employer costs only	\$10,007.81
PG&E (Facilities & Lighting)	\$11,625.40
US Bank SMCSO Credit Cards	\$4,560.33
WEX Bank SMCSO District Vehicle Fuel	\$733.74

The information provided is current as of the time of this report, and is subject to change based on final audit adjustments and the Annual Audit.

RECOMMENDATION:

The January 2023 SMCSO Financial Reports are for review and information. After the Audit a final Financial Report will be presented.

PREPARED BY:

Michelle Hido

SMCSO Financial Officer

REVIEWED BY:

Kelly Dodds, SMCSO General Manager

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8865	20112S	671 ALAMEDA ELECTRICAL DIST	594.11						
1	S5504198.0	01/25/23 PVC & CONDUIT	594.11			40 64000	582		10200
		Total for Vendor:	594.11						
8770	20077S	689 AMAZON CAPITOL SERVICES	19.28						
164L-6D49-KLWW									
1	164L-6D49	01/01/23 WATER PUMP ATTACHMENT	19.28			40 64000	490		10200
8771	20077S	689 AMAZON CAPITOL SERVICES	9.97						
1Y3V-W37Y-JNJL									
1	1Y3V-W37Y	01/01/23 GE LIGHTING 42 WATT	9.97			40 64000	582		10200
8772	20077S	689 AMAZON CAPITOL SERVICES	68.53						
1L4T-9XWF-K1X6									
1	1L4T-9XWF	01/01/23 2" PAINT BRUSHES	68.53			50 65000	305		10200
		Total for Vendor:	97.78						
8780	-99256E	714 AT&T MOBILITY	135.82						
FIRE CELL PHONES									
1	01022023	01/02/23 FIRE CELL PHONE - ROBERSON	91.24			20 62000	465		10200
2	01022023	01/02/23 FIRE CELL PHONE - YOUNG	44.58			20 62000	465		10200
		Total for Vendor:	135.82						
8851	20115S	548 BARTLE WELLS ASSOCIATES	756.00						
2022 Rate Study									
1	565B-1004	01/23/23 Rate Study 2022 DEC HRS	378.00			40 64000	432	22005	10200
2	565B-1004	01/23/23 Rate Study 2022 DEC HRS	378.00			50 65000	432	22005	10200
		Total for Vendor:	756.00						
8812	20093S	34 BLAKE'S INC	21.73						
1	1531567	01/11/23 SILICONE	21.73			40 64000	354		10200
		Total for Vendor:	21.73						

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8793	20078S	340 C&N TRACTORS	311.01						
1	61580P	01/03/23 K SAW BLADE	311.01*			20 62000	348		10200
		Total for Vendor:	311.01						
8787	-99255E	67 CHARTER COMMUNICATIONS	648.98						
	Acct# 212691601	Spectrum Enterprise Internet							
		Service 1/01/23 - 1/31/23							
1	01/01/23	INTERNET LIFT STATION JAN	119.98			40 64000	375		10200
	212691601010123								
2	01/01/23	WWTF FIBER JAN	529.00			40 64000	375		10200
	212691601010123								
8835	-99250E	67 CHARTER COMMUNICATIONS	129.98						
	Acct# 8245 10 105 0027311	Spectrum Business Internet/Voice							
		Service 1/11/23 - 2/10/23							
1	7311011123	01/11/23 Internet/Voice CSD JAN	64.99			40 64000	375		10200
2	7311011123	01/11/23 Internet/Voice CSD JAN	64.99			50 65000	375		10200
		Total for Vendor:	778.96						
8840	20110S	712 CIO SOLUTIONS	3,406.72						
1	99497-123	01/13/23 IT SUPPORT - JANUARY	817.61			20 62000	321		10200
2	99497-123	01/13/23 IT SUPPORT - JANUARY	85.17			30 63000	321		10200
3	99497-123	01/13/23 IT SUPPORT - JANUARY	1,226.42			40 64000	321		10200
4	99497-123	01/13/23 IT SUPPORT - JANUARY	1,209.39			50 65000	321		10200
5	99497-123	01/13/23 IT SUPPORT - JANUARY	68.13			60 66000	321		10200
		Total for Vendor:	3,406.72						
8855	20120S	598 CORRPRO COMPANIES INC	865.00						
		Inspection Service San Miguel Tank 650,000 gallon reservoir 10/21-9/2022							
		Inspect, test and clean rectifier, controls, meters, contact wiring.							
1	708141	11/28/22 21/22 INSPCT/SRV 650,000G TANK	865.00			50 65000	353		10200
		Total for Vendor:	865.00						

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8785	20079S	654 CULLIGAN WATER	19.18						
1	83977	12/31/22 WATER DELIVERY DEC	9.59			40 64000	305		10200
2	90678	12/31/22 WATER DELIVERY DEC	9.59			50 65000	305		10200
		Total for Vendor:	19.18						
8844	20094S	109 FERGUSON ENTERPRISES	479.85						
1	0373982	01/06/23 PVC PIPE ETC	479.85			40 64000	582		10200
		Total for Vendor:	479.85						
8799	20080S	112 FGL - ENVIRONMENTAL ANALYTICAL	163.00						
1	284583A	12/30/22 COLIFORM	163.00			50 65000	359		10200
8800	20080S	112 FGL - ENVIRONMENTAL ANALYTICAL	123.00						
1	284687A	01/06/23 METALS	123.00			50 65000	358		10200
8801	20080S	112 FGL - ENVIRONMENTAL ANALYTICAL	123.00						
1	284582A	01/05/22 METALS	123.00			50 65000	358		10200
8802	20080S	112 FGL - ENVIRONMENTAL ANALYTICAL	123.00						
1	284800A	01/06/23 METALS	123.00			50 65000	358		10200
8803	20080S	112 FGL - ENVIRONMENTAL ANALYTICAL	123.00						
1	284765A	01/06/23 METALS	123.00			50 65000	358		10200
8804	20080S	112 FGL - ENVIRONMENTAL ANALYTICAL	189.00						
1	284640A	01/05/23 WET CHEMISTRY	189.00			40 64000	355		10200
8805	20080S	112 FGL - ENVIRONMENTAL ANALYTICAL	189.00						
1	284519A	01/05/23 WET CHEMISTRY	189.00			40 64000	355		10200
8806	20080S	112 FGL - ENVIRONMENTAL ANALYTICAL	88.00						
1	284518A	01/05/23 METALS	88.00			40 64000	355		10200

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8807 1	20080S 284517A	112 FGL - ENVIRONMENTAL ANALYTICAL 01/05/23 METALS	102.00 102.00			40 64000	355		10200
8808 1	20080S 284520A	112 FGL - ENVIRONMENTAL ANALYTICAL 01/05/23 METALS	247.00 247.00			40 64000	355		10200
8820 1	20095S 284707A	112 FGL - ENVIRONMENTAL ANALYTICAL 01/11/23 WET CHEMISTRY	189.00 189.00			40 64000	355		10200
8821 1	20095S 284764A	112 FGL - ENVIRONMENTAL ANALYTICAL 01/11/23 COLIFORM	353.00 353.00			50 65000	359		10200
8822 1	20095S 284823A	112 FGL - ENVIRONMENTAL ANALYTICAL 01/11/23 WET CHEMISTRY	83.00 83.00			40 64000	355		10200
8823 1	20095S 284785A	112 FGL - ENVIRONMENTAL ANALYTICAL 01/11/23 WET CHEMISTRY	83.00 83.00			40 64000	355		10200
8824 1	20095S 284466A	112 FGL - ENVIRONMENTAL ANALYTICAL 12/23/22 WET CHEMISTRY	189.00 189.00			40 64000	355		10200
8825 1	20095S 284786A	112 FGL - ENVIRONMENTAL ANALYTICAL 01/12/23 WET CHEMISTRY	189.00 189.00			40 64000	355		10200
8826 1	20095S 284824A	112 FGL - ENVIRONMENTAL ANALYTICAL 01/18/23 WET CHEMISTRY	189.00 189.00			40 64000	355		10200
8863 1	20122S 380130A	112 FGL - ENVIRONMENTAL ANALYTICAL 01/26/22 COLIFORM	163.00 163.00			50 65000	359		10200
		Total for Vendor:	2,908.00						
8773	-99261E	632 FRONTIER COMMUNICATIONS (216-5)	99.01						
		Acct #805-467-2015-051216-5							
		Service from 1/1/23 - 1/30/23							
SCADA									
1	JAN 2023	12/01/22 Alarm/SCADA	49.50			40 64000	310		10200

* ... Over spent expenditure

Claim/ Line #	Check Invoice	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
2	JAN 2023 12/01/22	Alarm/SCADA	49.51			50 65000	310		10200
Total for Vendor:			99.01						
8774	-99260E 308	FRONTIER COMMUNICATIONS (412-5)	61.61						
Acct #8054672818010412-5 Service from 12/22/22 - 1/21/23									
FS/CSD ALARM									
1	12/22/22	FS/CSD Alarm JAN	14.79			20 62000	310		10200
2	12/22/22	FS/CSD Alarm JAN	1.54			30 63000	310		10200
3	12/22/22	FS/CSD Alarm JAN	22.18			40 64000	310		10200
4	12/22/22	FS/CSD Alarm JAN	21.87			50 65000	310		10200
5	12/22/22	FS/CSD Alarm JAN	1.23*			60 66000	310		10200
Total for Vendor:			61.61						
8795	20081S 125	GREAT WESTERN ALARM	32.00						
GW-661 SCADA Service Period: 1/2023									
1	2212005451 01/01/23	Alarm Monitoring JAN	16.00			40 64000	380		10200
2	2212005451 01/01/23	Alarm Monitoring JAN	16.00			50 65000	380		10200
8796	20081S 125	GREAT WESTERN ALARM	83.16						
A0702 UTILITIES EMERGENCY Service Period: 1/2023									
1	2212022421 01/01/23	Answering Service JAN	41.58			40 64000	380		10200
2	2212022421 01/01/23	Answering Service JAN	41.58			50 65000	380		10200
8846	20123S 125	GREAT WESTERN ALARM	35.00						
GW-661 SCADA Service Period: 2/2023									
1	2301005451 02/01/23	Alarm Monitoring FEB	17.50			40 64000	380		10200
2	2301005451 02/01/23	Alarm Monitoring FEB	17.50			50 65000	380		10200
8847	20123S 125	GREAT WESTERN ALARM	100.00						
A0702 UTILITIES EMERGENCY Service Period: 2/2023									
1	2301022421 02/01/23	Answering Service FEB	50.00			40 64000	380		10200
2	2301022421 02/01/23	Answering Service FEB	50.00			50 65000	380		10200
Total for Vendor:			250.16						

* ... Over spent expenditure

Claim/ Line #	Check Invoice	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8836 1	20096S 01/14/23	722 JOSE VENTURA DUMP RUN	300.00 300.00			20 62000	352		10200
		Total for Vendor:	300.00						
8786 2023 1	20082S FIRE POLICY INVLEX1453	713 LEXIPOL, LLC MANUAL AND TRAINING 01/01/23 2023 FIRE POLICY & PROCEDU	3,049.50 3,049.50*			20 62000	385		10200
		Total for Vendor:	3,049.50						
8853 1	20126S 18-284.1-3	649 MBS LAND SURVEYS TANK BOOSTER PUMP EASEMENT 01/24/23 TANK BOOSTER PUMP EASEMENT	850.00 850.00*			50 65000	961		10200
		Total for Vendor:	850.00						
8842 1	20097S 12464544	737 MID-COAST FIRE PROTECTION, INC 01/19/23 FIRE STATION DEMO	3,635.88 3,635.88			20 62000	352		10200
		Total for Vendor:	3,635.88						
8775 1 2 4 5	20083S 518453883 518453883 518453883 518453883	646 MISSION UNIFORM SERVICE Uniforms; Sobotka, Pittman, Paslay 12/28/22 Employee Uniforms 12/28/22 Employee Uniforms 12/28/22 Employee Uniforms 12/28/22 Employee Uniforms	34.33 1.00 16.17 16.16* 1.00			30 63000 40 64000 50 65000 60 66000	495 495 495 495		10200 10200 10200 10200
8776 1 2 4 5	20083S 518497826 518497826 518497826 518497826	646 MISSION UNIFORM SERVICE Uniforms; Sobotka, Pittman, Paslay 01/04/23 Employee Uniforms 01/04/23 Employee Uniforms 01/04/23 Employee Uniforms 01/04/23 Employee Uniforms	33.64 1.00 15.82 15.82* 1.00			30 63000 40 64000 50 65000 60 66000	495 495 495 495		10200 10200 10200 10200
8813 1 2	20098S 518534033 518534033	646 MISSION UNIFORM SERVICE Uniforms; Sobotka, Pittman, Paslay 01/11/23 Employee Uniforms 01/11/23 Employee Uniforms	33.64 1.00 15.82			30 63000 40 64000	495 495		10200 10200

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
4	518534033	01/11/23 Employee Uniforms	15.82*			50 65000	495		10200
5	518534033	01/11/23 Employee Uniforms	1.00			60 66000	495		10200
8832	20098S	646 MISSION UNIFORM SERVICE Uniforms; Sobotka, Pittman, Paslay	33.64						
1	518577520	01/18/23 Employee Uniforms	1.00			30 63000	495		10200
2	518577520	01/18/23 Employee Uniforms	15.82			40 64000	495		10200
4	518577520	01/18/23 Employee Uniforms	15.82*			50 65000	495		10200
5	518577520	01/18/23 Employee Uniforms	1.00			60 66000	495		10200
8849	20127S	646 MISSION UNIFORM SERVICE Uniforms; Sobotka, Pittman, Paslay	33.64						
1	518619996	01/25/23 Employee Uniforms	1.00			30 63000	495		10200
2	518619996	01/25/23 Employee Uniforms	15.82			40 64000	495		10200
4	518619996	01/25/23 Employee Uniforms	15.82*			50 65000	495		10200
5	518619996	01/25/23 Employee Uniforms	1.00			60 66000	495		10200
Total for Vendor:			168.89						
8833	20099S	553 MOSS, LEVY & HARTZHEIM LLP Audit 2021/22 \$8,500/11,000	1,000.00						
1	34264	12/31/22 Audit 21-2022 3/4 PAYMENT	240.00			20 62000	323		10200
2	34264	12/31/22 Audit 21-2022 3/4 PAYMENT	25.00			30 63000	323		10200
3	34264	12/31/22 Audit 21-2022 3/4 PAYMENT	360.00			40 64000	323		10200
4	34264	12/31/22 Audit 21-2022 3/4 PAYMENT	355.00			50 65000	323		10200
5	34264	12/31/22 Audit 21-2022 3/4 PAYMENT	20.00			60 66000	323		10200
Total for Vendor:			1,000.00						
8850	20128S	602 MULLAHEY CHRYSLER DODGE JEEP RAM Truck #U8634	219.16						
1	66008	01/24/23 U-8634 Truck Key	109.58			40 64000	354		10200
2	66008	01/24/23 U-8634 Truck Key	109.58			50 65000	354		10200
Total for Vendor:			219.16						

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8784 1	20084S 20818 01/03/23	17 N. REX AWALT CORPORATION 1" BRASS BALL VALVE	58.17 58.17			50 65000	353		10200
8848 1	20129S 20843 01/26/23	17 N. REX AWALT CORPORATION WELD ON P-70, 795 GLUE	32.28 32.28			50 65000	353		10200
Total for Vendor:			90.45						
8782 1 2	20085S 165463 01/06/23 165463 01/06/23	182 NAPA AUTO PARTS U8632 BULB U8632 BULB	2.38 1.19 1.19			40 64000 50 65000	354 354		10200 10200
8831 1	20100S 166585 01/13/23	182 NAPA AUTO PARTS E8630 WIPERBLADES	23.90 23.90			20 62000	354		10200
Total for Vendor:			26.28						
8852 1 2	20131S 01/24/23 01/24/23	681 PASLAY, TREVOR DMV PHYSICAL DMV PHYSICAL	150.00 75.00 75.00			40 64000 50 65000	121 121		10200 10200
Total for Vendor:			150.00						
8814 1	20101S 172963 01/10/23	203 PASO ROBLES SAFE & LOCK, INC. 2 KEYS	19.44 19.44			40 64000	354		10200
Total for Vendor:			19.44						
8827 Acct #	-99253E 8565976480-8	208 PG&E #6480-8	1,109.32						
1	01/17/23	12th & K 8565976725	9.81			30 63000	381		10200
2	01/17/23	11TH STREET - 8562053214	48.26			30 63000	381		10200
3	01/17/23	RIO MESA CIR - 8564394360	23.92			30 63000	381		10200
4	01/17/23	VERDE/RIO MESA - 8560673934	59.82			30 63000	381		10200
5	01/17/23	Mission Heights - 8565976482	173.20			30 63000	381		10200
6	01/17/23	Tract 2605 - 8565976109	37.12			30 63000	381		10200
7	01/17/23	9898 River Rd. - 8565976002	357.63			30 63000	381		10200
8	01/17/23	9898 River Rd. - 8565976004	44.51			30 63000	381		10200
9	01/17/23	9898 River Rd. - 8565976008	209.90			30 63000	381		10200
10	01/17/23	9898 River Rd. - 8565976014	72.36			30 63000	381		10200

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
11	01/17/23	9898 River Rd. - 8565976481	52.13			30 63000	381		10200
12	01/17/23	9898 River Rd. - 8565976483	20.66			30 63000	381		10200
		Total for Vendor:	1,109.32						
8828	-99252E	209 PG&E #6851-8	10,516.08						
Acct #3675186851-8									
1	01/18/23	Old Fire Station/1297 L St	27.81			20 62000	381		10200
2	01/18/23	Fire Station/1150 Mission	10.85			20 62000	381		10200
3	01/18/23	Water Works #1/Well 3	1,896.01			50 65000	381		10200
4	01/18/23	Bonita Pl & 16th/Well 4	1,405.01			50 65000	381		10200
5	01/18/23	N St/WWTF	6,666.66			40 64000	381		10200
6	01/18/23	2HP Booster Station	10.85			50 65000	381		10200
7	01/18/23	Mission Heights Booster	10.89			50 65000	381		10200
8	01/18/23	14th St. & K St.	68.30			50 65000	381		10200
9	01/18/23	942 Soka Way lift station	98.93			40 64000	379		10200
10	01/18/23	Missn&12th Landscape-St light	163.41			30 63000	381		10200
11	01/18/23	SLT Well	157.36			50 65000	381		10200
		Total for Vendor:	10,516.08						
8854	20135S	233 SAFEGUARD BUSINESS SYSTEMS	543.43						
3	035258580	01/23/23 CSD ENVELOPES 3000 WINDOW	271.71			40 64000	410		10200
4	035258580	01/23/23 CSD ENVELOPES 3000 WINDOW	271.72			50 65000	410		10200
		Total for Vendor:	543.43						
8856	20136S	481 SAN MIGUEL COMMUNITY SERVICES	89.34						
ACCT# 27476-00									
1	01/15/23	1199 Mission Irrig Mtr 27476-0	89.34			30 63000	384		10200
8857	20136S	481 SAN MIGUEL COMMUNITY SERVICES	57.09						
Acct#27475-00									
1	01/15/23	1765 Bonita 27475-00	57.09			40 64000	384		10200
8858	20136S	481 SAN MIGUEL COMMUNITY SERVICES	54.09						
1	01/15/23	942 Soka Way 20840-00	54.09			40 64000	384		10200

* ... Over spent expenditure

Claim/ Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8859 20547-00	20136S	481 SAN MIGUEL COMMUNITY SERVICES	571.50						
1	01/15/23	1203 Mission Irrig Mtr 20547-0	571.50			30 63000	384		10200
8860 01004B-00	20136S	481 SAN MIGUEL COMMUNITY SERVICES	2.00						
1	01/15/23	1150 Mission Street 1004B-00	2.00			20 62000	384		10200
8861 01004-00	20136S	481 SAN MIGUEL COMMUNITY SERVICES	153.95						
1	01/15/23	1150 Mission Street 1004-00	76.97			50 65000	384		10200
2	01/15/23	1150 Mission Street 1004-00	76.98			40 64000	384		10200
8862 01001-00	20136S	481 SAN MIGUEL COMMUNITY SERVICES	4.77						
1	01/15/23	1144 Mission Street 1001-00	4.77			20 62000	384		10200
		Total for Vendor:	932.74						
8815 ACCT# 318691	20102S	238 SAN MIGUEL GARBAGE	116.68						
1	010123	01/01/23 JANUARY 2023	58.34			40 64000	383		10200
2	010123	01/01/23 JANUARY 2023	58.34			50 65000	383		10200
		Total for Vendor:	116.68						
8811 JANUARY BOARD MEETING	20092S	731 SAN MIGUEL SENIORS CENTER	150.00						
1	01-2023	01/26/23 JANUARY 26TH BOARD MEETING	30.75*			20 62000	305		10200
2	01-2023	01/26/23 JANUARY 26TH BOARD MEETING	3.00			30 63000	305		10200
3	01-2023	01/26/23 JANUARY 26TH BOARD MEETING	57.00			40 64000	305		10200
4	01-2023	01/26/23 JANUARY 26TH BOARD MEETING	56.25			50 65000	305		10200
5	01-2023	01/26/23 JANUARY 26TH BOARD MEETING	3.00			60 66000	305		10200
		Total for Vendor:	150.00						

* ... Over spent expenditure

Claim/ Line #	Check Invoice #/Inv Date	Vendor #/Name/ Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8777	-99259E	657 SOCALGAS	17.02						
610	120TH ST - WELL 3								
1	01/04/23	WELL 3 NATURAL GAS	17.02			50 65000	396		10200
8778	-99258E	657 SOCALGAS	19.26						
ACCT	19327007118								
942	SOKA WAY - LIFT STATION								
1	01/04/23	LIFT STATION	19.26			40 64000	396		10200
8779	-99257E	657 SOCALGAS	17.02						
8687	MARTINEZ - SLT WELL								
1	01/04/23	SLT WELL PROPANE	17.02			50 65000	396		10200
Total for Vendor:			53.30						
8829	20103S	378 SWIFT TECTONICS, INC.	2,899.44						
K ST	SIDEWALK BTW 10TH-11TH								
1	6431 01/06/23	K ST SIDEWALK BTW 10TH-11TH	2,899.44			50 65000	353		10200
Total for Vendor:			2,899.44						
8845	20104S	276 SWRCB-DWOC	60.00						
MIKE	SOBOTKA - Utility Operator D2								
Certification	#48735								
1	48735 01/24/23	D2 CERT M. SOBOTKA	60.00			50 65000	715		10200
Total for Vendor:			60.00						
8791	20086S	282 THE BLUEPRINTER	43.50						
1	122-1867 12/08/22	PLAN COPIES INDIAN VALLEY	17.00			50 65000	320		10200
2	122-1867 12/13/22	PLAN COPIES ACCESS RDS	26.50			50 65000	320		10200
8792	20086S	282 THE BLUEPRINTER	10.00						
1	122-1868 12/16/22	PLAN COPIES INDIAN VALLEY	10.00			50 65000	320		10200
Total for Vendor:			53.50						

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8838	20105S	491 ULINE	1,244.69						
1	158455043	01/09/23 TRASHCAN RPLMT PRTS	1,244.69*			60 66000	353		10200
		Total for Vendor:	1,244.69						
8866	-99247E	301 US BANK	393.41						
		RR STATEMENT DATE 1/23/2023							
1	RR JAN 23	01/04/23 SHIFT N GEARS C-8601 EST	150.00			20 62000	354		10200
2	RR JAN 23	01/05/23 LOWES- BUCKET	7.79			20 62000	352		10200
3	RR JAN 23	01/04/23 LOWES- STATION REMODEL	235.62			20 62000	352		10200
8867	-99246E	301 US BANK	819.35						
		TP STATEMENT DATE 1/23/2023							
1	TP JAN 23	01/23/23 RINGCENTRAL JAN PHONE	77.20			20 62000	310		10200
2	TP JAN 23	01/23/23 RINGCENTRAL DEC PHONE	8.04			30 63000	310		10200
3	TP JAN 23	01/23/23 RINGCENTRAL DEC PHONE	115.80			40 64000	310		10200
4	TP JAN 23	01/23/23 RINGCENTRAL DEC PHONE	114.19			50 65000	310		10200
5	TP JAN 23	01/23/23 RINGCENTRAL DEC PHONE	6.43*			60 66000	310		10200
6	TP JAN 23	01/23/23 STAPLES- STORAGE BOXES	24.31*			20 62000	410		10200
8	TP JAN 23	01/23/23 STAPLES- STORAGE BOXES	24.30			40 64000	410		10200
9	TP JAN 23	01/23/23 STAPLES- STORAGE BOXES	24.30			50 65000	410		10200
11	TP JAN 23	01/23/23 NREMT- R ROJAS EMT CERT	104.00			20 62000	386		10200
12	TP JAN 23	01/23/23 USPS - STAMPS	28.81*			20 62000	315		10200
13	TP JAN 23	01/23/23 USPS - STAMPS	3.00			30 63000	315		10200
14	TP JAN 23	01/23/23 USPS - STAMPS	43.20			40 64000	315		10200
15	TP JAN 23	01/23/23 USPS - STAMPS	42.60			50 65000	315		10200
16	TP JAN 23	01/23/23 USPS - STAMPS	2.40			60 66000	315		10200
17	TP JAN 23	01/23/23 CHECKS FOR LESS- DEPOSIT TK	19.52*			20 62000	410		10200
18	TP JAN 23	01/23/23 CHECKS FOR LESS- DEPOSIT TK	2.03			30 63000	410		10200
19	TP JAN 23	01/23/23 CHECKS FOR LESS- DEPOSIT TK	29.27			40 64000	410		10200
20	TP JAN 23	01/23/23 CHECKS FOR LESS- DEPOSIT TK	28.86			50 65000	410		10200
21	TP JAN 23	01/23/23 CHECKS FOR LESS- DEPOSIT TK	1.62			60 66000	410		10200
22	TP JAN 23	01/23/23 USPS - SHIPPING	5.90*			20 62000	315		10200
23	TP JAN 23	01/23/23 SM MARKET & DELI	113.57*			20 62000	335		10200

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8868	-99245E	301 US BANK	826.45						
KD STATEMENT DATE 1/23/2023									
1	KD JAN 22 01/04/23	LOWES- CRIMP, CABLE KIT	60.86			40 64000	582		10200
2	KD JAN 22 01/19/23	CITY OF SLO PARKING	1.50			50 65000	305		10200
3	KD JAN 22 01/10/23	GRUDENS HI-VIS OVERALLS X4	257.38			40 64000	348		10200
4	KD JAN 22 01/10/23	GRUDENS HI-VIS OVERALLS X4	257.38			50 65000	348		10200
5	KD JAN 22 01/10/23	CARHARTT JACKETS X2	124.66			40 64000	348		10200
6	KD JAN 22 01/10/23	CARHARTT JACKETS X2	124.67			50 65000	348		10200
8869	-99244E	301 US BANK	2,521.12						
SY STATEMENT DATE 1/23/23									
1	SY JAN 23 01/03/23	AMZ- KEYBOARD	128.69*			20 62000	475		10200
2	SY JAN 23 01/05/23	SMART&FINAL- WATER, GATORA	116.76*			20 62000	305		10200
3	SY JAN 23 01/06/23	COOKS COMM - ARM REST	458.39			20 62000	354		10200
4	SY JAN 23 01/10/23	BLAKES- 1/4" TOGGLE	18.23			20 62000	352		10200
5	SY JAN 23 01/11/23	BLAKES - PVC, CAP, CLAMP	8.32			20 62000	352		10200
6	SY JAN 23 01/13/23	OFFICE DEPOT - DESKS X2	922.33*			20 62000	410		10200
7	SY JAN 23 01/13/23	APPLE- ICLOUD STORAGE	2.99			20 62000	465		10200
8	SY JAN 23 01/18/23	BATTERY SYS - E8651 BATTERI	788.41*			20 62000	351		10200
9	SY JAN 23 01/21/23	PETCO - K-9 DECON	68.47			20 62000	450		10200
10	SY JAN 23 01/19/23	DOLLAR GEN - GLUE	8.53			20 62000	352		10200
Total for Vendor:			4,560.33						
8797	20087S	303 USA BLUEBOOK	316.69						
1	217078 12/28/22	SKIMMING NETS 4	316.69			40 64000	305		10200
8798	20087S	303 USA BLUEBOOK	220.82						
1	219281 12/30/22	SKIMMING NETS 3	220.82			40 64000	305		10200
Total for Vendor:			537.51						
8783	20088S	327 VALLI INFORMATION SYSTEMS	127.65						
Web Posting Service and Postage for DECEMBER Billing									
1		Web Posting, Postage	0.00			40 64000	374		10200
2		Web Posting, Postage	0.00			50 65000	374		10200
3		Printing	0.00			40 64000	374		10200
4		Printing	0.00			50 65000	374		10200

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
5	86062 12/31/22	OTC/Online Monthly Maintenance	37.50			40 64000	334		10200
6	86062 12/31/22	OTC/Online Monthly Maintenance	37.50			50 65000	334		10200
7	86062 12/31/22	Printed insert CARBON MONOXIDE	28.95			20 62000	395		10200
14		WATER DEPOSIT CC FEE	0.00			50 65000	374		10200
15	86062 12/31/22	IVR SERVICE FEE	11.85			40 64000	374		10200
16	86062 12/31/22	IVR SERVICE FEE	11.85			50 65000	374		10200
8864	20140S 327	VALLI INFORMATION SYSTEMS	613.33						
Web Posting Service and Postage for JANUARY Billing									
1	86377 01/27/23	Web Posting, Postage	202.74			40 64000	374		10200
2	86377 01/27/23	Web Posting, Postage	202.75			50 65000	374		10200
3	86377 01/27/23	Printing	103.92			40 64000	374		10200
4	86377 01/27/23	Printing	103.92			50 65000	374		10200
5		OTC/Online Monthly Maintenance	0.00			40 64000	334		10200
6		OTC/Online Monthly Maintenance	0.00			50 65000	334		10200
7		Printed insert	0.00			20 62000	395		10200
8		WATER DEPOSIT CC FEE	0.00			50 65000	374		10200
9		IVR SERVICE FEE	0.00			40 64000	374		10200
10		IVR SERVICE FEE	0.00			50 65000	374		10200
Total for Vendor:			740.98						
8834	-99251E 511	VERIZON	50.04						
TABLETS: FIRE x2									
1/09/23 - 2/08/23									
1	9924812592 01/08/23	RR DATA PLAN	25.02			20 62000	465		10200
2	9924812592 01/08/23	SY DATA PLAN	25.02			20 62000	465		10200
8841	-99248E 511	VERIZON	324.88						
TABLETS: UTILITIES x4									
CELL PHONE: TMP, MS, TP, KD, DP									
1/09/23 - 2/08/23									
1	9924812591 01/08/23	TABLETS UTILITY JAN X4	20.04			40 64000	310		10200
2	9924812591 01/08/23	TABLETS UTILITY JAN X4	20.04			50 65000	310		10200
3	9924812591 01/08/23	UTILITIES CELL PHONES X4 J	10.19			30 63000	465		10200
4	9924812591 01/08/23	UTILITIES CELL PHONES X4 J	91.67			40 64000	465		10200
5	9924812591 01/08/23	UTILITIES CELL PHONES X4 J	91.67			50 65000	465		10200
6	9924812591 01/08/23	UTILITIES CELL PHONES X4 J	10.19			60 66000	465		10200

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
7	9924812591	01/08/23 T PARENT CELL PHONE JAN	12.24			20 62000	465		10200
8	9924812591	01/08/23 T PARENT CELL PHONE JAN	1.27			30 63000	465		10200
9	9924812591	01/08/23 T PARENT CELL PHONE JAN	18.15			40 64000	465		10200
10	9924812591	01/08/23 T PARENT CELL PHONE JAN	18.65			50 65000	465		10200
11	9924812591	01/08/23 T PARENT CELL PHONE JAN	1.02			60 66000	465		10200
12	9924812591	01/08/23 4GB DATA PLAN JAN	0.55			30 63000	465		10200
13	9924812591	01/08/23 4GB DATA PLAN JAN	14.30			40 64000	465		10200
14	9924812591	01/08/23 4GB DATA PLAN JAN	14.30			50 65000	465		10200
15	9924812591	01/08/23 4GB DATA PLAN JAN	0.60			60 66000	465		10200
Total for Vendor:			374.92						
8794	20089S	395 WATER ENVIRONMENTAL FEDERATION	342.00						
1	17649822	01/03/23 WEF MEMBERSHIP 2022-23	342.00			40 64000	385		10200
Total for Vendor:			342.00						
8817	20106S	717 WATER SYSTEMS CONSULTING, INC	24,554.05						
WWTP UPGRADE PROJECTS									
1	7487	12/31/22 DESIGN & CONSTR DOCS	24,554.05			40 64000	587	20001	10200
8818	20106S	717 WATER SYSTEMS CONSULTING, INC	5,910.00						
1	7489	12/31/22 DISTRICT ENGINEERING 22-23	547.50			40 64000	326		10200
2	7489	12/31/22 DISTRICT ENGINEERING 22-23	547.50			50 65000	326		10200
3	7489	12/31/22 SLT TANK/BOOSTER 2022-66	90.00*			50 65000	961		10200
4	7489	12/31/22 NEW OFFICE TRAILER DESIGN	815.40			20 62000	326		10200
5	7489	12/31/22 NEW OFFICE TRAILER DESIGN	84.94			30 63000	326		10200
6	7489	12/31/22 NEW OFFICE TRAILER DESIGN	1,223.10			40 64000	326		10200
7	7489	12/31/22 NEW OFFICE TRAILER DESIGN	1,206.11			50 65000	326		10200
8	7489	12/31/22 NEW OFFICE TRAILER DESIGN	67.95*			60 66000	326		10200
9	7489	12/31/22 INDIAN VALLEY TRACT	663.75			40 64000	326		10200
10	7489	12/31/22 INDIAN VALLEY TRACT	663.75			50 65000	326		10200
8819	20106S	717 WATER SYSTEMS CONSULTING, INC	1,720.00						
CIP UPDATE 2022-58									
1	7488	12/31/22 CIP UPDATE 2022-58	860.00*			40 64000	546		10200
2	7488	12/31/22 CIP UPDATE 2022-58	860.00*			50 65000	546		10200
Total for Vendor:			32,184.05						

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8781	20090S	317 WESTERN JANITOR SUPPLY INC	165.77						
1	201060	01/06/23 CLEANING GOODS, PAPER TWLS	111.27			20 62000	352		10200
2	201060	01/06/23 CLEANING GOODS	27.25			40 64000	352		10200
3	201060	01/06/23 CLEANING GOODS	27.25			50 65000	352		10200
Total for Vendor:			165.77						
8809	-99254E	612 WEX BANK	733.74						
FUEL BILL CLOSING DATE: 1/07/23									
1	86366859	01/07/23 Fuel 8600 JANUARY	264.38			20 62000	485		10200
2	86366859	01/07/23 Fuel 8601 JANUARY	53.62			20 62000	485		10200
3	86366859	01/07/23 Fuel 8630 JANUARY	50.75			20 62000	485		10200
4	86366859	01/07/23 FUEL OES	0.00			20 62000	307		10200
5	86366859	01/07/23 Fuel U8632 JANUARY	40.21			40 64000	485		10200
8	86366859	01/07/23 Fuel U8632 JANUARY	40.22			50 65000	485		10200
9	86366859	01/07/23 Fuel U8634 JANUARY	32.79			40 64000	485		10200
10	86366859	01/07/23 Fuel U8634 JANUARY	32.79			50 65000	485		10200
11	86366859	01/07/23 Fuel U8636 JANUARY	109.49			50 65000	485		10200
12	86366859	01/07/23 Fuel U8636 JANUARY	109.49			40 64000	485		10200
13	86366859	01/07/23 REBATE ADJUSTMENT	0.00			20 62000	485		10200
14	86366859	01/07/23 REBATE ADJUSTMENT	0.00			40 64000	485		10200
15	86366859	01/07/23 REBATE ADJUSTMENT	0.00			50 65000	485		10200
Total for Vendor:			733.74						
8843	20107S	473 WHITE BRENNER LLP	14,760.00						
FOR LEGAL SERVICES DECEMBER 2022									
1		STEINBECK LEGAL- NOVEMBER	0.00			50 65000	332		10200
2		SOLID WASTE LEGAL	0.00			60 66000	327		10200
3		SOLID WASTE LEGAL SB3183	0.00			60 66000	327		10200
4		Water Legal- GSA MEETING	0.00			50 65000	327		10200
5	46829	DEC 01/20/23 FIRE LEGAL	36.00			20 62000	327		10200
6		HR LEGAL	151.34*			20 62000	333		10200
7		HR LEGAL	15.77			30 63000	333		10200
8		HR LEGAL	227.02			40 64000	333		10200
9		HR LEGAL	223.86			50 65000	333		10200
10		HR LEGAL	12.61			60 66000	333		10200
11	46830	DEC 01/20/23 SEWER/WATER BILLING	478.40			40 64000	327		10200

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
12		SEWER/WATER BILLING	0.00			50 65000	327		10200
13	46827	DEC 01/20/23 HR	720.00			40 64000	331		10200
14	46827	DEC 01/20/23 HR	720.00			50 65000	331		10200
15		MOU NEGOTIATION	0.00			40 64000	331		10200
16		MOU NEGOTIATION	0.00			50 65000	331		10200
17		General Legal - BOARD MEETING	0.00			20 62000	327		10200
18		General Legal - BOARD MEETING	0.00			30 63000	327		10200
19		General Legal - BOARD MEETING	0.00			40 64000	327		10200
20		General Legal - BOARD MEETING	0.00			50 65000	327		10200
21		General Legal - BOARD MEETING	0.00			60 66000	327		10200
22	46826	DEC 01/20/23 General Legal - ADMIN	4,076.06			20 62000	327		10200
23	46826	DEC 01/20/23 General Legal - ADMIN	220.22			30 63000	327		10200
24	46826	DEC 01/20/23 General Legal - ADMIN	3,603.10			40 64000	327		10200
25	46826	DEC 01/20/23 General Legal - ADMIN	3,199.05			50 65000	327		10200
26	46826	DEC 01/20/23 General Legal - ADMIN	176.17			60 66000	327		10200
27		General Legal - BOARD	0.00			20 62000	327		10200
28		General Legal - BOARD	0.00			30 63000	327		10200
29		General Legal - BOARD	0.00			40 64000	327		10200
30		General Legal - BOARD	0.00			50 65000	327		10200
31		General Legal - BOARD	0.00			60 66000	327		10200
32	46828	DEC 01/20/23 General Legal - PUBLIC REC	216.10*			20 62000	319		10200
33	46828	DEC 01/20/23 General Legal - PUBLIC REC	22.51			30 63000	319		10200
34	46828	DEC 01/20/23 General Legal - PUBLIC REC	324.14*			40 64000	319		10200
35	46828	DEC 01/20/23 General Legal - PUBLIC REC	319.64*			50 65000	319		10200
36	46828	DEC 01/20/23 General Legal - PUBLIC REC	18.01*			60 66000	319		10200
37		General Legal - HR	0.00			20 62000	327		10200
38		General Legal - HR	0.00			30 63000	327		10200
39		General Legal - HR	0.00			40 64000	327		10200
40		General Legal - HR	0.00			50 65000	327		10200
41		General Legal - HR	0.00			60 66000	327		10200
Total for Vendor:			14,760.00						
8839	20108S	674 WILBER CONSTRUCTION	8,961.00						
1	51198	01/16/23 WWTF PUMP HOUSE LEVY	8,961.00			40 64000	582		10200
Total for Vendor:			8,961.00						

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
8788	20091S	318 WILDHORSE PROPANE	840.13						
1	U006D476	01/05/23 CSD PROPANE	201.63			20 62000	382		10200
2	U006D476	01/05/23 CSD PROPANE	21.00			30 63000	382		10200
3	U006D476	01/05/23 CSD PROPANE	302.45			40 64000	382		10200
4	U006D476	01/05/23 CSD PROPANE	298.25			50 65000	382		10200
5	U006D476	01/05/23 CSD PROPANE	16.80			60 66000	382		10200
8789	20091S	318 WILDHORSE PROPANE	39.99						
1	I006357	12/28/22 TANK RENTAL 858 10TH ST	39.99			50 65000	382		10200
8790	20091S	318 WILDHORSE PROPANE	39.99						
1	I006358	12/28/22 TANK RENTAL WELL 4	39.99			50 65000	382		10200
8830	20109S	318 WILDHORSE PROPANE	71.40						
1	S0000759	01/04/23 CSD PROPANE	17.14			20 62000	382		10200
2	S0000759	01/04/23 CSD PROPANE	1.78			30 63000	382		10200
3	S0000759	01/04/23 CSD PROPANE	25.71			40 64000	382		10200
4	S0000759	01/04/23 CSD PROPANE	25.34			50 65000	382		10200
5	S0000759	01/04/23 CSD PROPANE	1.43			60 66000	382		10200
Total for Vendor:			991.51						
# of Claims			97	Total:	102,325.53	# of Vendors	38		
Total Electronic Claims			18,423.09						
Total Non-Electronic Claims			83902.44						

* ... Over spent expenditure

Claim Line #	Check Invoice #/Inv Date	Vendor #/Name/Description	Document \$/Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
*** Cancelled in 1/23 **** *** Claim from another period (9/21) ****								
7223	690	ALONSO, ANDRES & MARQUEZ,		0.99				
DEPOSIT REFUND CK STALE DATED, CUSTOMER MOVED/NO CURRENT CONTACT INFO, CK CANCELED PER GOV CODE 50055								
Water & Sewer deposit refund								
1131 K ST								
21070-02								
1	21070-02	09/15/21 SEWER DEPOSIT REFUND 1131 K	0.50			40 20550		10200
2	21070-02	09/15/21 WATER DEPOSIT REFUND 1131 K	0.49			50 20550		10200
		# of Claims	1	Total:				0.99

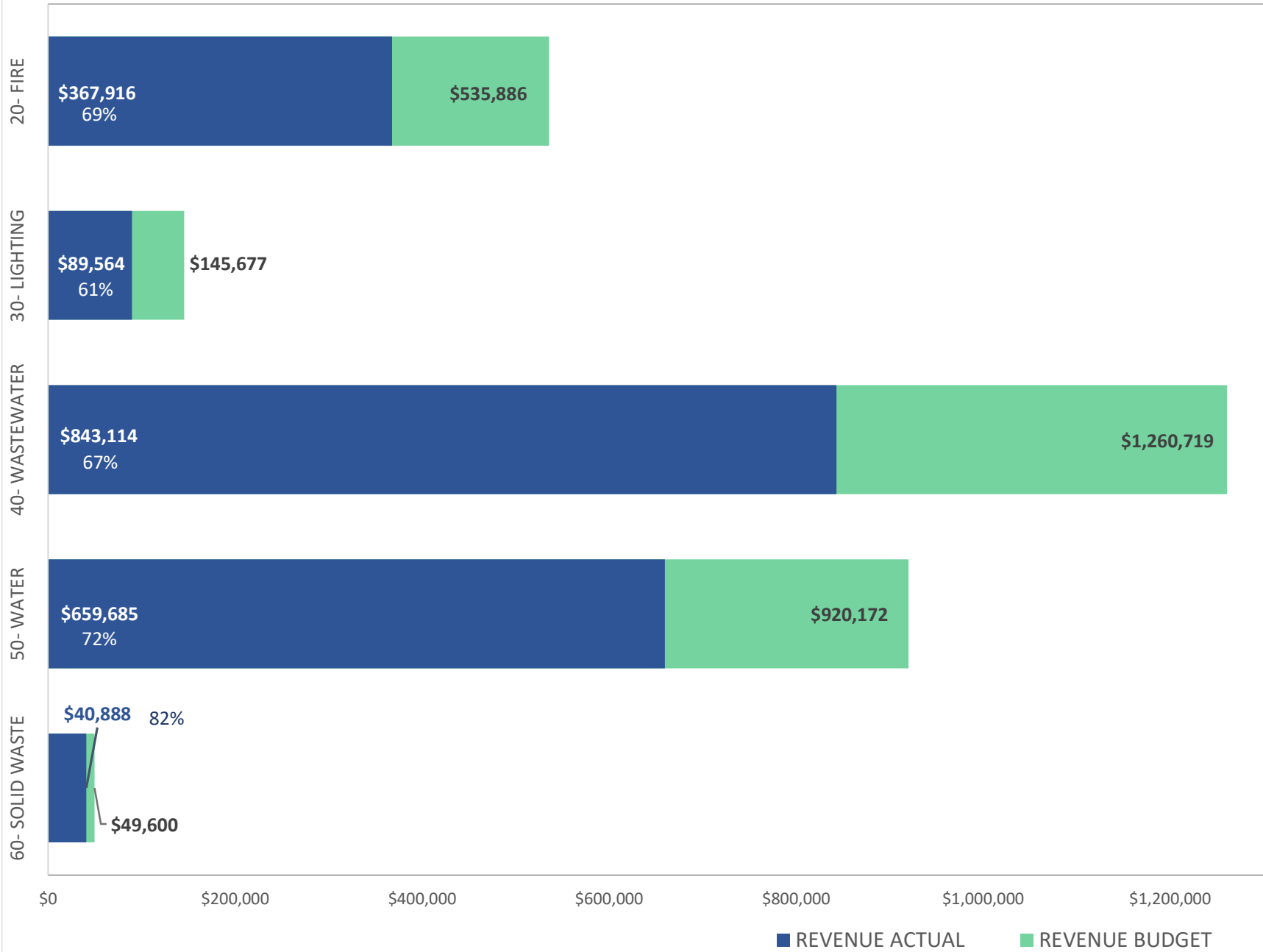
Fund/Account	Amount
20 FIRE PROTECTION DEPARTMENT	
10200 OPERATING CASH - PREMIER	\$17,977.45
30 STREET LIGHTING DEPARTMENT	
10200 OPERATING CASH - PREMIER	\$2,444.58
40 WASTEWATER DEPARTMENT	
10200 OPERATING CASH - PREMIER	\$58,126.01
50 WATER DEPARTMENT	
10200 OPERATING CASH - PREMIER	\$22,119.22
60 SOLID WASTE DEPARTMENT	
10200 OPERATING CASH - PREMIER	\$1,657.28
Total:	\$102,324.54

Fund	Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
20 FIRE PROTECTION DEPARTMENT						
40000						
40320	Fire Impact Fees	0.00	2,785.31	0.00	-2,785.31	** %
40420	Ambulance Reimbursement	0.00	2,635.81	5,000.00	2,364.19	53 %
40500	VFA Assistance Grant	0.00	0.00	18,154.00	18,154.00	0 %
	Account Group Total:	0.00	5,421.12	23,154.00	17,732.88	23 %
43000	Property Taxes Collected					
43000	Property Taxes Collected	145,460.74	286,894.06	466,232.00	179,337.94	62 %
	Account Group Total:	145,460.74	286,894.06	466,232.00	179,337.94	62 %
46000	Revenues & Interest					
46000	Revenues & Interest	157.39	47,255.57	46,500.00	-755.57	102 %
46009	Grants - Other	0.00	132.00	0.00	-132.00	** %
46150	Miscellaneous Income	0.00	465.66	0.00	-465.66	** %
46151	Refund/Adjustments	0.00	3,278.96	0.00	-3,278.96	** %
46153	Plan Check Fees and Inspections	0.00	2,100.00	0.00	-2,100.00	** %
46157	Donation	0.00	500.00	0.00	-500.00	** %
46175	Sale of Surplus Property	0.00	21,869.01	0.00	-21,869.01	** %
	Account Group Total:	157.39	75,601.20	46,500.00	-29,101.20	163 %
	Fund Total:	145,618.13	367,916.38	535,886.00	167,969.62	69 %
30 STREET LIGHTING DEPARTMENT						
43000	Property Taxes Collected					
43000	Property Taxes Collected	44,901.34	88,733.72	145,677.00	56,943.28	61 %
	Account Group Total:	44,901.34	88,733.72	145,677.00	56,943.28	61 %
46000	Revenues & Interest					
46000	Revenues & Interest	285.36	521.65	0.00	-521.65	** %
46009	Grants - Other	0.00	13.75	0.00	-13.75	** %
46100	Realized Earnings	30.60	-2,165.35	0.00	2,165.35	** %
46150	Miscellaneous Income	0.00	48.51	0.00	-48.51	** %
46151	Refund/Adjustments	0.00	109.66	0.00	-109.66	** %
46155	Will Serve Processing Fees	0.00	400.00	0.00	-400.00	** %
46175	Sale of Surplus Property	0.00	1,901.65	0.00	-1,901.65	** %
	Account Group Total:	315.96	829.87	0.00	-829.87	** %
	Fund Total:	45,217.30	89,563.59	145,677.00	56,113.41	61 %
40 WASTEWATER DEPARTMENT						
40000						
40850	Wastewater Hook-up Fees	0.00	16,155.60	0.00	-16,155.60	** %
40900	Wastewater Sales	96,531.96	673,262.06	1,099,618.00	426,355.94	61 %
40901	Riverzone Surcharge	1,551.70	10,817.35	18,388.00	7,570.65	59 %
40910	Wastewater Late Charges	377.32	10,455.01	0.00	-10,455.01	** %

Fund	Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
40 WASTEWATER DEPARTMENT						
	Account Group Total:	98,460.98	710,690.02	1,118,006.00	407,315.98	64 %
43000	Property Taxes Collected					
43000	Property Taxes Collected	22,548.57	44,503.11	72,713.00	28,209.89	61 %
	Account Group Total:	22,548.57	44,503.11	72,713.00	28,209.89	61 %
46000 Revenues & Interest						
46000	Revenues & Interest	375.66	2,176.75	0.00	-2,176.75	** %
46008	DWR Grants	18,523.00	34,750.00	70,000.00	35,250.00	50 %
46009	Grants - Other	0.00	198.00	0.00	-198.00	** %
46150	Miscellaneous Income	1,440.00	13,275.89	0.00	-13,275.89	** %
46151	Refund/Adjustments	0.00	1,641.09	0.00	-1,641.09	** %
46155	Will Serve Processing Fees	0.00	2,600.00	0.00	-2,600.00	** %
46175	Sale of Surplus Property	0.00	33,278.95	0.00	-33,278.95	** %
	Account Group Total:	20,338.66	87,920.68	70,000.00	-17,920.68	126 %
	Fund Total:	141,348.21	843,113.81	1,260,719.00	417,605.19	67 %
50 WATER DEPARTMENT						
41000 Water Sales						
41000	Water Sales	65,033.31	584,919.82	920,172.00	335,252.18	64 %
41001	Water Connection Fees	0.00	16,428.20	0.00	-16,428.20	** %
41003	Water Surcharge	45.00	315.00	0.00	-315.00	** %
41005	Water Late Charges	941.93	9,935.33	0.00	-9,935.33	** %
	Account Group Total:	66,020.24	611,598.35	920,172.00	308,573.65	66 %
46000 Revenues & Interest						
46000	Revenues & Interest	64.74	398.96	0.00	-398.96	** %
46009	Grants - Other	0.00	195.25	0.00	-195.25	** %
46150	Miscellaneous Income	0.00	3,142.61	0.00	-3,142.61	** %
46151	Refund/Adjustments	0.00	4,118.45	0.00	-4,118.45	** %
46155	Will Serve Processing Fees	0.00	4,100.00	0.00	-4,100.00	** %
46175	Sale of Surplus Property	0.00	36,131.42	0.00	-36,131.42	** %
	Account Group Total:	64.74	48,086.69	0.00	-48,086.69	** %
	Fund Total:	66,084.98	659,685.04	920,172.00	260,486.96	72 %
60 SOLID WASTE DEPARTMENT						
46000 Revenues & Interest						
46000	Revenues & Interest	13.68	-2,240.07	0.00	2,240.07	** %
46005	Franchise Fees	8,134.30	31,729.67	39,600.00	7,870.33	80 %
46009	Grants - Other	0.00	11.00	10,000.00	9,989.00	0 %
46150	Miscellaneous Income	285.75	9,295.05	0.00	-9,295.05	** %
46151	Refund/Adjustments	0.00	90.41	0.00	-90.41	** %
46155	Will Serve Processing Fees	0.00	100.00	0.00	-100.00	** %
46175	Sale of Surplus Property	0.00	1,901.65	0.00	-1,901.65	** %

Fund	Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
60 SOLID WASTE DEPARTMENT						
	Account Group Total:	8,433.73	40,887.71	49,600.00	8,712.29	82 %
	Fund Total:	8,433.73	40,887.71	49,600.00	8,712.29	82 %
	Grand Total:	406,702.35	2,001,166.53	2,912,054.00	910,887.47	69 %

San Miguel CSD Revenue Actual vs Budget



Fund	Received			Revenue To Be Received	% Received
	Current Month	Received YTD	Estimated Revenue		
20 FIRE PROTECTION DEPARTMENT	145,618.13	367,916.38	535,886.00	167,969.62	69 %
30 STREET LIGHTING DEPARTMENT	45,217.30	89,563.59	145,677.00	56,113.41	61 %
40 WASTEWATER DEPARTMENT	141,348.21	843,113.81	1,260,719.00	417,605.19	67 %
50 WATER DEPARTMENT	66,084.98	659,685.04	920,172.00	260,486.96	72 %
60 SOLID WASTE DEPARTMENT	8,433.73	40,887.71	49,600.00	8,712.29	82 %
Grand Total:	406,702.35	2,001,166.53	2,912,054.00	910,887.47	69 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
20 FIRE PROTECTION DEPARTMENT							
62000 Fire							
62000 Fire							
	105 Salaries and Wages	12,392.55	91,908.47	164,684.00	164,684.00	72,775.53	56 %
	111 BOD Stipend	132.00	572.00	2,880.00	2,880.00	2,308.00	20 %
	120 Workers' Compensation	0.00	30,752.74	11,312.00	11,312.00	-19,440.74	272 %
	121 Physicals	0.00	0.00	2,400.00	2,400.00	2,400.00	0 %
	125 Volunteer Firefighter Stipends	5,585.30	45,010.10	45,000.00	45,000.00	-10.10	100 %
	135 Payroll Tax - FICA/SS	326.40	2,652.85	2,790.00	2,790.00	137.15	95 %
	140 Payroll Tax - Medicare	262.59	1,992.40	2,978.00	2,978.00	985.60	67 %
	155 Payroll Tax - SUI	716.80	1,059.57	2,984.00	2,984.00	1,924.43	36 %
	160 Payroll Tax - ETT	9.63	16.99	0.00	0.00	-16.99	*** %
	205 Insurance - Health	913.78	5,023.96	14,592.00	14,592.00	9,568.04	34 %
	210 Insurance - Dental	63.31	400.56	697.00	697.00	296.44	57 %
	215 Insurance - Vision	10.06	64.36	112.00	112.00	47.64	57 %
	225 Retirement - PERS Expense	1,484.29	9,397.11	8,503.00	8,503.00	-894.11	111 %
	305 Operations & Maintenance	147.51	2,393.25	0.00	0.00	-2,393.25	*** %
	310 Phone & Fax Expense	91.99	612.73	1,500.00	1,500.00	887.27	41 %
	315 Postage, Shipping & Freight	34.71	332.53	200.00	200.00	-132.53	166 %
	319 Legal: P.R.A.s - Professional Svcs	216.10	402.48	360.00	360.00	-42.48	112 %
	320 Printing & Reproduction	0.00	348.22	0.00	0.00	-348.22	*** %
	321 IT Services - Professional Svcs	817.61	5,406.70	7,140.00	7,140.00	1,733.30	76 %
	323 Auditor - Professional Svcs	240.00	1,865.00	4,200.00	4,200.00	2,335.00	44 %
	325 Accounting - Professional Svcs	0.00	761.00	7,200.00	7,200.00	6,439.00	11 %
	326 Engineering - Professional Svcs	0.00	0.00	2,000.00	2,000.00	2,000.00	0 %
	327 Legal: General - Professional Svcs	4,112.06	9,881.13	18,000.00	18,000.00	8,118.87	55 %
	328 Insurance - Prop & Liability	0.00	16,543.21	15,687.00	15,687.00	-856.21	105 %
	333 Legal: HR - Professional Svcs	151.34	9,602.75	0.00	0.00	-9,602.75	*** %
	334 Maintenance Agreements	0.00	2,341.62	5,000.00	5,000.00	2,658.38	47 %
	335 Meals	113.57	324.57	0.00	0.00	-324.57	*** %
	340 Meetings and Conferences	0.00	3.00	500.00	500.00	497.00	1 %
	345 Mileage Expense Reimbursement	0.00	0.00	250.00	250.00	250.00	0 %
	348 Safety Equipment and Supplies	311.01	365.01	0.00	0.00	-365.01	*** %
	350 Repairs & Maint - Computers	0.00	0.00	4,000.00	4,000.00	4,000.00	0 %
	351 Repairs & Maint - Equip	788.41	9,048.08	5,000.00	5,000.00	-4,048.08	181 %
	352 Repairs & Maint - Structures	4,325.64	10,414.82	6,000.00	52,500.00	42,085.18	20 %
	354 Repairs & Maint - Vehicles	632.29	3,426.14	10,000.00	10,000.00	6,573.86	34 %
	359 Testing & Supplies - Other	0.00	193.14	0.00	0.00	-193.14	*** %
	370 Dispatch Services (Fire)	0.00	15,374.80	16,000.00	16,000.00	625.20	96 %
	375 Internet Expenses	0.00	0.00	2,000.00	2,000.00	2,000.00	0 %
	376 Web Page - Upgrade/Maint	0.00	768.00	1,000.00	1,000.00	232.00	77 %
	380 Utilities - Alarm Service	0.00	0.00	288.00	288.00	288.00	0 %
	381 Utilities - Electric	38.66	3,825.51	6,000.00	6,000.00	2,174.49	64 %
	382 Utilities - Propane	218.77	322.15	1,000.00	1,000.00	677.85	32 %
	384 Utilities - Water/Sewer	6.77	23.54	622.00	622.00	598.46	4 %
	385 Dues and Subscriptions	3,049.50	12,692.14	5,234.00	5,234.00	-7,458.14	242 %
	386 Education and Training	104.00	929.14	10,000.00	10,000.00	9,070.86	9 %
	393 Advertising and Public Notices	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
	394 LAFCO Allocations	0.00	1,482.74	1,600.00	1,600.00	117.26	93 %
	395 Community Outreach	28.95	59.13	1,000.00	1,000.00	940.87	6 %
	405 Software	0.00	0.00	3,000.00	3,000.00	3,000.00	0 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
20 FIRE PROTECTION DEPARTMENT							
410	Office Supplies	966.16	1,278.10	1,000.00	1,000.00	-278.10	128 %
445	CPR/FIRST AID TRAINING MATERIAL	0.00	0.00	500.00	500.00	500.00	0 %
450	EMS Supplies	68.47	1,634.16	5,000.00	5,000.00	3,365.84	33 %
455	Fire Safety Gear & Equipment	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
456	VFF Assistance Grant	0.00	25,808.02	36,307.00	36,307.00	10,498.98	71 %
465	Cell phones, Radios and Pagers	201.09	1,110.29	1,500.00	1,500.00	389.71	74 %
470	Communication Equipment	0.00	168.11	7,500.00	7,500.00	7,331.89	2 %
475	Computer Supplies & Upgrades	128.69	6,224.50	0.00	1,772.82	-4,451.68	351 %
485	Fuel Expense	368.75	4,714.17	9,000.00	9,000.00	4,285.83	52 %
490	Small Tools & Equipment	0.00	0.00	2,000.00	2,000.00	2,000.00	0 %
495	Uniform Expense	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
500	Capital Outlay	0.00	47,082.69	0.00	394.80	-46,687.89	*** %
503	Weed Abatement Costs	0.00	0.00	3,000.00	3,000.00	3,000.00	0 %
505	Fire Training Grounds	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
510	Fire Station Addition	0.00	0.00	2,000.00	2,000.00	2,000.00	0 %
511	Fire- Temp Housing Unit	0.00	17,953.71	6,800.00	6,800.00	-11,153.71	264 %
710	County Hazmat Dues	0.00	2,000.00	2,000.00	2,000.00	0.00	100 %
900	District Strategic Plan	0.00	324.00	0.00	0.00	-324.00	*** %
949	Lease agreements	0.00	428.27	0.00	1,921.50	1,493.23	22 %
960	Property Tax Expense	0.00	298.90	0.00	0.00	-298.90	*** %
	Account Total:	39,058.76	407,618.56	486,320.00	536,909.12	129,290.56	76 %
	Account Group Total:	39,058.76	407,618.56	486,320.00	536,909.12	129,290.56	76 %
	Fund Total:	39,058.76	407,618.56	486,320.00	536,909.12	129,290.56	76 %
30 STREET LIGHTING DEPARTMENT							
63000 Lighting							
63000 Lighting							
105	Salaries and Wages	955.53	7,689.89	20,667.00	20,667.00	12,977.11	37 %
111	BOD Stipend	12.00	52.00	300.00	300.00	248.00	17 %
115	Payroll Expenses	0.00	0.00	250.00	250.00	250.00	0 %
120	Workers' Compensation	0.00	18.13	52.00	52.00	33.87	35 %
121	Physicals	0.00	0.00	50.00	50.00	50.00	0 %
135	Payroll Tax - FICA/SS	0.72	17.30	100.00	100.00	82.70	17 %
140	Payroll Tax - Medicare	14.83	113.14	300.00	300.00	186.86	38 %
155	Payroll Tax - SUI	42.62	47.30	971.00	971.00	923.70	5 %
160	Payroll Tax - ETT	0.94	1.00	0.00	0.00	-1.00	*** %
205	Insurance - Health	129.65	797.30	2,241.00	2,241.00	1,443.70	36 %
210	Insurance - Dental	6.40	36.78	115.00	115.00	78.22	32 %
215	Insurance - Vision	1.06	6.43	19.00	19.00	12.57	34 %
225	Retirement - PERS Expense	101.34	947.18	1,575.00	1,575.00	627.82	60 %
305	Operations & Maintenance	3.00	306.51	1,500.00	1,500.00	1,193.49	20 %
310	Phone & Fax Expense	9.58	62.41	90.00	90.00	27.59	69 %
315	Postage, Shipping & Freight	3.00	-0.64	100.00	100.00	100.64	-1 %
319	Legal: P.R.A.s - Professional Svcs	22.51	41.93	45.00	45.00	3.07	93 %
320	Printing & Reproduction	0.00	0.00	150.00	150.00	150.00	0 %
321	IT Services - Professional Svcs	85.17	495.59	685.00	685.00	189.41	72 %
323	Auditor - Professional Svcs	25.00	187.50	420.00	420.00	232.50	45 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
30 STREET LIGHTING DEPARTMENT							
325	Accounting - Professional Svcs	0.00	76.50	720.00	720.00	643.50	11 %
326	Engineering - Professional Svcs	169.87	169.87	5,000.00	5,000.00	4,830.13	3 %
327	Legal: General - Professional Svcs	220.22	750.82	1,875.00	1,875.00	1,124.18	40 %
328	Insurance - Prop & Liability	0.00	3,090.78	3,091.00	3,091.00	0.22	100 %
329	New Hire Screening	0.00	0.00	50.00	50.00	50.00	0 %
330	Contract Labor	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
331	Legal: SMEA - Professional Svcs	0.00	0.00	250.00	250.00	250.00	0 %
333	Legal: HR - Professional Svcs	15.77	294.46	400.00	400.00	105.54	74 %
334	Maintenance Agreements	0.00	239.45	400.00	400.00	160.55	60 %
335	Meals	0.00	0.00	150.00	150.00	150.00	0 %
340	Meetings and Conferences	0.00	0.00	350.00	350.00	350.00	0 %
345	Mileage Expense Reimbursement	0.00	0.00	150.00	150.00	150.00	0 %
348	Safety Equipment and Supplies	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
350	Repairs & Maint - Computers	0.00	0.00	150.00	150.00	150.00	0 %
351	Repairs & Maint - Equip	0.00	0.00	10,000.00	10,000.00	10,000.00	0 %
352	Repairs & Maint - Structures	0.00	0.00	500.00	500.00	500.00	0 %
353	Repairs & Maint - Infrastructure	0.00	3,910.46	10,000.00	10,000.00	6,089.54	39 %
354	Repairs & Maint - Vehicles	0.00	26.05	1,000.00	1,000.00	973.95	3 %
375	Internet Expenses	0.00	0.00	27.00	27.00	27.00	0 %
376	Web Page - Upgrade/Maint	0.00	48.00	48.00	48.00	0.00	100 %
380	Utilities - Alarm Service	0.00	0.00	36.00	36.00	36.00	0 %
381	Utilities - Electric	1,272.73	8,494.28	20,000.00	20,000.00	11,505.72	42 %
382	Utilities - Propane	22.78	33.55	50.00	50.00	16.45	67 %
383	Utilities - Trash	0.00	0.00	63.00	63.00	63.00	0 %
384	Utilities - Water/Sewer	660.84	7,109.82	15,100.00	15,100.00	7,990.18	47 %
385	Dues and Subscriptions	0.00	207.77	1,348.00	1,348.00	1,140.23	15 %
386	Education and Training	0.00	46.96	2,000.00	2,000.00	1,953.04	2 %
393	Advertising and Public Notices	0.00	0.00	500.00	500.00	500.00	0 %
394	LAFCO Allocations	0.00	1,491.92	1,492.00	1,492.00	0.08	100 %
395	Community Outreach	0.00	3.02	150.00	150.00	146.98	2 %
410	Office Supplies	2.03	26.35	500.00	500.00	473.65	5 %
432	Utility Rate Design Study	0.00	0.00	30,000.00	30,000.00	30,000.00	0 %
465	Cell phones, Radios and Pagers	12.01	71.75	118.00	118.00	46.25	61 %
475	Computer Supplies & Upgrades	0.00	575.77	1,000.00	1,770.00	1,194.23	33 %
485	Fuel Expense	0.00	0.00	200.00	200.00	200.00	0 %
490	Small Tools & Equipment	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
495	Uniform Expense	5.00	94.94	160.00	160.00	65.06	59 %
500	Capital Outlay	0.00	0.00	0.00	13,541.12	13,541.12	0 %
715	Licenses, Permits and Fees	0.00	0.00	100.00	100.00	100.00	0 %
900	District Strategic Plan	0.00	33.75	0.00	0.00	-33.75	*** %
940	Bank Service Charges	0.00	0.00	15.00	15.00	15.00	0 %
949	Lease agreements	0.00	44.61	455.00	888.12	843.51	5 %
	Account Total:	3,794.60	37,660.63	148,078.00	162,822.24	125,161.61	23 %
	Account Group Total:	3,794.60	37,660.63	148,078.00	162,822.24	125,161.61	23 %
	Fund Total:	3,794.60	37,660.63	148,078.00	162,822.24	125,161.61	23 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
40 WASTEWATER DEPARTMENT							
64000 Sanitary							
64000 Sanitary							
	105 Salaries and Wages	16,064.28	126,775.84	307,977.00	307,977.00	181,201.16	41 %
	109 Stand-by Hours	0.00	0.00	12,500.00	12,500.00	12,500.00	0 %
	111 BOD Stipend	216.00	936.00	4,320.00	4,320.00	3,384.00	22 %
	115 Payroll Expenses	0.00	0.00	3,000.00	3,000.00	3,000.00	0 %
	120 Workers' Compensation	0.00	9,451.82	9,452.00	9,452.00	0.18	100 %
	121 Physicals	75.00	75.00	150.00	150.00	75.00	50 %
	135 Payroll Tax - FICA/SS	13.38	396.17	2,000.00	2,000.00	1,603.83	20 %
	140 Payroll Tax - Medicare	235.79	1,830.03	4,466.00	4,466.00	2,635.97	41 %
	155 Payroll Tax - SUI	705.82	965.74	14,475.00	14,475.00	13,509.26	7 %
	160 Payroll Tax - ETT	15.08	20.61	20.00	20.00	-0.61	103 %
	205 Insurance - Health	2,151.78	13,699.02	38,641.00	38,641.00	24,941.98	35 %
	206 Insurance - CalPers Health Retiree	0.00	0.00	1,700.00	1,700.00	1,700.00	0 %
	210 Insurance - Dental	115.17	754.85	2,261.00	2,261.00	1,506.15	33 %
	215 Insurance - Vision	18.36	120.67	321.00	321.00	200.33	38 %
	225 Retirement - PERS Expense	1,459.23	18,919.24	32,000.00	32,000.00	13,080.76	59 %
	305 Operations & Maintenance	604.10	4,729.96	8,000.00	8,000.00	3,270.04	59 %
	310 Phone & Fax Expense	207.52	1,454.82	2,000.00	2,000.00	545.18	73 %
	315 Postage, Shipping & Freight	43.20	12.87	1,000.00	1,000.00	987.13	1 %
	319 Legal: P.R.A.s - Professional Svcs	324.14	603.71	540.00	540.00	-63.71	112 %
	320 Printing & Reproduction	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
	321 IT Services - Professional Svcs	1,226.42	7,180.33	9,895.00	9,895.00	2,714.67	73 %
	323 Auditor - Professional Svcs	360.00	3,160.00	4,480.00	4,480.00	1,320.00	71 %
	325 Accounting - Professional Svcs	0.00	1,145.00	7,680.00	7,680.00	6,535.00	15 %
	326 Engineering - Professional Svcs	2,740.12	6,267.61	25,000.00	25,000.00	18,732.39	25 %
	327 Legal: General - Professional Svcs	4,081.50	18,851.54	27,000.00	27,000.00	8,148.46	70 %
	328 Insurance - Prop & Liability	0.00	17,962.71	17,963.00	17,963.00	0.29	100 %
	329 New Hire Screening	0.00	45.00	100.00	100.00	55.00	45 %
	330 Contract Labor	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
	331 Legal: SMEA - Professional Svcs	720.00	3,101.05	3,500.00	3,500.00	398.95	89 %
	333 Legal: HR - Professional Svcs	227.02	4,542.59	6,000.00	6,000.00	1,457.41	76 %
	334 Maintenance Agreements	37.50	5,483.64	8,000.00	8,000.00	2,516.36	69 %
	335 Meals	0.00	0.00	100.00	100.00	100.00	0 %
	340 Meetings and Conferences	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
	345 Mileage Expense Reimbursement	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
	348 Safety Equipment and Supplies	382.04	877.64	2,000.00	2,000.00	1,122.36	44 %
	349 Repairs & Maint - Mission Gardens	0.00	0.00	7,500.00	7,500.00	7,500.00	0 %
	350 Repairs & Maint - Computers	0.00	0.00	1,600.00	1,600.00	1,600.00	0 %
	351 Repairs & Maint - Equip	0.00	2,837.31	8,000.00	8,000.00	5,162.69	35 %
	352 Repairs & Maint - Structures	27.25	138.29	1,500.00	1,500.00	1,361.71	9 %
	353 Repairs & Maint - Infrastructure	0.00	15.04	15,000.00	15,000.00	14,984.96	0 %
	354 Repairs & Maint - Vehicles	151.94	2,298.16	3,000.00	3,000.00	701.84	77 %
	355 Testing & Supplies (WWTP)	1,737.00	8,486.00	14,000.00	14,000.00	5,514.00	61 %
	374 CSD Utilities - Billing Services	318.51	2,248.44	3,500.00	3,500.00	1,251.56	64 %
	375 Internet Expenses	713.97	2,716.46	3,500.00	3,500.00	783.54	78 %
	376 Web Page - Upgrade/Maint	0.00	768.00	768.00	768.00	0.00	100 %
	379 Utilities - Electric Mission Gardens	98.93	608.32	2,000.00	2,000.00	1,391.68	30 %
	380 Utilities - Alarm Service	125.08	412.98	1,320.00	1,320.00	907.02	31 %
	381 Utilities - Electric	6,666.66	49,456.13	80,000.00	80,000.00	30,543.87	62 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
40 WASTEWATER DEPARTMENT							
382	Utilities - Propane	328.16	483.23	510.00	510.00	26.77	95 %
383	Utilities - Trash	58.34	408.38	701.00	701.00	292.62	58 %
384	Utilities - Water/Sewer	188.16	1,459.42	2,470.00	2,470.00	1,010.58	59 %
385	Dues and Subscriptions	342.00	3,340.86	3,984.00	3,984.00	643.14	84 %
386	Education and Training	0.00	688.73	2,500.00	2,500.00	1,811.27	28 %
393	Advertising and Public Notices	0.00	59.24	1,000.00	1,000.00	940.76	6 %
394	LAFCO Allocations	0.00	1,615.16	1,615.00	1,615.00	-0.16	100 %
395	Community Outreach	0.00	76.86	1,200.00	1,200.00	1,123.14	6 %
396	Utilities - SoCal Gas	19.26	83.31	1,000.00	1,000.00	916.69	8 %
410	Office Supplies	325.28	750.10	2,000.00	2,000.00	1,249.90	38 %
432	Utility Rate Design Study	378.00	6,046.90	0.00	28,507.50	22,460.60	21 %
459	SCADA - Maintenance Fees	0.00	0.00	1,500.00	1,500.00	1,500.00	0 %
465	Cell phones, Radios and Pagers	124.12	883.93	1,394.00	1,394.00	510.07	63 %
475	Computer Supplies & Upgrades	0.00	15,043.64	2,000.00	10,535.00	-4,508.64	143 %
485	Fuel Expense	182.49	2,929.66	6,000.00	6,000.00	3,070.34	49 %
490	Small Tools & Equipment	19.28	93.77	5,500.00	5,500.00	5,406.23	2 %
495	Uniform Expense	79.45	1,835.39	2,500.00	2,500.00	664.61	73 %
500	Capital Outlay	0.00	0.00	0.00	14,092.20	14,092.20	0 %
545	Sewer System Mgmt Plan (SSMP)	0.00	0.00	4,000.00	4,000.00	4,000.00	0 %
546	Master Plans	860.00	860.00	0.00	0.00	-860.00	*** %
560	Sewer Line Repairs	0.00	0.00	10,000.00	10,000.00	10,000.00	0 %
570	Repairs, Maint. & Video Sewer Lines	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
580	MISSION GARDENS LIFT STATION PROJECTS	0.00	4,043.57	10,000.00	10,000.00	5,956.43	40 %
582	WWTP Plant Maintenance	10,105.79	18,472.52	40,000.00	40,000.00	21,527.48	46 %
583	WWTP Drying Pond Maintenance	0.00	0.00	40,000.00	40,000.00	40,000.00	0 %
587	WWTF Final Design/Construction	24,554.05	89,514.69	0.00	798,128.00	708,613.31	11 %
705	Waste Discharge Fees/Permits	0.00	28,140.00	28,140.00	28,140.00	0.00	100 %
715	Licenses, Permits and Fees	0.00	3,491.71	4,000.00	4,000.00	508.29	87 %
805	Refundable Water/Sewer/Hydrant	0.00	0.00	100.00	100.00	100.00	0 %
900	District Strategic Plan	0.00	486.00	486.00	486.00	0.00	100 %
908	Cash Over/Cash Short	0.00	-24.72	0.00	0.00	24.72	*** %
940	Bank Service Charges	35.00	77.00	100.00	100.00	23.00	77 %
949	Lease agreements	0.00	642.40	8,400.00	19,645.50	19,003.10	3 %
960	Property Tax Expense	0.00	127.82	128.00	128.00	0.18	100 %
970	WWTF Long Term Maintenance	0.00	0.00	100,000.00	100,000.00	100,000.00	0 %
971	Loan Principal Payment	0.00	0.00	150,000.00	150,000.00	150,000.00	0 %
972	Loan Interest Payment	0.00	0.00	150,000.00	150,000.00	150,000.00	0 %
	Account Total:	79,462.17	500,978.16	1,288,457.00	2,148,965.20	1,647,987.04	23 %
	Account Group Total:	79,462.17	500,978.16	1,288,457.00	2,148,965.20	1,647,987.04	23 %
	Fund Total:	79,462.17	500,978.16	1,288,457.00	2,148,965.20	1,647,987.04	23 %

SAN MIGUEL COMMUNITY SERVICES DISTRICT
Statement of Expenditure - Budget vs. Actual Report
For the Accounting Period: 1 / 23

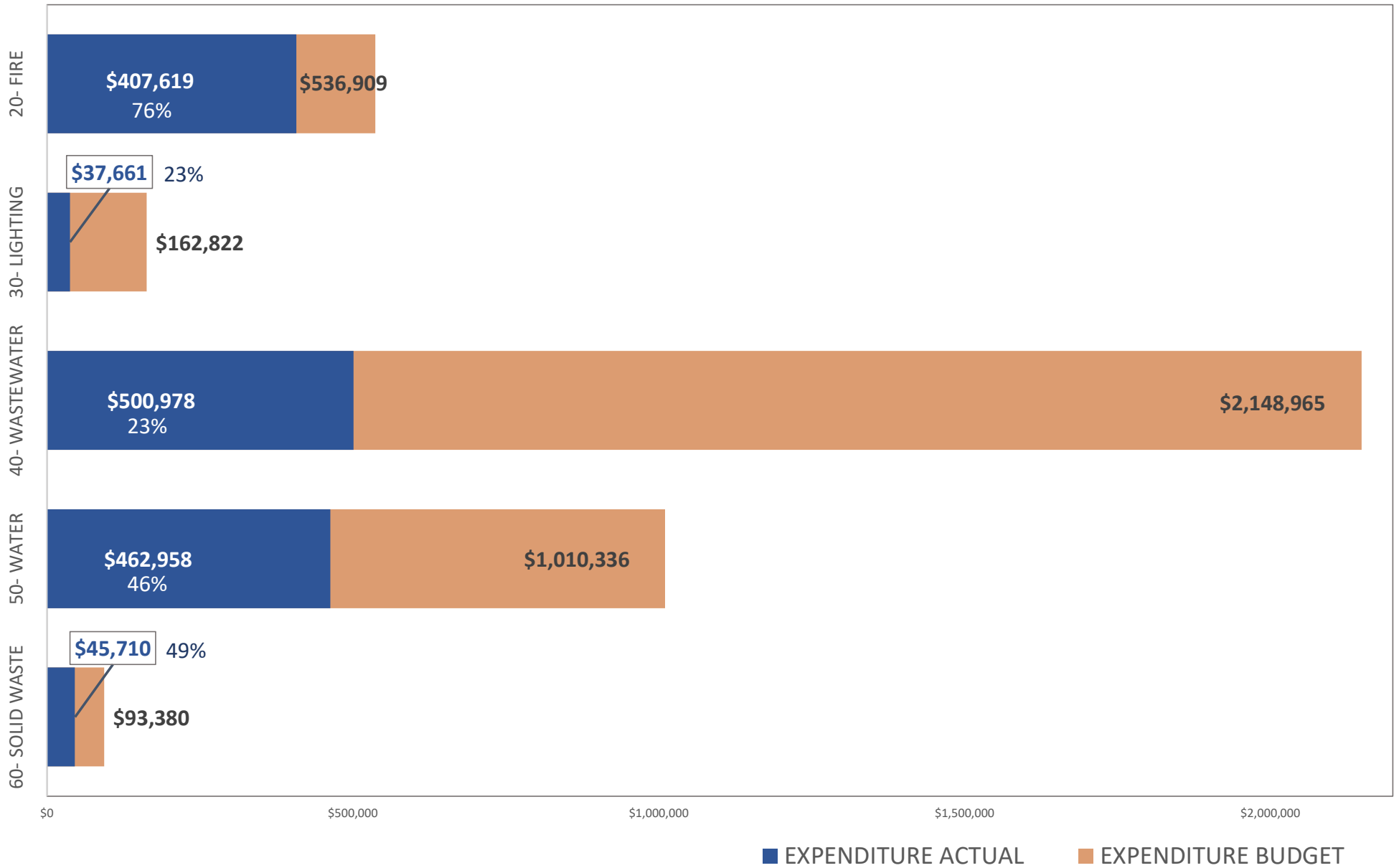
Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
50 WATER DEPARTMENT							
65000 Water							
65000 Water							
	105 Salaries and Wages	20,152.41	157,671.17	303,673.00	303,673.00	146,001.83	52 %
	109 Stand-by Hours	0.00	0.00	12,500.00	12,500.00	12,500.00	0 %
	111 BOD Stipend	228.00	988.00	4,260.00	4,260.00	3,272.00	23 %
	115 Payroll Expenses	0.00	0.00	3,000.00	3,000.00	3,000.00	0 %
	120 Workers' Compensation	0.00	13,323.34	13,323.00	13,323.00	-0.34	100 %
	121 Physicals	75.00	75.00	150.00	150.00	75.00	50 %
	135 Payroll Tax - FICA/SS	14.16	399.48	2,000.00	2,000.00	1,600.52	20 %
	140 Payroll Tax - Medicare	294.16	2,275.79	4,403.00	4,403.00	2,127.21	52 %
	155 Payroll Tax - SUI	894.54	1,156.40	4,273.00	4,273.00	3,116.60	27 %
	160 Payroll Tax - ETT	19.05	24.67	20.00	20.00	-4.67	123 %
	205 Insurance - Health	2,704.67	17,068.61	28,444.00	28,444.00	11,375.39	60 %
	206 Insurance - CalPers Health Retiree	0.00	0.00	1,700.00	1,700.00	1,700.00	0 %
	210 Insurance - Dental	140.36	923.90	1,987.00	1,987.00	1,063.10	46 %
	215 Insurance - Vision	22.37	147.60	326.00	326.00	178.40	45 %
	225 Retirement - PERS Expense	2,005.98	22,998.70	32,000.00	32,000.00	9,001.30	72 %
	305 Operations & Maintenance	135.87	4,287.20	8,000.00	8,000.00	3,712.80	54 %
	310 Phone & Fax Expense	205.61	1,440.74	2,000.00	2,000.00	559.26	72 %
	315 Postage, Shipping & Freight	42.60	12.76	1,000.00	1,000.00	987.24	1 %
	319 Legal: P.R.A.s - Professional Svcs	319.64	595.33	532.00	532.00	-63.33	112 %
	320 Printing & Reproduction	53.50	53.50	1,000.00	1,000.00	946.50	5 %
	321 IT Services - Professional Svcs	1,209.39	7,059.32	9,895.00	9,895.00	2,835.68	71 %
	323 Auditor - Professional Svcs	355.00	3,117.50	4,480.00	4,480.00	1,362.50	70 %
	324 GSA-GSP - Professional Svcs	0.00	203.82	15,000.00	15,000.00	14,796.18	1 %
	325 Accounting - Professional Svcs	0.00	1,153.50	7,680.00	7,680.00	6,526.50	15 %
	326 Engineering - Professional Svcs	2,740.13	8,382.64	27,500.00	27,500.00	19,117.36	30 %
	327 Legal: General - Professional Svcs	3,199.05	13,430.76	26,625.00	26,625.00	13,194.24	50 %
	328 Insurance - Prop & Liability	0.00	29,374.73	29,375.00	29,375.00	0.27	100 %
	329 New Hire Screening	0.00	45.00	100.00	100.00	55.00	45 %
	330 Contract Labor	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
	331 Legal: SMEA - Professional Svcs	720.00	3,101.05	3,500.00	3,500.00	398.95	89 %
	333 Legal: HR - Professional Svcs	223.86	4,483.69	6,000.00	6,000.00	1,516.31	75 %
	334 Maintenance Agreements	37.50	5,320.49	9,260.00	9,260.00	3,939.51	57 %
	335 Meals	0.00	0.00	100.00	100.00	100.00	0 %
	340 Meetings and Conferences	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
	345 Mileage Expense Reimbursement	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
	348 Safety Equipment and Supplies	382.05	877.66	2,000.00	2,000.00	1,122.34	44 %
	350 Repairs & Maint - Computers	0.00	268.00	1,500.00	1,500.00	1,232.00	18 %
	351 Repairs & Maint - Equip	0.00	4,317.85	5,000.00	5,000.00	682.15	86 %
	352 Repairs & Maint - Structures	27.25	426.68	2,000.00	2,000.00	1,573.32	21 %
	353 Repairs & Maint - Infrastructure	3,854.89	10,524.47	50,000.00	50,000.00	39,475.53	21 %
	354 Repairs & Maint - Vehicles	110.77	2,207.50	3,000.00	3,000.00	792.50	74 %
	356 Testing & Supplies - Well #3 (Water)	0.00	1,165.97	3,500.00	3,500.00	2,334.03	33 %
	357 Testing & Supplies - Well #4 (Water)	0.00	1,165.96	3,500.00	3,500.00	2,334.04	33 %
	358 Testing & Supplies - SLT Well (Water)	492.00	4,357.98	6,000.00	6,000.00	1,642.02	73 %
	359 Testing & Supplies - Other	679.00	3,420.00	6,000.00	6,000.00	2,580.00	57 %
	362 Cross-Connection Control Svcs.	0.00	733.10	1,200.00	1,200.00	466.90	61 %
	374 CSD Utilities - Billing Services	318.52	2,273.69	3,500.00	3,500.00	1,226.31	65 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
50 WATER DEPARTMENT							
375	Internet Expenses	64.99	815.76	1,187.00	1,187.00	371.24	69 %
376	Web Page - Upgrade/Maint	0.00	768.00	768.00	768.00	0.00	100 %
380	Utilities - Alarm Service	125.08	412.98	1,320.00	1,320.00	907.02	31 %
381	Utilities - Electric	3,548.42	32,891.02	46,000.00	46,000.00	13,108.98	72 %
382	Utilities - Propane	403.57	556.48	2,010.00	2,010.00	1,453.52	28 %
383	Utilities - Trash	58.34	408.38	504.00	504.00	95.62	81 %
384	Utilities - Water/Sewer	76.97	684.22	1,200.00	1,200.00	515.78	57 %
385	Dues and Subscriptions	0.00	2,957.20	4,500.00	4,500.00	1,542.80	66 %
386	Education and Training	0.00	929.18	5,000.00	5,000.00	4,070.82	19 %
393	Advertising and Public Notices	0.00	1,165.72	1,500.00	1,500.00	334.28	78 %
394	LAFCO Allocations	0.00	1,613.31	1,613.00	1,613.00	-0.31	100 %
395	Community Outreach	0.00	766.72	1,200.00	1,200.00	433.28	64 %
396	Utilities - SoCal Gas	34.04	1,659.10	2,000.00	2,000.00	340.90	83 %
410	Office Supplies	324.88	746.04	2,000.00	2,000.00	1,253.96	37 %
432	Utility Rate Design Study	378.00	6,046.91	0.00	28,807.50	22,760.59	21 %
459	SCADA - Maintenance Fees	0.00	0.00	1,500.00	1,500.00	1,500.00	0 %
465	Cell phones, Radios and Pagers	124.62	883.11	1,398.00	1,398.00	514.89	63 %
475	Computer Supplies & Upgrades	0.00	14,966.60	2,500.00	11,115.68	-3,850.92	135 %
481	Chemicals- Well #3	0.00	2,158.40	4,000.00	4,000.00	1,841.60	54 %
482	Chemicals- Well #4	0.00	2,185.74	4,000.00	4,000.00	1,814.26	55 %
483	Chemicals- SLT Well	0.00	1,505.52	3,000.00	3,000.00	1,494.48	50 %
485	Fuel Expense	182.50	2,929.67	6,000.00	6,000.00	3,070.33	49 %
490	Small Tools & Equipment	0.00	74.50	6,000.00	6,000.00	5,925.50	1 %
495	Uniform Expense	79.44	1,835.52	1,600.00	1,600.00	-235.52	115 %
500	Capital Outlay	0.00	0.00	0.00	3,583.97	3,583.97	0 %
520	Water Main Valves Replacement	0.00	0.00	10,000.00	10,000.00	10,000.00	0 %
525	Water Meter Replacement	0.00	9,696.01	0.00	0.00	-9,696.01	*** %
535	Water Lines Repairs	0.00	0.00	20,000.00	20,000.00	20,000.00	0 %
546	Master Plans	860.00	860.00	0.00	0.00	-860.00	*** %
605	USDA Loan Payment	0.00	0.00	20,000.00	20,000.00	20,000.00	0 %
715	Licenses, Permits and Fees	60.00	6,622.34	7,000.00	7,000.00	377.66	95 %
805	Refundable Water/Sewer/Hydrant	0.00	-16.09	100.00	100.00	116.09	-16 %
900	District Strategic Plan	0.00	479.25	479.00	479.00	-0.25	100 %
930	Interest Fees	0.00	2,775.30	60,000.00	60,000.00	57,224.70	5 %
940	Bank Service Charges	0.00	0.00	100.00	100.00	100.00	0 %
949	Lease agreements	0.00	633.48	8,362.00	19,583.88	18,950.40	3 %
961	SLT Tank and Booster Pump Project	940.00	1,827.50	0.00	22,960.00	21,132.50	8 %
	Account Total:	48,918.18	462,957.81	935,147.00	1,010,336.03	547,378.22	46 %
	Account Group Total:	48,918.18	462,957.81	935,147.00	1,010,336.03	547,378.22	46 %
	Fund Total:	48,918.18	462,957.81	935,147.00	1,010,336.03	547,378.22	46 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
60 SOLID WASTE DEPARTMENT							
66000 SOLID WASTE							
66000	SOLID WASTE						
	105 Salaries and Wages	929.75	7,541.47	19,370.00	19,370.00	11,828.53	39 %
	111 BOD Stipend	12.00	52.00	240.00	240.00	188.00	22 %
	115 Payroll Expenses	0.00	0.00	250.00	250.00	250.00	0 %
	120 Workers' Compensation	0.00	18.15	37.00	37.00	18.85	49 %
	121 Physicals	0.00	0.00	50.00	50.00	50.00	0 %
	135 Payroll Tax - FICA/SS	0.72	17.27	150.00	150.00	132.73	12 %
	140 Payroll Tax - Medicare	13.63	108.09	281.00	281.00	172.91	38 %
	155 Payroll Tax - SUI	39.08	43.77	910.00	910.00	866.23	5 %
	160 Payroll Tax - ETT	0.80	0.86	20.00	20.00	19.14	4 %
	205 Insurance - Health	114.52	756.39	2,132.00	2,132.00	1,375.61	35 %
	210 Insurance - Dental	5.60	37.59	105.00	105.00	67.41	36 %
	215 Insurance - Vision	0.87	5.98	17.00	17.00	11.02	35 %
	225 Retirement - PERS Expense	97.68	928.72	1,475.00	1,475.00	546.28	63 %
	305 Operations & Maintenance	3.00	2,071.00	3,000.00	3,000.00	929.00	69 %
	310 Phone & Fax Expense	7.66	54.04	50.00	50.00	-4.04	108 %
	315 Postage, Shipping & Freight	2.40	0.45	100.00	100.00	99.55	0 %
	319 Legal: P.R.A.s - Professional Svcs	18.01	33.53	30.00	30.00	-3.53	112 %
	320 Printing & Reproduction	0.00	0.00	150.00	150.00	150.00	0 %
	321 IT Services - Professional Svcs	68.13	411.05	500.00	500.00	88.95	82 %
	323 Auditor - Professional Svcs	20.00	170.00	420.00	420.00	250.00	40 %
	325 Accounting - Professional Svcs	0.00	64.00	720.00	720.00	656.00	9 %
	326 Engineering - Professional Svcs	169.88	169.88	0.00	0.00	-169.88	*** %
	327 Legal: General - Professional Svcs	176.17	624.73	1,500.00	1,500.00	875.27	42 %
	328 Insurance - Prop & Liability	0.00	1,440.63	1,441.00	1,441.00	0.37	100 %
	329 New Hire Screening	0.00	0.00	50.00	50.00	50.00	0 %
	330 Contract Labor	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
	331 Legal: SMEA - Professional Svcs	0.00	0.00	250.00	250.00	250.00	0 %
	333 Legal: HR - Professional Svcs	12.61	235.57	400.00	400.00	164.43	59 %
	334 Maintenance Agreements	0.00	204.76	350.00	350.00	145.24	59 %
	335 Meals	0.00	0.00	100.00	100.00	100.00	0 %
	340 Meetings and Conferences	0.00	0.00	100.00	100.00	100.00	0 %
	345 Mileage Expense Reimbursement	0.00	0.00	50.00	50.00	50.00	0 %
	348 Safety Equipment and Supplies	0.00	0.00	500.00	500.00	500.00	0 %
	350 Repairs & Maint - Computers	0.00	0.00	150.00	150.00	150.00	0 %
	351 Repairs & Maint - Equip	0.00	311.40	500.00	500.00	188.60	62 %
	352 Repairs & Maint - Structures	0.00	0.00	100.00	100.00	100.00	0 %
	353 Repairs & Maint - Infrastructure	1,244.69	2,767.41	2,000.00	2,000.00	-767.41	138 %
	354 Repairs & Maint - Vehicles	0.00	0.00	150.00	150.00	150.00	0 %
	375 Internet Expenses	0.00	0.00	27.00	27.00	27.00	0 %
	376 Web Page - Upgrade/Maint	0.00	48.00	48.00	48.00	0.00	100 %
	380 Utilities - Alarm Service	0.00	0.00	36.00	36.00	36.00	0 %
	382 Utilities - Propane	18.23	89.26	150.00	150.00	60.74	60 %
	383 Utilities - Trash	0.00	0.00	189.00	189.00	189.00	0 %
	384 Utilities - Water/Sewer	0.00	0.00	39.00	39.00	39.00	0 %
	385 Dues and Subscriptions	0.00	166.52	1,321.00	1,321.00	1,154.48	13 %
	386 Education and Training	0.00	38.11	500.00	500.00	461.89	8 %
	393 Advertising and Public Notices	0.00	0.00	500.00	500.00	500.00	0 %
	394 LAFCO Allocations	0.00	1,490.09	1,490.00	1,490.00	-0.09	100 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
60 SOLID WASTE DEPARTMENT							
395	Community Outreach	0.00	2.76	750.00	750.00	747.24	0 %
410	Office Supplies	1.62	22.71	150.00	150.00	127.29	15 %
432	Utility Rate Design Study	0.00	0.00	0.00	16,472.50	16,472.50	0 %
465	Cell phones, Radios and Pagers	11.81	70.45	100.00	100.00	29.55	70 %
475	Computer Supplies & Upgrades	0.00	582.46	500.00	1,270.00	687.54	46 %
485	Fuel Expense	0.00	0.00	200.00	200.00	200.00	0 %
490	Small Tools & Equipment	0.00	0.00	500.00	500.00	500.00	0 %
495	Uniform Expense	5.00	94.96	150.00	150.00	55.04	63 %
500	Capital Outlay	0.00	23,214.63	0.00	25,032.90	1,818.27	93 %
580	MISSION GARDENS LIFT STATION PROJECTS	0.00	895.59	0.00	0.00	-895.59	*** %
650	SB1383 Compliance	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
715	Licenses, Permits and Fees	0.00	862.76	0.00	0.00	-862.76	*** %
900	District Strategic Plan	0.00	27.00	27.00	27.00	0.00	100 %
940	Bank Service Charges	0.00	0.00	15.00	15.00	15.00	0 %
949	Lease agreements	0.00	35.69	387.00	765.00	729.31	5 %
	Account Total:	2,973.86	45,709.73	50,727.00	93,380.40	47,670.67	49 %
	Account Group Total:	2,973.86	45,709.73	50,727.00	93,380.40	47,670.67	49 %
	Fund Total:	2,973.86	45,709.73	50,727.00	93,380.40	47,670.67	49 %
	Grand Total:	174,207.57	1,454,924.89	2,908,729.00	3,952,412.99	2,497,488.10	37 %

San Miguel CSD Operating Expenditures Actual vs Budget



SAN MIGUEL COMMUNITY SERVICES DISTRICT
Cash Report
For the Accounting Period: 1/23

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
20 FIRE PROTECTION DEPARTMENT						
10200 OPERATING CASH - PREMIER	113,503.28	0.00	0.00	0.00	41,899.81	71,603.47
10250 PAC PREMIER - PAYROLL	-4,960.12	0.00	23,929.13	0.00	21,896.71	-2,927.70
10340 PAC PREMIER OPERATIONAL RESERVE	380,489.94	145,544.25	0.00	0.00	0.00	526,034.19
10350 PAC PREMIER - CAPITAL RESERVE	434,918.78	73.88	0.00	0.00	0.00	434,992.66
10360 HOB - Capital Projects Acct	164,323.95	0.00	0.00	0.00	0.00	164,323.95
10461 COMMUNITY BANK OF SANTA MARIA	158,248.95	0.00	0.00	0.00	0.00	158,248.95
Total Fund	1,246,524.78	145,618.13	23,929.13		63,796.52	1,352,275.52
30 STREET LIGHTING DEPARTMENT						
10200 OPERATING CASH - PREMIER	110,867.12	44,901.34	0.00	0.00	3,624.76	152,143.70
10250 PAC PREMIER - PAYROLL	5,011.25	0.00	1,842.02	0.00	1,265.09	5,588.18
10340 PAC PREMIER OPERATIONAL RESERVE	210,445.47	33.42	0.00	0.00	0.00	210,478.89
10350 PAC PREMIER - CAPITAL RESERVE	249,919.96	42.46	0.00	0.00	0.00	249,962.42
10460 Cantella & Co. Investment Acct.	153,610.42	240.08	0.00	0.00	0.00	153,850.50
Total Fund	729,854.22	45,217.30	1,842.02		4,889.85	772,023.69
40 WASTEWATER DEPARTMENT						
10200 OPERATING CASH - PREMIER	1,394,704.11	146,077.14	0.50	108.36	83,611.62	1,457,061.77
10250 PAC PREMIER - PAYROLL	50,124.04	0.00	27,491.65	35.00	20,994.89	56,585.80
10260 PAC WESTERN BANK - LONG TERM	500,982.70	212.74	0.00	0.00	0.00	501,195.44
10340 PAC PREMIER OPERATIONAL RESERVE	330,652.71	52.50	0.00	0.00	0.00	330,705.21
10350 PAC PREMIER - CAPITAL RESERVE	649,991.50	110.42	0.00	0.00	0.00	650,101.92
Total Fund	2,926,455.06	146,452.80	27,492.15	143.36	104,606.51	2,995,650.14
50 WATER DEPARTMENT						
10150 Cash in SLO County	77,836.10	0.00	0.00	0.00	0.00	77,836.10
10200 OPERATING CASH - PREMIER	341,056.55	79,167.85	0.49	652.01	46,031.40	373,541.48
10250 PAC PREMIER - PAYROLL	-58,996.45	0.00	27,123.23	0.00	26,475.70	-58,348.92
10340 PAC PREMIER OPERATIONAL RESERVE	155,444.87	24.68	0.00	0.00	0.00	155,469.55
10350 PAC PREMIER - CAPITAL RESERVE	232,351.05	39.47	0.00	0.00	0.00	232,390.52
10400 HOB - USDA RESERVE	70,005.70	0.59	0.00	0.00	0.00	70,006.29
Total Fund	817,697.82	79,232.59	27,123.72	652.01	72,507.10	850,895.02
60 SOLID WASTE DEPARTMENT						
10200 OPERATING CASH - PREMIER	38,318.97	8,420.05	0.00	0.00	3,129.88	43,609.14
10250 PAC PREMIER - PAYROLL	3,925.65	0.00	1,473.60	0.00	1,214.65	4,184.60
10340 PAC PREMIER OPERATIONAL RESERVE	72,338.90	11.49	0.00	0.00	0.00	72,350.39
10350 PAC PREMIER - CAPITAL RESERVE	12,893.15	2.19	0.00	0.00	0.00	12,895.34
Total Fund	127,476.67	8,433.73	1,473.60		4,344.53	133,039.47
71 PAYROLL CLEARING FUND						
10250 PAC PREMIER - PAYROLL	-845.25	0.00	71,847.04	71,840.11	0.00	-838.32
73 CLAIMS CLEARING FUND						
10200 OPERATING CASH - PREMIER	52,638.51	0.00	96,437.84	85,479.11	0.00	63,597.24
Totals	5,899,801.81	424,954.55	250,145.50	158,114.59	250,144.51	6,166,642.76

*** Transfers In and Transfers Out columns should match, with the following exceptions:


- 1) Cancelled electronic checks increase the Transfers In column. Disbursed column will be overstated by the same amount and will not balance to the Redeemed Checks List.
- 2) Payroll Journal Vouchers including local deductions with receipt accounting will reduce the Transfers Out column by the total amount of these checks.

SAN MIGUEL CSD Investment Portfolio Report - MONTHLY

1/31/2023

SECURITY	PRICE	COUPON	AMOUNT	YIELDS AVG YIELD	ANNUAL CASH FLOW	MATURITY DATE	FDIC CERT #	SETTLE DATE	MARKET VALUE AS OF REPORT	PORTFOLIO % BY INVESTMENT
Fidelity Govt MMKT	N/A								\$ 16,640.20	
Morgan Stanley Bank NA	\$ 100.00	3.05%	\$ 75,000.00	3.05%	\$ 2,287.50	2/14/2024	32992	2/14/2019	\$ 73,723.50	54%
Comenity Cap. Bank	\$ 100.00	2.75%	\$ 65,000.00	2.75%	\$ 1,787.50	4/15/2024	57570	4/15/2019	\$ 63,486.80	46%
Total & Average:			\$ 140,000.00	2.90%	\$ 4,075.00				\$ 153,850.50	

SMCSD BMS Accounts: 30-46000, 30-46100



SECURITIES & ADVISORY SERVICES
OFFERED THROUGH CANTELLA & CO., INC.
MEMBER FINRA/SIPC

Disclosure Page

All information provided "as is" for informational purposes only, not intended for trading purposes or advice. Some holdings may include assets held by third party firms. Estimates of asset values provided by the client are not verified for accuracy and are not guaranteed. Prior to execution of any security trade, you are advised to consult your authorized financial advisor to verify the accuracy of all information. Neither Cantella & Co., Inc., nor Mark Edelman, King Capital Advisors is liable for any informational errors, incompleteness, or for any actions taken in reliance on information contained herein.

The performance data quoted represents past performance, which does not guarantee future results. Principle value and investment return of stocks, mutual funds, and variable/life products will fluctuate and an investor's share/units when redeemed will be worth more or less than the original investment. Stocks, mutual funds, and variable/life products are not FDIC-insured, may lose value, and are not guaranteed by a bank or other financial institution.

Current performance may be lower or higher than the performance data quoted. For performance data current to the most recent month-end call or write for more information.

Account statements are provided directly from National Financial Services and should be reviewed for accuracy. As always, for more complete account information please contact your representative at 281-582-6500 or Cantella & Co., home office representative for an official statement.

Please carefully consider the fund's investment objective, risks, charges and expenses applicable to a continued investment in the fund before investing. For this and other information, call or write to for a free prospectus, or view one online. Read it carefully before you invest or send money.

Bonds contain interest rate risk (as interest rates rise bond prices usually fall); the risk of issuer default; and inflation risk. The municipal market is volatile and can be significantly affected by adverse tax, legislative, or political changes and the financial condition of the issuers of municipal securities. Interest rate increases can cause the price of a debt security to decrease.

Variable insurance products, including variable annuities are offered by prospectus only. The prospectus contains information about the product's features, risks, charges and expenses, and the investment objectives, risks and policies or the underlying portfolios, as well as other information about the underlying funding choices. Read the prospectus and consider this information carefully.

Securities offered through Cantella & Co., Inc. Member FINRA/SIPC

SMCSD STATEMENTS OF INFORMATION:

As of this report date the District is in compliance with the SMCSD Investment Policy.

As of this report date the District has the ability to meet it's expenditure requirements through: July 31, 2023

Michelle Hido

Michelle Hido, Financial Officer SMCSD

Kelly Dodds, General Manager SMCSD

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 10.3

SUBJECT: Revisions to District Reserve Policy (Dodds)

SUGGESTED ACTION: Review and approve Resolution 2023-10 adopting revisions to the Districts Reserve Policy

DISCUSSION:

In 2019 the Board adopted a new Reserve Policy which updated the policy approved in 2015. The 2023 revisions again align the reserve goals with the direction and operation of the District.

The updates from the 2019 to 2023 version of the Reserve Policy are; updating percentages, account names, clarification on reserve purpose, and adding the funds that were initially excluded. Additionally, a statement on the funding of the Fire Department was added for reference.

This District Reserve policy, when coupled with the District Investment policy and other documents, such as the Strategic Plan and Utilities Master plans, will help the Board remain transparent and make more informed decisions regarding the fiscal health of the District when it comes to short and long-term planning.

This proposed District Reserve Policy is intended to provide the following:

- To establish and maintain sufficient cash reserves available to meet operating, replacement, capital projects and debt service payments; and,
- To formalize its cash reserve policies; and,
- To establish sound financial policies that promote favorable bond ratings in capital markets so that bonds may be used for future financing of District projects; and,
- To maintain sufficient capital reserve for unanticipated and unforeseeable expenses; and,

The District is updating this policy as part of an ongoing practice of keeping policies up to date with current position of the District.

FISCAL IMPACT:

None

PREPARED BY: Kelly Dodds

RESOLUTION 2023-10

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SAN MIGUEL COMMUNITY SERVICES DISTRICT
ADOPTING A REVISED DISTRICT RESERVE POLICY**

WHEREAS, the San Miguel Community Services District (“District”) operates five distinct funds: Fire (fund 20), Street Lighting (fund 30), Wastewater (fund 40), Water (fund 50), and Solid Waste (fund 60), and

WHEREAS, the Board of Directors recognizes a need to have reserve funds for unanticipated, unforeseeable or planned operational fund deficiencies; and

WHEREAS, the Board of Directors recognizes a need to reserve funds for unanticipated, unforeseeable, and planned repair, or replacement of equipment, vehicles, facilities and infrastructure; and

WHEREAS, the Board of Directors recognizes that the District’s ability to issue bonds for working capital and the repair or replacement of equipment, vehicles, facilities and infrastructure is limited; and

WHEREAS, the Board of Directors desires to avoid the cost of debt issuances and ongoing interest expense, and

WHEREAS, the Board of Directors believes that it is more prudent to collect funds for unanticipated, unforeseeable, and planned repair or replacement of water and wastewater system equipment and infrastructure from current customers who benefit from the District’s services and use of the District’s systems.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Miguel Community Services District as follows:

1. The Board of Directors finds that this action is not a project subject to the California Environmental Act (“CEQA”) because it involves only general policy and procedure making and does not have the potential for resulting in either a direct or physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. (CEQA Guidelines, §§ 15002(d), 15378, 15061(b)(3).)
2. The foregoing recitals are adopted as findings of the Board of Directors as though fully set forth herein.
3. This resolution rescinds any and all previously adopted reserve policies.
4. The District General Manager is directed to follow the Revised District Reserve Policy in managing available funds and investments of the District.
4. The Revised District Reserve Policy is hereby adopted as follows:

Section 1: Operating funds

All departments (FUND 20, 30, 40, 50, 60)

Purpose: To ensure sufficient operating cash resources are available to fund daily administration, operations and maintenance of providing services to the community.

Target Criteria: To meet each Departments cash flow needs and unbudgeted expenses. The operating cash reserves should be equal to or greater 50 percent of the annual budgeted operating expenses for each fund (not including budgeted projects or other capital replacement).

As part of the annual budget approval the Board will review the reserves of all the departments.

Any excess operating revenues may, by resolution of the Board or direction of the General Manager or the Fire Chief, be transferred to other reserves accounts within a department.

Anticipated Operating fund deficiencies shall be funded in the following order for each effected department:

1. Transfer from Operational Reserve funds (if applicable) - Through the annual budget process
2. Transfer from Capital Reserves – Through resolution of the Board
 - a. Must be accompanied by a repayment schedule

In order to meet the target, the District shall not transfer any operating funds from any department until the target is met.

Section 2: Post-Employment Benefit Reserves

To the extent, the “District” has or acquires post-employment benefits, then the “District” shall maintain a reserve level necessary to eliminate the required recorded obligation to fund these identified benefits, in accordance with Governmental Accounting Standards guidelines or pronouncements, in cash equivalents and investments.

Initial and ongoing funding for this reserve will be made through the annual budget process by all departments. The anticipated funding requirement for each department will be determined by the standard split as approved in the annual budget.

Anticipated post-employment reserve deficiencies shall be funded in the following order:

1. Operating funds - Through the annual budget process
2. Transfer from Operational Reserve funds (if applicable) – Through the annual budget process
3. Transfer from Capital Reserves – Through resolution of the Board
 - a. Must be accompanied by a repayment schedule

Section 3: Debt service Reserves

To the extent, the “District” has or acquires debt service reserve requirements, then the “District” shall maintain, in a separate account, minimum funds necessary to satisfy those reserve levels required by the loan/ debt service contract/ agreement.

The General Manager shall fund the debt service reserve account to the level required by the debt servicer(s) prior to the beginning of each fiscal year (June 30th).

Funds shall remain in the reserve account until such time as the loan or debt is paid in full and such funds are no longer required to be held.

Section 4: Operational Reserve Funds

Purpose: To establish a buffer for each fund during any period where there are unexpected increases in operating costs or decreases in revenues. In addition, in a severe drought, extremely wet conditions or any other disaster situation, it is reasonable to expect that revenues could fluctuate significantly. As such, this fund will absorb these types of fluctuations in operations, providing ‘gap’ funding through the period of increased operational cost or reduced revenue. This fund shall not be used to artificially suppress water and wastewater rates (i.e. to maintain or sustain rates at levels below the costs of service).

Target Criteria: The Operational reserves should be equal to or greater than 50 percent of the annual budgeted operating expenses for each fund (not including budgeted projects or other capital replacement).

As part of the annual budget approval the Board will review the reserves of all the departments.

Any deficiencies in operating revenues for any fund may, by resolution, be transferred from Operational reserves, if there will not be sufficient reserves in the Operating funds as outlined in section 3 above.

In order to meet, and maintain the target, the District shall transfer any excess operating funds, after the obligations of section 3 above are met, from individual departments respectively until the target is met.

The Fire fund will transfer all remaining funds from its operational cash to operational reserve at the end of each fiscal year and transfer the entirety of the new year budget to operational cash from operational reserve. Non-Capital revenue received by the fire department will be deposited in the Operational Reserve account, unless otherwise directed by the Fire Chief.

Section 5: Capital Reserve Funds

Connection fees and Impact fees will be deposited to and maintained in the Capital reserve until such time that they are approved for use by resolution.

Fire Department (FUND 20)

Purpose: To ensure sufficient capital resources are available to fund replacement of equipment, vehicles, and facilities.

Target Criteria: Minimum capital reserve requirement of \$200,000

Funds may only be transferred from this capital reserve account by one of the following:

- Through a Board approved resolution for capital purchases, projects or replacements.
- Through a Board resolution to loan the funds for an immediate operational need
 - Must provide a repayment plan
 - Must provide justification for the Loan

Funds may be transferred into the Capital reserve account after the obligations under all sections above are met.

Lighting Department (FUND 30)

Purpose: To ensure sufficient capital resources are available to fund replacement of equipment, vehicles, facilities and infrastructure.

Target Criteria: Minimum capital reserve requirement of \$50,000

Funds may only be transferred from this capital reserve account by one of the following:

- Through a Board approved resolution for capital purchases, projects, or replacements.
- Through a Board resolution to loan the funds for an immediate operational need
 - Must provide a repayment plan
 - Must provide justification for the Loan

Funds may be transferred into the Capital reserve account after the obligations under all sections above are met.

Wastewater Department (FUND 40)

Purpose: To ensure sufficient capital resources are available to fund replacement of equipment, vehicles, facilities, and infrastructure.

The District will, starting in Fiscal year 2019-20, begin budgeting and transferring to the capital fund an amount equal to 1/10th the projected replacement cost of the membranes needed to be replaced at the WWTF. In this manner the District shall ensure that there are sufficient funds available for the replacement of membranes at the projected 10-year mark.

These funds must not be used for anything other than the replacement of the membranes or other long-term maintenance of the WWTF.

Target Criteria: Minimum capital reserve requirement of \$1,000,000

Funds may only be transferred from this capital reserve account by one of the following:

- Through a Board approved resolution for capital purchases, projects or replacements.
- Through a Board resolution to loan the funds for an immediate operational need
 - Must provide a repayment plan
 - Must provide justification for the Loan

Funds may be transferred into the Capital reserve account after the obligations under all section above are met.

Water Department (FUND 50)

Purpose: To ensure sufficient capital resources are available to fund replacement of equipment, vehicles, facilities and infrastructure.

Target Criteria: Minimum capital reserve requirement of \$1,000,000

Funds may only be transferred from this capital reserve account by one of the following:

- Through a Board approved resolution for capital purchases, projects or replacements.
- Through a Board resolution to loan the funds for an immediate operational need
 - Must provide a repayment plan
 - Must provide justification for the Loan

Funds may be transferred into the Capital reserve account after the obligations under all sections above are met.

Solid Waste Department (FUND 60)

Purpose: To ensure sufficient capital resources are available to fund replacement of equipment, vehicles, facilities and infrastructure.

Target Criteria: Minimum capital reserve requirement of \$50,000

Funds may only be transferred from this capital reserve account by one of the following:

- Through a Board approved resolution for capital purchases, projects or replacements.
- Through a Board resolution to loan the funds for an immediate operational need
 - Must provide a repayment plan
 - Must provide justification for the Loan

Funds may be transferred into the Capital reserve account after the obligations under all sections above are met.

PASSED AND ADOPTED by the Board of Directors of the San Miguel Community Services District at a regular meeting held on this 21st day of February 2023, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Kelly Dodds, General Manager

Ward Roney, President SMCS D

ATTEST:

APPROVED AS TO FORM:

Tamara Parent, Board Clerk

Douglas L White, General Counsel

Board of Directors Staff Report

February 23, 2023

AGENDA ITEM: 10.4

SUBJECT: Review and approve changes to the Board Handbook. (Dodds, White)

SUGGESTED ACTION: Review and approve resolution 2023-09 adopting changes to the Board Handbook.

DISCUSSION:

The Board Handbook is the document which guides the actions of the Board. Over the life of this document, it has been modified to include, and remove, legal and board directed requirements to provide a basis for how the Board conducts themselves, as well as their interaction with the public.

Since, the Board reviewed and provided comments on the Board Handbook, Staff and Legal have taken those comments and incorporated them into the Handbook. Based on legal's advice, some references that the Board requested regarding case law have been omitted. However, Legal assures us that the verbiage in the handbook carries the same weight as if the references were included.

The request for having an annual review of the Strategic Plan was not added, but will be calendared so that it is reviewed annually.

The request for incorporating term limits was not added at this time either. Staff and legal will be working toward creating term limits, but as it requires more work than adding it to the handbook, we will be bringing that back in the future.

The Board should review the Handbook and provide any additional comments to staff. If there are no additional inclusions, then the Board should approve the revised handbook.

FISCAL IMPACT:

Staff and legal time to make revisions and prepare a draft handbook copy for the board.

PREPARED BY: Kelly Dodds

RESOLUTION NO. 2023-09

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN MIGUEL COMMUNITY SERVICES DISTRICT REVISING THE SAN MIGUEL
COMMUNITY SERVICES DISTRICT BOARD MEMBERS' HANDBOOK**

WHEREAS, on September 22, 2017, the San Miguel Community Services District (“District”) Board of Directors (“Board”) adopted a handbook for members of the Board and other District officials (“Handbook”) and most recently revised again on January 23, 2020; and

WHEREAS, the Handbook serves as a reference on adopted practices and procedures pertaining to Board meetings, committee meetings, Board powers and responsibilities, expected behavior and decorum, ethical duties, and other matters; and

WHEREAS, the Board desires to make revisions throughout the Board Handbook to include clarifying language, update government code and legal references, in addition to other formatting and grammatical errors.

NOW THEREFORE, BE IT RESOLVED, the Board does, hereby, revised the San Miguel Community Services District Board Members’ Handbook, attached hereto and incorporated as Exhibit A.

On the motion of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAINING:**

the foregoing Resolution is hereby passed and adopted this 23rd day of February 2023.

Ward Roney, President
Board of Directors

ATTEST:

APPROVED AS TO FORM:

Kelly Dodds, General Manager

Douglas L. White, District General Counsel

San Miguel
Community
Services District



Board Members'
Handbook

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PART I: ADMINISTRATIVE GUIDELINES

Chapter 1: Introduction & Overview

A. Purpose of San Miguel Community Services District Board Member's Handbook

The San Miguel Community Services District ("District") has prepared this Board Members' Handbook ("Handbook") to assist Board Members and other District Officials (collectively, "District Officials") by documenting accepted practices and clarifying expectations. This Handbook should serve as a reference on adopted practices and procedures pertaining to District Board of Directors ("Board") meetings, committee meetings or advisory groups, if any, provide an overview of District operations, Board powers and responsibilities, expected behavior and decorum from Board Members and other elected or appointed officials, and other related matters. The Handbook supersedes any other Handbooks which govern the Board, Committees, or Advisory Groups.

The Board of Directors (Board) is elected by the people of San Miguel and as such is the voice for the People who receive services from the District. The Board is committed to acting in the best interest of the people it serves.

B. Overview of Basic Documents

This Handbook is a summary of the important aspects of District Officials' activities. However, it cannot incorporate all materials and information necessary for understanding the business of District Officials. Many other laws, plans, and documents exist which bind the District Officials to certain courses of action and practices. A summary of some of the most notable documents which establish District Officials' direction is provided below.

1. California Government Code

The California Government Code is a compilation of legal codes enacted by the California State Legislature which collectively form the general statutory law of California. The Government Codes contain many requirements for the operation of local government and administration of public meetings throughout the state such as open meeting laws, also known as the Brown Act, which ensures public awareness of local body decisions which affect the community they live in. The District is a "Special District" which means it is organized in accordance with provisions of the California Government Code and it is bound by the state's general law.¹

2. Ordinances

An ordinance prescribes a permanent rule of conduct subject to the jurisdiction of the District and remains in effect until the ordinance is repealed. The Board

shall act by ordinance or resolution. All ordinances shall be recorded as having passed or failed and individual votes will be recorded unless the action is unanimous. All ordinances adopted by the Board shall be numbered consecutively, starting anew at the beginning of each fiscal year.

3. Annual Budget

The District's annual budget provides a description of District services and the resources used to provide services. The document contains a broad overview of the budget, as well as descriptions of programs offered within each division of the organization.

4. Emergency Operations Plan

The District maintains an emergency plan entitled "Emergency Operations Plan", which describes actions to be taken in periods of extreme emergency. The Emergency Operations Plan may be updated from time to time. The Board may be called upon during an emergency to establish policies related to the specific incident.

C. Orientation of New District Officials

It is important that new and incoming District Officials gain an understanding of the full range of services and programs provided by the District. As Board Members join the Board, or other District Officials join their respective committees, the General Manager is instructed to provide invitations for Members to tour facilities and meet with key Staff. At any time, if there are facilities or programs about which Board Members would like more information, arrangements will be made to increase awareness of these operations.

Basic Definitions:

1. Chair/Presiding Officer is the individual authorized by law or District Policy to oversee, direct and preside over the public meeting of the Board or any other District Committee.
2. District Official is any elected or appointed Member of the Board or District Committee established by resolution or Board policy.
3. Board of Directors is the legislative body of five (5) members who govern each district by establishing policies for the operation of the District. Each Board Member serves a term of four (4) years or until his or her successor qualifies and takes office.²

Chapter 2: Board—General Powers and Responsibilities

A. Board Authority

The Board is the unit of authority within the District. Board Members have no individual authority. As individuals, Board Members may not commit the District to any policy, act, or expenditure. Board Members do not represent any fractional segment of the community, but are part of the body, which represents and acts for the District as a whole. Routine matters concerning the operational aspects of the District are to be delegated to the professional District Staff Members.

B. Board Functions

Each Board Member serves a term of office of four (4) years or until his or her successor qualifies and takes office. Board Members shall take office at noon on the first Friday in December following their election.³ The Board approves the budget and determines the public services to be provided, as well as the taxes, fees, and assessments to pay for these public services. It focuses on the District's mission to provide fire protection, wastewater, water, lighting, and solid waste collection. The Board appoints a professional General Manager to carry out the administrative responsibilities of the District.

Each Board Member shall not hold an incompatible office. Service on a municipal advisory council or area planning commission shall not be considered an incompatible office.⁴ Each Board Member shall hold office and discharge his or her duties with loyalty. Each Board Member shall attend all regular and special meetings of the Board, unless there is good cause.

No person shall be a candidate for the Board of Directors unless he or she is a voter of the District. All Members of the Board shall exercise their independent judgement on behalf of the interests of the entire District. A Member of the Board shall not be a compensated employee of the District.⁵

Board President and Vice-President Functions:

1. President

The President is to preside at all Meetings of the Board and perform such other duties consistent with the office as may be imposed by the Board. At Board Meetings, the President assists the Board in focusing on the agenda, discussions, and deliberations. The President does not possess any power of veto. As presiding officer of the Board, the President is to faithfully communicate the will of the Board majority in matters of policy. The President

is also recognized as the official head of the District for all ceremonial purposes. The Board shall select the President annually in December.

2. Vice-President

The Vice-President shall perform the duties of the President during the President's absence or disability. The Vice-President shall serve in this capacity at the pleasure of the Board.

C. Attendance Requirements

Each Board Member shall attend all Meetings of the Board unless he or she has an excused absence. For the purpose of this Chapter, an "Absence" includes failure to arrive during "Roll Call", leaving prior to "Adjournment", departure from a Board Meeting for more than thirty (30) minutes, or failure to attend an entire Board Meeting.

An excused absence may include:

- a. Illness of the Member, illness or death of a Member's spouse, domestic partner, parent, child, sibling, or dependent; or
- b. Board-related business; or
- c. Personal leave (limited to one per fiscal year); or
- d. Emergency; or
- e. Required military service; or
- f. Maternity or paternity leave; or
- g. Board consensus excusing such an absence.
- h. Employment scheduling conflict

A Board Member who has three (3) unexcused Absences for a period of three (3) consecutive months will result in a vacancy of his or her seat on the Board.⁶

1. Remote Attendance

Any Board Member who needs to remotely attend a public meeting must notify the Board at the earliest opportunity, up to and including the start of a regular meeting, of their need to participate remotely, including a general description of the circumstances necessitating remote attendance. The general description does not require the Board Member to disclose any medical diagnosis or disability, or any personal medical information.

Each member of the Board may only remotely attend a meeting for just cause twice in one calendar year. There is no restriction on the number of times remote attendance may be utilized for emergency circumstances; however, remote participation may not exceed more than three (3) consecutive months or twenty percent (20%) of the regular meetings for the District within a calendar year.

When remote attendance is requested pursuant to emergency circumstances, the Board must take action to approve the request at the earliest opportunity. If the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made, the Board may take such action at the beginning of the meeting. Additionally, the remotely attending Board Member must publicly disclose at the meeting, before any action is taken, whether any other individuals who are 18 years of age or older are present in the room at the remote location and the general nature of the member's relationship to such individuals.⁷

2. Required Sign-In Sheets

In order to receive his or her monthly stipend, Board Members will be required to sign in on two (2) separate occasions at each Board Meeting.

The sign-in sheet will be circulated at the "Call to Order" agenda item of the open session of the Board Meeting. The sign-in sheet will then be circulated during the "Board Comments" agenda item of the Board Meeting.

D. Appointment of General Manager and District Counsel

The Board appoints two (2) positions within the District organization: General Manager and District Counsel. Both positions serve at the will of the Board.

1. General Manager

The General Manager is an employee of the District and has an employment agreement which specifies terms of employment, including an annual evaluation by the Board. The General Manager shall be the administrative head of the District under the direction of the Board. He or she shall be responsible for implementation of policies established by the Board and supervision of district employees, facilities, and finances.⁸

2. District Counsel

District Counsel services will be provided by contract. The District Counsel attends all Board Meetings, as well as other meetings at the request of the Board as deemed necessary. The District Counsel is appointed and serves at the pleasure of the Board.

E. Role in Emergency

The Board has some extraordinary powers for the protection of persons and property within the District in the event of an emergency. The District maintains an "Emergency Operations Plan" by and which the role of Board Members and District Staff is identified.

F. Standing Committees

Currently the Board does not have any standing committees or advisory groups. In the event the Board elects to reestablish committees or advisory groups in the future, the Handbook will be revised to reflect the general powers and responsibilities for each committee or advisory group.

Chapter 3: Board Administrative Support

A. Requests for Research or Information

Board Members may request information or research from the General Manager on a given topic. All Board Member requests for research or information should only be directed to the General Manager and not directly to a District Staff Member. Requests for new information or policy direction will be brought to the full Board for consideration at a regular meeting. All written products will be provided to the full Board.

B. Inappropriate Actions

The Board has delegated to the General Manager the responsibility to discuss, on behalf of the full Board, any perceived or inappropriate action by a Board Member. The General Manager will discuss with the Board Member the action and suggest a more appropriate process or procedure to follow. After this discussion, if further inappropriate action continues, the General Manager will report the concern to the full Board.

Chapter 4: Board Member Finances

A. Board Member Compensation

Pursuant to Government Code section 61047, Board Members are authorized to receive up to One Hundred Dollars (\$100.00) per day of service, limited to six (6) days in one (1) month, and all other expenses incurred.

Board Members may waive their stipends as provided by state law⁹; however, they may not elect to assign their salary to any person or entity, including a charitable organization.

Per day of service means that compensation is limited to no more than One Hundred Dollar (\$100.00) stipend per day (i.e., a special meeting and a regular Board Meeting in the same day would be compensated with a single stipend payment for that day).

The following types of authorized functions are eligible for compensation:

1. Regularly scheduled Board Meetings.
2. One (1) special meeting a month.
3. One (1) special or informal work session or conference per month.
4. Emergency meetings of any duration.
5. Participation in a training program on a topic that is directly related to the District as assigned or approved by the Board. Members attending must deliver a written report to the Board of Directors regarding the Member's participation at the next Board of Directors' Meeting following the training program.
6. Board-appointed regional meetings that are not already reimbursed. Board Members attending must deliver a written report to the Board of Directors regarding the Member's representation at the next Board of Directors' Meeting following the public meeting or public hearing.
7. Participation in a scheduled Board retreat or Board training session.

Forfeiture of Stipend. A Board Member will not be eligible for a stipend under the following conditions:

1. For the relevant Board Meeting, if a Board Member fails to arrive for "Roll Call", leaves prior to "Adjournment", leaves for a period of more than thirty (30) minutes in the middle of that Board Meeting, or fails to attend the entire Board Meeting without a Board-approved excused absence.
2. No Board Member shall receive a stipend during a fiscal emergency. A fiscal emergency is defined as one of the following:

- a. Half of all departments are running negative budget balances for two (2) consecutive years;
 - b. At any time in which the total Operational Reserve for the District falls below fifteen percent (15%) of the Board approved, operational revenue budget OR operational expenditure budget for that period;
 - c. If the District declares bankruptcy; or
 - d. Existing departmental Staff are laid off due to budget problems.
3. Fails to complete the Statement of Economic Interest (Form 700).
 4. Fails to complete the required training within sixty (60) days of appointment. Compensation will be withheld until training is completed.
 5. Two (2) unexcused absences will result in a forfeiture of the Board Member's stipend for the remainder of the fiscal year.

Additional Requirements. As a condition of receiving Board stipends, the collective Board shall be required to undergo a yearly Board analysis.

Additional Compensation. Any future increases or changes to these rules that results in an increased fiscal impact to District shall be made through an ordinance pursuant to Government Code 61047(b) and shall be brought before the voters at a regularly scheduled election.

B. Expenditure Allowance

The annual District budget may include an expenditure allowance for expenses necessary for Members to undertake official District business. Eligible expenses include travel expenses, including meals for Board Members, and mileage reimbursement, which are made for District business.¹⁰ Expenses for Board Members shall be approved in advance by the Board. Donations to organizations are not eligible, nor are meals, for individuals other than Board Members.

C. Expenditure Guidelines

Any expense must be related to District affairs.¹¹ Public property and funds may not be used for any private or personal purpose. For example, reimbursement is not allowed to pay for meals at a meeting to discuss political or campaign strategies. It is also inappropriate for District funds to pay for a meal or other expenses of a private citizen or spouse attending a meeting.

District budgetary practices and accounting controls apply to expenditures within the District budget. Board Members should plan expenditures which will allow them to remain within the annual allocation. When exceptional

circumstances require that additional amounts be allocated, the request must be made to the General Manager, and Board action may be necessary. Reimbursement requests should be made through the General Manager's office, with receipts. Expenditure records are public information.

Chapter 5: Board Member Communications

A. Overview

Perhaps the most fundamental role of a Board Member is communication; communication with the public to assess community options and needs, and communication with Staff to provide policy directions and to gain an understanding of various policy alternatives. Because the Board performs as a body (that is acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking “for” the Board. Equally important, when Members are expressing personal views and not those of the Board, the public should be so advised. When responding to constituent requests or concerns, Board Members should respond to the individuals in a positive manner and route their questions to the General Manager.

B. Speaking “for the District”

When Board Members are requested to speak to groups or are asked the Board’s position on an issue, the response should reflect the position of the Board as a whole. Of course, a Board Member may clarify their vote on a matter by stating “While I voted against X, the Board voted in support of it.” When representing the Board at meetings or other venues, it is important that those in attendance gain an understanding of the Board’s position rather than that of an individual Member.

C. Correspondence to Board Members

1. Written correspondence to the Board from staff will be through secure District Email.
2. Board packets will be provided to the Board through District email. Paper copies of Board packets and other information will not be provided unless an exception is granted by the Board President or General Manager.

D. Correspondence from Board Members

1. Members of the Board may be called upon to write letters to citizens, businesses or other public agencies. Typically, the President will be charged with transmitting the District’s position on policy matters to outside agencies on behalf of the Board. Individual Members of the Board will often prepare letters for constituents in response to inquiries or to provide requested information.
2. The following is the policy of the Board relative to official and non-official correspondence by Members of the Board:

- a. Board Members shall not write or send letters on District stationary or letterhead without Board approval.
- b. The President is authorized to send thank you and acknowledgement letters as they directly pertain to the District in its usual course of business. Such correspondence shall not represent or include Board endorsements, positions, etc. All correspondence signed by the President shall have a copy forwarded to each Board Member.
- c. Board Members may endorse political candidates, initiatives, legislation or positions using their own stationary. They may identify themselves by Board position and title, but in no case shall said endorsements infer that the District or Board supports said position or candidate. Board Members are encouraged to notify or send copies of said endorsement to the full Board.
- d. The Board policy is that it will not support individual political candidates but may vote to support or take stands on initiatives, measures, or other legislation as appropriate and permissible under state law. The President shall be authorized to sign letters stating the Board's position.

E. Confidential Issues

Confidential issues, including anything which has been discussed in a closed session, shall not be disclosed to any member of the public, including the press. Violations are subject to civil action as discussed in Chapter 9: Open Meetings—Penalties and Applicability.

F. Local Ballot Measures

At times, ballot measures may be placed on the ballot that affect Board policy. There are restrictions regarding what actions the Board or individual Members may take on ballot measures under California law.

G. State Legislation, Propositions

The Board may be asked to take action on pending State legislation. The Board has adopted a practice of requiring analysis of bills prior to taking any official position. The analysis is to include a summary of the legislation's purpose and a listing of those entities both in support and against the proposed legislation.

H. Proclamations

Ceremonial proclamations are often requested of the District in recognition of an event or individual. Proclamations are not statements of policy but a manner in which the District can make special recognition of an event (e.g., Recycling Week). As part of his or her ceremonial responsibilities, the President is charged with administration of proclamations. Individual Board Members do

not issue proclamations but may request that the President issue a proclamation.

Chapter 6: District Officials—Conflicts & Liability

A. Conflict of Interest

State laws are in place that attempt to eliminate any action by a District Official that may reflect a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest.

Newly elected officials are required to file a Statement of Economic Interest (Form 700) within thirty (30) days of being sworn into office. Thereafter, elected officials are required to file an annual Form 700. The General Manager will notify the District Officials of any filing requirements. Elected officials' home addresses or telephone numbers are not to be posted or provided without written permission of the official.

At any time if a District Official believes that a potential for conflict of interest exists, he or she is encouraged to consult with the District Counsel, or private legal counsel, for advice. Staff may also request an opinion from the District Counsel regarding a District Official's potential conflict. Laws which regulate conflicts are very complicated. Violations may result in significant penalties or fines, including criminal prosecution. While not inclusive, a general summary of conflict rules has been prepared and appears below.

There are several laws that govern conflicts of interest for public officials in California – the Political Reform Act and Government Code sections 1090 and 87105 (<http://leginfo.legislature.ca.gov/faces/codes.xhtml>). In general terms, the Political Reform Act prohibits a public official from having a financial interest in a decision before said official. Government Code section 1090 prohibits a public official from being interested in government contracts; Government Code section 87105 requires a public official who has a conflict of interest to publicly announce the conflict, recuse himself or herself, and leave the room until after the discussion and voting on the matter is complete.

B. Political Reform Act

The Political Reform Act prohibits public officials (including elected officials such as District Board Members) from making, participating in, or in any way attempting to use their official position to influence a governmental decision in which they know, or have reason to know, that they have a disqualifying conflict of interest. Therefore, if a Board Member has a conflict of interest, the Member must disqualify himself or herself from acting on, or participating in, the decision before the District. During that discussion, the Board Member must leave the area where the discussion is taking place.

A Board Member has a financial interest if “it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from the effect on the public generally on one (1) or more of the economic interests of the public official or a member of the public official’s immediate family.”¹²

Economic interests include interests in businesses worth Two Thousand Dollars (\$2,000) or more, interests in real property, both ownership and leases, worth Two Thousand Dollars (\$2,000) or more, a source of income in an amount of Five Hundred Dollars (\$500) or more within one (1) year of the decision, and gifts of Five Hundred and Twenty Dollars (\$520¹³) or more provided to or received within one (1) year of the decision.¹⁴

Often the economic interest involved is real property owned or leased by the District Official. In these cases, a public official is presumed to have a conflict of interest if he or she has a direct or indirect interest worth Two Thousand Dollars (\$2,000) or more in fair market value.¹⁵ If a Board Member has a pro rata share interest in real property, in which the Board Member or immediate family Member owns, and has a ten percent (10%) or greater interest in the property, then that is also a conflict of interest.¹⁶

Board Members are also prohibited from knowingly accepting, soliciting, or directing a contribution of more than Two Hundred Fifty Dollars (\$250) from any party (or their agent) while a proceeding involving a license, permit or entitlement is pending before the district and for twelve (12) months following the date a final decision is rendered. If a Board Member accepts more than \$250 prior to rendering a decision, they shall disclose that on the record of the proceeding and recuse themselves from participating in the decision-making. However, if the Board Member returns the contribution within thirty (30) days from the time the Member knew or reasonably should have known of the contributions, the Member shall be permitted to participate in the proceedings.¹⁷

Determining whether a Board Member has a disqualifying conflict of interest is very complicated and fact specific. Please contact the District Counsel if you suspect that you may have a conflict of interest.

A Board Member who believes they may have a conflict of interest must take the following steps:¹⁸

- 1. Publicly identify the financial interest.**

This must be done in enough detail for the public to understand the economic interest that creates the conflict of interest. Residential street addresses do not have to be disclosed.

2. Recuse yourself from both the discussion and the vote on the matter.

Recusal applies to all proceedings related to the matter.

3. Leave the room until the matter has been completed.

The matter is considered complete when there is no further discussion, vote, or any other action.¹⁹

Exceptions: if the matter is on the consent calendar, recusal is not required. Additionally, if the individual with the conflict wants to speak during public comment, he or she may do so as a private citizen. However, this is the only time he or she may be in the room while the matter is being considered.

C. Government Code Section 1090

Government Code section 1090 is similar to the Political Reform Act, but it applies only to District contracts in which a public official has a financial interest. The financial interests covered by Government Code section 1090 are different than those in the Political Reform Act. Having an interest in a contract may preclude the District from entering into the contract at all. In addition, the penalties for violating Government Code section 1090 are severe. If a District Official believes that he or she may have any financial interest in a contract that will be before the Board, the District Official should immediately seek advice from the District Counsel or the District Official's personal attorney.

There are a number of other restrictions placed on Board actions, which include prohibitions on secrecy and discrimination, as well as assurance that all District funds are spent for public purposes. Violations of these restrictions may result in a personal liability for individual District Officials.

D. Conflict of Interest Forms

Annual disclosure statements are required of all Board Members and senior Staff. These disclosure statements indicate potential conflicts of interest, including sources of income, ownership of property, and receipt of loans and gifts. Board Members often serve on the governing board of other local agencies as a result of appointment or delegation through the Board. These agencies will also require submittal of disclosure forms. These forms require information including income, loans, receipt of gifts, and interest in real property, among other items.

E. Ex Parte Communications

All Board Members may have "ex parte" communications—meaning communications outside the meeting forum. However, such communications should not be encouraged, made, or accepted when such communication is designed to influence the official decision or conduct of the District Official in order to obtain a more favored treatment or special consideration to advance the personal or private interests of himself or herself, or others. This

guarantees that all interested parties to any matter shall have equal opportunity to express and represent their interests. The applicable California law, the Brown Act, is discussed in Chapter 9 of this Handbook and provides more detail as to Board Members' obligations under California State law.

F. Liability

The District offers a variety of services and may often find itself subject to legal actions through lawsuits. The District must always approach its responsibilities in a manner which reduces risk to all involved. However, with such a wide variety of high-profile services (e.g., fire, utilities), risk cannot be eliminated.

The District belongs to the Special District Risk Management Association to manage insurance and risk activities. When claims are filed against the District, they are sent to the District's claims examiner to review and make recommendations. Unless there is a clear liability on the part of the District, the claim will normally be recommended for denial. The claim is placed on the District agenda for rejection, but will only be discussed in closed session if the Board desires. The Board should be careful discussing details of a claim or lawsuit outside of closed session.

It is important to note that violations of certain laws and regulations by individual District Officials may result in that official being personally liable for damages which would not be covered by the District's insurance. Examples may include discrimination, harassment, sexual assault, or fraud.

G. AB 1234 Training

California State law requires any compensated member of a legislative body to receive two (2) hours of ethics training in general ethics principles and ethics law within twelve (12) months of their first date of service and then every two (2) years thereafter.²⁰

H. AB 1661 Training

California State law requires local agency officials to receive two (2) hours of sexual harassment prevention training and education within the first six (6) months of taking office and every two (2) years thereafter.²¹

I. Tracking Board Member Training

Board Member(s) who fail to complete the required training within the specified timeframe will be placed on each subsequent regular Board Member agenda to discuss which Board Member(s) is out of compliance and upcoming opportunities to bring them into compliance. Additionally, the Board Member(s) will forfeit his/her stipend consistent with the rules set forth in Chapter 4(A)(a).

Chapter 7: District Officials—Interaction with Staff and Officials

A. Overview

Board policy is implemented through District Staff. Therefore, it is critical that the relationship between the Board and Staff be well understood by all parties so policies and programs may be implemented successfully. To maintain effective relationships between the Board and Staff, it is important that roles are clearly recognized.

B. Board-Manager Relationship

1. Employment Relationship Between the Board and the General Manager

This relationship honors the fact that the General Manager is the chief executive officer of the District. The Board should avoid situations that can result in District Staff being directed, intentionally or unintentionally, by one (1) or more Members of the Board. Regular communication between the Board and the General Manager is important in maintaining open communications. All dealings with the General Manager, whether in public or private, should respect the authority of the General Manager in administrative matters. Disagreements should be expressed in policy terms rather than in terms that question satisfaction with or support of the General Manager.

2. Evaluation

The Board is to evaluate the General Manager on an annual basis and pursuant to the terms of the General Manager's contract with the District.

3. Open Communication

As in any professional relationship, it is important that the General Manager keep the Board informed. The General Manager respects, and is sensitive to, the political responsibility of the Board and acknowledges that the final responsibility for establishing the policy direction of the District is held by the Board. The General Manager encourages regular one on one meetings with Board Members to provide information on various issues before the Board.

4. Staff Roles

The Board recognizes the primary functions of Staff as executing Board policy and actions taken by the Board and in keeping the Board informed. Staff is obligated to take guidance and direction only from the Board as a whole through the General Manager or from the appropriate management supervisors. The Board is discouraged from instructing Staff directly, but should instead submit any requests to the General Manager or District Counsel. Further, any

comments or concerns from the Board should be communicated to the General Manager or District Counsel. Staff is directed to reject any attempts by individual Members of the Board to unduly direct, or otherwise pressure, them into making, changing, or otherwise influencing recommendations.

District Staff will make every effort to respond in a timely and professional manner to all requests made by the General Manager on behalf of an individual Board Member for information or assistance, provided that the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to Staff through the direction of the full Board.

C. General Manager Code of Ethics

The General Manager is subject to a professional code of ethics from his or her professional association. These standards appear in Appendix A of this Handbook, the International City/County Management Association (“ICMA”) Code of Ethics. It should be noted that this code binds the General Manager to certain practices which are designed to ensure actions are in support of the District’s best interests. Violations of such standards can result in censure by the professional association.

D. Board-District Counsel Relationship

1. District Counsel

The District Counsel is the legal advisor for the Board, the General Manager, and department heads. The District Counsel will keep the Board apprised of current, relevant court rulings and legislation as it pertains directly to District business or litigation.

2. District Counsel Legal Responsibilities

The general legal responsibilities of the District Counsel are to:

- a. Provide legal assistance necessary for formulation and implementation of legislative policies and projects;
- b. Represent the District’s interest, as determined by the District, in litigation, administrative hearings, negotiations and similar proceedings;
- c. Prepare ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes for which they are prepared; and
- d. To keep the Board and Staff apprised of court rulings and legislation affecting the legal interest of the District.

3. District Counsel Representation

It is important to note that the District Counsel does not represent individual Board Members but the Board as a whole.

E. General Manager-District Counsel Relationship

The District Counsel provides legal support and advice to the General Manager to assist him or her in implementing Board policies and exercising his or her authority as the chief executive officer of the District. The District Counsel also keeps the General Manager apprised of current relevant court rulings and legislation. It is important to note that the District Counsel represents the Board and the District as a whole, not the General Manager, Board Members, or individual residents of the District. The District Counsel may share confidential information obtained from the General Manager with the Board if necessary to protect the best interests of the District and vice versa.

1. District Officials

In order to manage the costs of legal services, the Board must meet and discuss in closed session and a quorum of Board Members must agree that an individual Board Member may contact District Counsel on any matters which would cause District Counsel to undertake legal research and analysis in order to provide an opinion or guidance to the member. This does not apply to any perfunctory inquiries or ministerial matters where the Board Member contacts District Counsel. The Board President need not seek nor obtain Board approval to confer with District Counsel on any matter which he or she deems necessary or in circumstances where Counsel reaches out to the President in order to facilitate the appropriate performance of District or Board business.

F. Access to Information and Communications Flow

1. Objectives

It is the responsibility of Staff to ensure Board Members have access to information from the District and to ensure such information is communicated completely and with candor to those making the request. However, Board Members must avoid intrusion into those areas that are the responsibility of the Staff. Individual Board Members shall not intervene in Staff decision-making, the development of Staff recommendations, scheduling of work, and executing department priorities. This is necessary to protect Staff from undue influence and pressure from individual Board Members and to allow Staff to execute priorities given by the General Manager on behalf of the Board as a whole, without fear of reprisal.

2. Board Roles

The full Board retains power to accept, reject, amend, influence, or otherwise guide and direct Staff actions, decisions, recommendations, workloads and schedules, departmental priorities, and the performance of District business. Individual Members of the Board shall not make direct attempts to pressure or influence Staff decisions, recommendations, workloads, schedules, and department priorities. If a Board Member wishes to influence the actions, decisions, recommendations, workloads, work schedule, and priorities of Staff, that Member must prevail upon the Board to do so as a matter of Board policy. Board Members also have a responsibility of information flow. It is critical that they make extensive use of Staff reports, Committee reports, and committee minutes. Board Members should come to meetings prepared—having read the board agenda packet materials and supporting documents, as well as any additional information or memoranda provided on District projects or evolving issues. Additional information may be requested from Staff, via the General Manager, if necessary.

3. Access to Information

Individual Board Members, as well as the Board as a whole, are permitted complete freedom of access to any information requested of Staff and shall receive the full cooperation and candor of Staff in being provided with any requested information. Any request for information shall be directed to the General Manager. The General Manager or District Counsel will pass critical information to all Board Members. The Board will always be informed by the General Manager or District Counsel when a critical or unusual event occurs about which the public would be concerned.

There are limited restrictions when information cannot be provided. Draft documents (e.g., Staff reports in progress) are under review and not available for release until complete and after review by District management. In addition, there are legal restrictions on the District's ability to release certain personnel information even to Members of the Board. Confidential personnel information also has restrictions on its ability to be released. Any concerns Board Members may have regarding the release of information, or the refusal of the General Manager to release information, should be discussed with the District Counsel for clarification.

G. Dissemination of Information

In cases where a Staff response to an individual Board Member request involves written materials which may be of interest to other Board Members, the General Manager will provide copies of the material to all other Board Members. In making this judgment, the General Manager will consider whether the

information is significant, new, otherwise not available to the Board, or of interest to the Board.

H. Restrictions on Political Involvement by Staff

Local governments are non-partisan entities. Staff formulates recommendations in compliance with District policy and for the good of the community and is not influenced by political factors. For this reason, it is very important to understand the restrictions of Staff in any level of political involvement through campaigns, fundraisers, or other means.

1. Staff Members

By working for the District, Staff Members do not surrender rights to be involved in local elections. Indeed, laws are in place to preserve those rights. However, there are limitations to such involvement. Different restrictions apply to management and general employees.

2. Management Staff

The General Manager strongly discourages any involvement in local campaigns, even while on personal time. Such involvement erodes the tenet that Staff are to provide an equal level of service to all Members of the Board.

3. General Employees

These employees have no restrictions while off the job; however, no participation in campaigns or other activities may take place while on the job. No District resources may be used by Staff in support of any campaign. Even while off the job, no employee may participate in campaigns or other political activities while in District uniform. For example, posing for a promotional photograph for a candidate for local office while in uniform is inappropriate. The support of the Board in these matters is requested. A Board Member asking Staff to sign petitions or similar items can create an awkward situation.

I. General Conduct Expectations

Board Members are expected to uphold a high standard of civility towards each other and to abide by the District's Ethics and Civility Code. Civility is expected between Board Members, the public, and District Staff while in Board Meetings and when out in public. Rude behavior and profanity will not be tolerated.

While in public, Board Members should be aware that they are still viewed as elected representatives of the residents of the District. As such, Board Members' behavior in public shall be appropriate and shall not include inappropriate gesturing (including, but not limited to, crude or offensive body language, gyrating, or other inappropriate body movements) or profanity.

While social media, with its use of popular abbreviations and shorthand, does not adhere to standard conventions of correspondence, the content and tenor of online conversations, discussions, and information posts should model the same professional behavior displayed during Board Meetings and community Meetings.

Social media sites are not to be used as mechanisms for conducting official District business other than to informally communicate with the public. Examples of business that may not be conducted through social media include making policy decisions, official public noticing, and discussing items of legal or fiscal significance that have not been previously released to the public. Officials' social media site(s) should contain links directing users back to the District's official website for in-depth information, forms, documents, or online services necessary to conduct official District business. Officials will not post or release proprietary, confidential, or sensitive information on social media websites.

Board Members must conduct themselves in a respectable manner so as not to damage the prestige of his or her elected title. In the performance of their official duties and in public, they should refrain from any form of conduct which may cause any reasonable person unwarranted offense or embarrassment.

Board Members will be provided District e-mail addresses. Board Members shall not use his or her personal e-mail address for District-related matters.

Chapter 8: Leaving Office

A. Filling Board Vacancies

Once it has been determined that a seat on the Board is vacant, the District must notify the San Luis Obispo County elections official that there is a vacancy within fifteen (15) days of the Board being notified of the vacancy, or the effective date of the vacancy, whichever date comes later.²² A vacancy on the Board may be filled by appointment, call of a special election, or in the manner prescribed by law.²³ Alternatively, the Board may appoint a person to fill a vacancy on the Board to hold office only until the date of a special election, which shall be immediately called to fill the remainder of the term.

1. Appointing a New Member

If the Board wishes to appoint a new Member, it must do so within sixty (60) days of either being notified of the vacancy or the effective date of the vacancy, whichever date comes later.²⁴ Once the appointment has been made, the District must notify the San Luis Obispo County elections official within fifteen (15) days of the appointment.²⁵

2. Special Election

If the Board wishes to hold a special election, it must call the election within sixty (60) days of either being notified of the vacancy or the effective date of the vacancy, whichever comes later.²⁶ The election shall be held on the next established election date, as long as it is at least one hundred thirty (130) days after the call of the election.²⁷

3. Intervention by the Board of Supervisors

If the Board chooses not to call an election or make an appointment within sixty (60) days to fill the vacancy, then the San Luis Obispo County Board of Supervisors may fill the vacancy with an appointment or call for an election within ninety (90) days of the vacancy.²⁸ If the County Board of Supervisors calls for an election, it shall be held on the next established election date, which is at least one hundred and thirty (130) days from when the election is called.²⁹

B. Conflicts of Interest While Leaving Office

A public official may not use his or her official position to influence prospective employment. California law prohibits elected officials, who held a position with the agency from lobbying the agency, to take any action within one (1) year of the official's departure from office or employment.³⁰ However, the individual may appear before the agency with which the official worked if the official is appearing on behalf of another public agency, or in their individual capacity.

PART II: BOARD PROCEDURAL GUIDELINES

Chapter 9: Open Meetings—Brown Act

A. Policy

1. Introduction

The Board shall hold a regular meeting at least once every three (3) months in compliance with the provisions of the Ralph M. Brown Act, the Open and Public Meeting Law (the "Brown Act").³¹

2. Penalties and Applicability

The intent of the Brown Act is to ensure that deliberation and actions of local public agencies are conducted in open and public meetings.

a. Penalties.

The law provides for misdemeanor penalties for Members of a body who violate the Brown Act.³² Violations are also subject to civil action.³³

b. Applicability.

The Brown Act applies to the Board, committees, and ad hoc committees that advise the Board. Staff cannot promote actions which would violate the Brown Act.

B. Meetings

1. General

All meetings shall be open and public. A meeting takes place whenever a quorum (three (3) or more Members) is present and information about the business of the body is received; discussions qualify as a meeting. Motions must be passed unanimously if only three (3) Board Members attend.³⁴ Social functions do not fall under the Brown Act unless District business is discussed.

2. Serial Meetings

These can take place, and are prohibited by the Brown Act, when any Member of the Board or District Staff contact more than two (2) Board Members for the purpose of deliberating or acting upon an item pending before the Board (does not apply to the public or media). Correspondence that merely takes a position on an issue is acceptable.

C. Procedure

The following procedure shall be followed:

a. Posting the Agenda

Agendas for regular Meetings must be made available seventy-two (72) hours in advance of the Meeting in the District's office and must include the following:

- i. Time and location of the Meeting.
- ii. Description of the agenda items. The description should be reasonably calculated to adequately inform the public and should include the contemplated Board action.
- iii. Public comments section. A section providing an opportunity for Members of the public to address the Board. (The public comments portion of the agenda meets this requirement.)

b. Agenda Items

Requests for items to appear on the Board's regular meeting agenda shall be presented to the General Manager, or his or her designee, in writing no later than 4:30 p.m., two (2) weeks prior to the meeting date.

Requests for items to appear on a future meeting agenda, made during a Board meeting, shall be made during Board comment and be supported by at least two (2) members of the Board.

D. Actions

No action can be taken on any item not appearing on the posted agenda, except as set forth in Government Code section 54954.2.

E. Ex Parte Communication

Board Members who have ex parte communications with a party that appears before them at the Meeting, should disclose that he or she had ex parte communication with the party. This can be done by stating that the Board Member had ex parte communication with a party, at a time in the meeting when the item is discussed.

Any written ex parte communication received by a District Official in a matter when all interested parties should have an equal opportunity for a hearing, shall be made a part of the record by the recipient.

Further information pertaining to ex parte communication can be found in Chapter 6, subsection E of this Handbook.

Chapter 10: Board Meetings

A. Board Meetings

1. Regular Meetings

Regular Meetings of the Board shall be held the fourth Thursday of each month, whereby the regular Meeting will commence at 7:00 p.m., with closed session to follow the regular meeting. Meetings will be held at the San Miguel Fire Station located at 1150 Mission Street, San Miguel, California.

a. Other Locations

The Board may, from time to time, elect to meet at other locations within the District and upon such election, shall give public notice of the change of location in accordance with provisions of the Government Code.³⁵

b. Location During Local Emergency

If by reason of fire, flood, or other emergency, it shall be unsafe to meet at the San Miguel Fire Station, the Meetings may be held for the duration of the emergency at such other place as may be designated by the President, or if the President does not so designate, by the Vice President or the General Manager.³⁶

c. Holidays

When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for that day shall be held on the next regular business day at the regular time and place or at such other time as shall be determined and noticed by the Board.

2. Special Meetings & Emergency Meetings

Special Meetings and Emergency Meetings of the Board may be called and held from time to time consistent with, and pursuant to, the procedures set forth in the Government Code.³⁷

Notice for a Special Meeting must be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting as specified in the notice to all Board Members. The call and notice shall specify the time and place of the Special Meeting and the business to be transacted or discussed. The call and notice shall be posted at least twenty-four (24) hours prior to the Special Meeting in a location that is freely accessible to members of the public. Written notice to all Board Members can be waived if the majority of the Board declares an emergency situation which requires the District to act immediately to preserve public peace, health, and safety over the District.³⁸

3. Adjourned Meetings

The Board may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the procedures set forth in the Government Code.³⁹

At 10:00 p.m., the Board may finish a pending agenda item, but then must adjourn the meeting to the next regularly scheduled meeting, or to a special meeting. The Board, by a unanimous vote, may vote to finish the remaining agenda items past the 10:00 p.m. deadline.

4. Closed Session

The Board may hold closed sessions during any regular or special meeting, or any time otherwise authorized by law, to consider or hear any matter which is authorized by state law to be heard in closed session. The general subject matter for consideration shall be expressed in open meeting before such session is held.⁴⁰

a. Time Limit

Closed session will be held following the regular or special meeting agenda; closed session items are to be agendaized and the order for their consideration is specified in the agenda. A special meeting may be held for the purpose of discussing closed session items as long as all items are agendaized and all noticing requirements are met.

5. Cancellation of Regular Meetings

Any meeting of the Board may be canceled in advance by a majority of the Board.

6. Quorum⁴¹

A majority of the Board constitutes a quorum for transaction of business. However, a motion must pass unanimously if only three (3) Board Members attend. Less than a majority may adjourn from time to time and compel attendance of absent Members in the manner and under the penalties prescribed by resolution. If all Board Members are absent from any regular meeting, the General Manager shall declare the meeting adjourned to a stated day and hour. The General Manager shall cause a written notice of the adjournment to be delivered personally to each Board Member at least three (3) hours before the adjourned meeting.

7. Chair⁴²

The President shall preside over all Board Meetings. The President shall have the authority to preserve order at all Board Meetings, to call for the removal of any person or persons from any meeting of the Board for disorderly conduct, to

interpret and enforce the procedural guidelines of the Board, and to determine the order of business under the guidelines of the Board.

a. Absence of President

The Vice President shall act as President in the absence or disability of the President.⁴³

b. President & Vice President Absence

When the President and Vice President are absent from any meeting of the Board, the Board Members present may choose another Member to act as President and that person shall, during that meeting, have the duties of the President. Upon the arrival of the President or Vice President, the acting President shall relinquish the chair at the conclusion of the business before the Board.

c. Presiding Officer

The Presiding Officer for any District appointed or created committees and boards shall preside over public meetings of such committees and boards.

8. Attendance by the Public

Except as specifically provided by law for closed sessions,⁴⁴ all meetings of the Board shall be open to the public in accordance with the terms, provisions, and exceptions consistent with state law.⁴⁵

9. Action Minutes

The General Manager, or his or her designee, will maintain a written record and attest to the proceedings of the Board in the form of action minutes. Action minutes will include final motions with votes of the Board and reflect the names of public speakers.⁴⁶

10. Recordings of Meetings

Audio/ Video recordings of proceedings shall be made and shall be maintained by the General Manager, or his or her designee for a term defined by law or District policy.⁴⁷

B. Policy Decision-Making Process

1. Ad-Hoc Committees

The President shall appoint such ad-hoc committees as may be deemed necessary or advisable by the Board. Ad-hoc committees are formed on an as-needed basis with a clearly defined purpose and term. The duties of an ad-hoc committee shall be outlined at the time of appointment, and the committee shall dissolve when its final report has been made.

2. Town Hall or Community Meetings

Such meetings may be held by an individual Board Member and are not considered official governmental committees or Board Meetings. Town hall or community meetings do not require formation or appointment by the President or Board. The Board Member shall disclose this fact at their town hall meeting(s). To avoid possible Brown Act violations, only two (2) Board Members may participate in the discussion at a town hall or community meeting.

Chapter 11: Order of Business

A. General Order

The business of the Board at its Meetings will generally be conducted in accordance with the following order of business, unless otherwise specified. A closed session may be held at any time during a meeting consistent with applicable law.

1. CALL TO ORDER (approximately 6:00 p.m.)

2. ROLL CALL

The General Manager, or his or her designee, shall call the roll of the Board Members. The roll shall be called randomly, except that the name of the President shall be called last. The names of each Board Member shall be called on each roll call whether they are present or absent and shall be entered into the minutes.

3. APPROVAL OF AGENDA

A motion should be made to approve the agenda for the current Meeting. Should a Board Member wish to remove an item from the consent calendar for separate discussion, any Board Member may do so during the approval of the agenda or during the approval of the consent calendar.

4. PLEDGE OF ALLEGIANCE

5. PUBLIC COMMENT (NON-AGENDA ITEMS)

6. SPECIAL PRESENTATIONS/PUBLIC HEARINGS

All special presentations and public hearings will be calendared and coordinated through the President or the General Manager. The guidelines for conducting public hearings are discussed below at subsection B of this Chapter.

7. STAFF REPORTS/COMMITTEE REPORTS

1. San Luis Obispo County
2. Camp Roberts – Army National Guard
3. Community Service Organizations
4. General Manager
5. District General Counsel
6. Director Utilities
7. Fire Chief

8. AGENDA

a. Consent Calendar

All matters listed under the consent calendar are considered by the Board to be routine and will be acted upon in a single motion. Separate discussions of these items may be requested by a Board Member or Staff Member prior to the time the Board considers the motion to adopt. A member of the public may not pull an item from the consent calendar.

Agenda items requested for removal from the consent calendar by Board Member or Staff will be considered at the beginning of the "Staff/Committee Reports" section of the agenda. A Board Member may vote "no" on any consent item without comment or discussion. Any substantive Board comments, questions, or discussion on an item will require removal of the item from the consent calendar.

9. BOARD ACTION ITEMS

- a. Unfinished Business
- b. New Business

10. BOARD COMMENTS

This section is intended for Board Members to make brief announcements, request information from Staff, request future agenda item(s) and report on their own activities related to District business. No action is to be taken until an item is placed on a future agenda.

11. CLOSED SESSION (IF NECESSARY)

- a. The Board meets from time to time in closed sessions which are duly held Meetings, or a portion thereof, at which certain actions may be taken and are not open to public and news media. Matters discussed in closed sessions are considered confidential and include:
 - i. Meeting the local agency's designated representatives regarding salaries or compensation paid for in the form of fringe benefits for represented and unrepresented employees⁴⁸
 - ii. License/permit determination
 - iii. Conference with real property negotiators
 - iv. Existing/anticipated litigation
 - v. Liability claims
 - vi. Security threat to public service or facilities
 - vii. Public employee appointment
 - viii. Public employment
 - ix. Public employee performance evaluations
 - x. Public employee discipline, dismissal or release

- xi. Conference with labor negotiators
- xii. Case review/planning
- xiii. Trade secrets
- xiv. Hearings
- xv. Charge or complaint involving information protected by Federal law
- xvi. Conference with joint powers agency
- xvii. California State audits⁴⁹

The Board must adhere to the time limits for closed session in order to begin the regular meeting in a timely manner. If the Board does not conclude the closed session in the required timeframe as set forth in the agenda, the Board will temporarily conclude the closed session meeting until the close of the regular meeting.

12. CALL TO ORDER FOR REGULAR BOARD MEETING/REPORT OUT OF CLOSED SESSION

13. ADJOURNMENT TO NEXT REGULAR MEETING OF (Date)

B. Conduct of Business

The following is the preferred sequence of the decision-making process:

- a. Announce business item;
- b. Review Staff report;
- c. Board comment and discussion;
- d. Hear public comment;
- e. Board comment and discussion;
- f. Present motion;
- g. Second;
- h. Roll call or voice vote; and
- i. Announcement of the decision.

C. Action on Agenda Items

In accordance with the Ralph M. Brown Act, the Board may not take action on any item that did not appear on the posted Board agenda seventy-two (72) hours prior to the Board Meeting unless an exception is made as permitted by the Government Code.⁵⁰

D. Items Placed on Written Agenda

Items of business shall be placed upon the written agenda prior to the deadline announced, or observed for the preparation thereof, at the request of the General Manager or the District Counsel.

Any Member of the Board may place an item on a future agenda by making a formal request to the General Manager at a Meeting of the Board. The General Manager will place Board items on a future Board agenda when reasonable based on the Staff time and research necessary to prepare the item for Board consideration.

E. Items from the Board, General Manager, or District Counsel

These sections of the agenda provide the opportunity for brief comment on the District business, District operations, District projects, and other items of general interest.⁵¹

F. Public Hearings

1. General Procedure

The Board may, at its discretion or in compliance with applicable law, call a public hearing on any subject within its purview. The Board procedure for the conduct of public hearings is generally as follows:

a. The Staff Presents its Report

After the President/Chair announces the item as it appears on the agenda, District Staff will give a presentation to the Board and the public on the Staff report prepared for the matter.

b. Initial Questions to Staff by the Board

Prior to opening up a public hearing on a matter, Board Members may ask questions of Staff, or third-party consultants, regarding the Staff report and the item.

c. President/Chair Opens the Public Hearing:

i. Applicant or Appellant Presentation. The applicant or appellant then has the opportunity to present comments, testimony, or argument.

ii. Public Testimony. Members of the public are provided with the opportunity to present their comments, testimony, or argument. Members of the public presenting comments, testimony, or argument will follow the following guidelines:

1. Members of the Public Request to Speak. Any person desiring to speak or present evidence shall make his or her presence known to the President/Chair and upon being recognized by the President/Chair, the person may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the President/Chair.

2. Board Questions of Speakers. Members of the Board who wish to ask questions of the speakers or each other during the public hearing portion may do so, but only after first being recognized by the President/Chair.
3. Public Oral Presentations. All Board guidelines pertaining to oral presentation by members of the public apply during public hearings. These guidelines are discussed in this Handbook in Chapter 13: “Addressing the Board.”
4. Materials for Public Record. All persons interested in the matter being heard by the Board shall be entitled to submit written evidence or remarks, as well as other graphic evidence. Materials shall be submitted to the General Manager for distribution to the board, and for the record.
5. Germane Comments. No person will be permitted during the hearing to speak about matters or present evidence which is not germane to the matter being considered. A determination of relevance shall be made by the President/Chair but may be appealed to the full Board.
 - a. The applicant or appellant is given an opportunity for rebuttal or closing argument.
 - b. The public input portion of the public hearing is closed.

d. Questions and Discussion from the Board

Board Members should not express their opinions on an item prior to the close of the public hearing, as the Board Members should not form or express an opinion until after all testimony has been received. Questions and comments from the Board should not be argumentative, and the Board should not engage in debates with Staff, or those Members of the public testifying to an opinion, until after all testimony has been received.

Any Board Member shall have the right to express dissent from, or protest to, any action of the Board and have the reason entered in the minutes. If the dissenting Board Member desires such dissent or protest to be entered into the minutes, this should be made clear by language such as “I would like the minutes to show that I am opposed to this action for the following reasons...”

e. Board Decision Occurs

Once the Board completes its discussion of the matter, a Board Member may make a motion to take action on the item. A Board Member may also make a motion to table, amend, substitute, postpone, or continue the matter,

pursuant to these procedures. If the Board is unsuccessful in carrying a motion on the matter before the adjournment of the Meeting, the motion shall be deemed to have failed.

The President/Chair, General Manager, or Board Clerk will announce the final decision of the Board.

2. Time for Consideration

Matters noticed to be heard by the Board will commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible and will continue until the matter has been completed, or until other disposition of the matter has been made.

3. Continuance of Hearing

Any hearing being held, noticed, or ordered to be held by the Board at any Board Meeting may, by order, notice, or continuance, be continued or re-continued to any subsequent hearing.

4. Communications and Petitions

Written communications and petitions concerning the subject matter of the hearing will be noted and summarized by the President/Chair. A reading in full shall take place where a majority of the Board votes to have that correspondence read into the record.

5. Ex Parte Contacts

Should a Board Member, and one (1) or more members of the public, make contact outside of the hearing process regarding a matter which is, or may be, before the Board for a quasi-judicial hearing, as soon as the Board is informed that the matter will come before it as a quasi-judicial hearing, that Board Member must disclose the substance of the contact and the names of the parties on the record at the beginning of the Board's quasi-judicial hearing. Visits by Board Members to sites or properties that are the subject of such pending hearings, shall also be disclosed at the beginning of the Board's quasi-judicial hearing.

6. Resolutions

A resolution is generally adopted by the Board to deal with temporary or special matters, such as when the Board makes only a factual determination or certification that certain necessary conditions or requirements set by statute have been met. Resolutions can also express opinions of the legislative body or set temporary standards (i.e., amount of processing fees that may be changed again by future resolutions). Resolutions are recorded and kept on file with the General Manager or the Board Clerk.

7. Voting & Publishing Requirements for Resolutions and Ordinances

a. Voting

All resolutions require a recorded majority vote of the total Membership of the Board.⁵² Resolutions shall be signed by the President, attested by the General Manager and to form by Legal Counsel.

b. Publishing

Ordinances take effect thirty (30) days after their final passage unless they meet an exception.⁵³ Within fifteen (15) days after its passage, the Board clerk shall cause each ordinance to be published at least once with the names of the Board Members voting for and against the ordinance, in a publication circulated in the District. Cost of publication shall not exceed the customary rate charged for private legal notices.⁵⁴

Chapter 12: Guidelines of Conduct

A. General Procedures

It is the policy of the Board not to become involved in the protracted discussion over parliamentary procedure. Consistent with any statute or other legal requirement, any issue of procedure relating to conduct of a meeting or hearing, not otherwise provided for herein, may be determined by the President/Presiding Officer, subject to appeal to the full Board.

B. Authority of the President/Presiding Officer

Subject to appeal to the full Board, the President/Presiding Officer shall have the authority to prevent the misuses of motions, the abuse of any privilege, or obstruction of the business of the Board, by ruling any such matter out of order. In so ruling, the President/Presiding Officer shall be courteous and fair and should presume that the moving party is acting in good faith.

C. President to Facilitate Board Meetings

The Board delegates the responsibility and expands the role of President/Presiding Officer to include the facilitation of Board Meetings. In the role as facilitator, the President/Presiding Officer will assist the Board to focus on their agenda, discussions and deliberations.

D. Board Deliberation & Order of Speakers

The President/Presiding Officer is delegated the responsibility to oversee the debate and the order of speakers. Speakers will generally be called upon in the order they request to speak as recognized by the President/Presiding Officer.

E. Limit Deliberation to Item at Hand

Board Members will limit their comments to the subject matter, item, or motion being currently considered by the Board.

F. Length of Board Comments

Board Members will govern themselves as to the length of their comments or presentations. The Board delegates to the President/Presiding Officer the responsibility to assist the Board by signaling if a Board Member has been speaking for an excessive time period. Comments from Board Members are limited to five (5) minutes for each Board Member, unless the Board, by concurrence, extend such time.

G. Limitations of Debate

Board Members will be allowed to speak once before the President/Presiding Officer opens the matter for public comment. Board Members may speak a second time after the close of Public Comment if more time is allowed by the President/Presiding Officer or the majority of the Board. Comments from Board Members are limited to the question under debate, avoiding all personalities and indecorous language. Comments are limited to five (5) minutes for each Board Member, unless the Board, by concurrence, extend such time.

H. Obtaining the Floor

Any Member of the Board wishing to speak must first obtain the floor by being recognized by the President/Presiding Officer. The President/Presiding Officer must recognize any Board Member who seeks the floor when appropriately entitled to do so.

Once recognized, a Board Member shall not be interrupted when speaking unless it shall be to call him or her to order. If a Board Member, while speaking, is called to order, he or she shall cease speaking until the question of order has been determined and, if in order, he or she shall be permitted to proceed.

I. Motions

Motions may be made by any Member of the Board, including the President/Presiding Officer, providing that before a motion is offered by the President/Presiding Officer, the opportunity for making a motion is offered to the other Board Members. Any Members of the Board, other than the person offering the motion, may second the motion.

1. Procedure for Motions

Before a motion can be considered or debated, it must be seconded. Once the motion has been properly made and seconded, the President/Presiding Officer shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any Board Member properly recognized by the President/Presiding Officer. Once the matter has been fully discussed and the vote is called for, no further discussion will be allowed; however, Board Members may be allowed to explain their vote.

a. Process to Make and Second a Motion.

Board Members wanting to make or second a motion may do so through a verbal request to the President/Presiding Officer.

2. Precedence of Motions

When a motion is on the floor, no other motion shall be entertained except the following, which shall have precedence in the following order:

a. Motion to Adjourn the Meeting (not debatable)

A motion to adjourn shall be in order at any time, except as follows:

- I. When repeated after defeat without any intervening business or discussion.
- II. When made as an interruption of a Board Member who is speaking.
- III. While a vote is being taken. A motion to adjourn “to another time” shall be debatable only as to the time which the meeting is adjourned.

b. Motion to Fix Hour of Adjournment

Such motion shall be set to a definite time at which to adjourn and shall be undebatable and unamendable except to the time set. Notice of the adjournment and the date of the subsequent meeting shall be conspicuously posted on or near where the meeting was held within twenty-four (24) hours of the adjournment.⁵⁵

The Board may take action on an item not appearing on the agenda if the item was posted on the agenda for a prior meeting occurring not more than five (5) calendar days prior to the date action is taken on the item and the prior meeting was continued to the meeting at which action is being taken.⁵⁶

c. Motion to Table

A motion to table shall be used to temporarily bypass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. The tabled item may be “taken from the table” at any time by a motion made prior to the end of the meeting. If the item is not taken from the table prior to the end of the meeting, it shall be placed on a future agenda as a new matter.

d. Motion to Amend

A motion to amend can be made after a motion is introduced and seconded. A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A motion to amend shall be voted on first, followed by a vote on the original motion, as amended or as originally stated, depending on whether the motion to amend carries.

e. Motion to Substitute

A motion to substitute can be made after a motion is introduced and seconded. A substitute motion on the same subject shall be acceptable and voted on before a vote on a motion to amend the main motion amendment.

f. Motion to Continue

Motions to continue to a definite time shall be amendable and debatable as to the propriety of postponement and time set. If desired, the Board Member who initiates the motion to continue may also move to reopen the hearing to receive further testimony.

3. Motions Introducing Ordinances

Ordinances shall not be passed within five (5) days of their introduction unless they are urgency ordinances. Ordinances may only be passed at a regular meeting and must be read in full at the time of introduction and passage except when, after reading the title, further reading is waived. Motions introducing ordinances for adoption at a future meeting are deemed to include a waiver by the Board of the full reading of the text and title of the proposed ordinance unless the motion otherwise specifically so provided. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular meeting held at least five (5) days after alteration. Corrections of typographical or clerical errors are not considered alterations for purposes of this paragraph.⁵⁷

J. Voting Procedures

Any Board Member present at a meeting when a question comes up for a vote should vote for or against the measure, unless he or she is disqualified from voting and abstains because of such disqualification. All votes shall be roll call votes, except for minute actions. The call of roll call votes shall not be interrupted. Minute actions may be taken by voice vote. The results reflecting all "ayes" and "noes" and "abstentions" must be clearly set forth for the record. Unless a Board Member clearly states that he or she is not voting because of a conflict of interest, his or her silence shall be recorded as an affirmative vote.

1. Abstention

An abstention does not count as a vote for or against a matter. If a Board Member abstains, he or she is counted as present for quorum purposes, but is not deemed to be "voting" for purposes of determining whether there has been a "majority vote of those Members present and voting." If a Board Member abstains from voting on the grounds that he or she has, or may have, a conflict of interest, that abstention shall be made either at the beginning of the Board's consideration of the matter, or as soon as the Board Member recognizes that he or she may have such a conflict or potential conflict. In addition, the Board

Member shall state for the record the precise nature of the interest which he or she may have that creates the conflict or potential conflict and shall leave the room where the Board Meeting is taking place during discussion of the item when required to do so by the Political Reform Act.⁵⁸

2. Tie Votes

A tie vote results in a lost motion. In such an instance, any Member of the Board may offer a motion for further action. If there is no action by an affirmative vote, the result is no action. If the matter involves an appeal and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.

3. Motion for Reconsideration

Motions for reconsideration of a matter may only be made at the same meeting at which the Board takes action on a matter. Such motion may only be made by a Board Member who voted with the side that prevailed on the matter in question. With regard to a tie vote resulting in a lost motion, the prevailing side will be deemed to be those Board Members who voted in the negative. Any Member of the Board may second a motion for reconsideration. A motion to reconsider shall be debatable.

K. Non-Observance of Guidelines

The guidelines are adopted to expedite and facilitate the transaction of the business of the Board in an orderly fashion and shall be deemed to be procedural only. The Board shall not be required to follow formal organizational procedures such as Robert's Rules of Order. Failure to strictly observe the guidelines shall not affect the jurisdiction of, or invalidate any action taken by the Board.⁵⁹

L. Non-Exclusive Guidelines

These guidelines are not exclusive and do not limit the inherent power and general legal authority of the Board or of the President/Presiding Officer to govern the conduct of Board Meetings, as may be considered appropriate from time to time or in particular circumstances, for purposes of orderly and effective conduct of the affairs of the District.

Chapter 13: Addressing the Board

A. Oral Presentations by Members of the Public

The rules governing oral presentations by members of the public at Board Meetings are as follows:

1. When called upon, the person is requested to come to the podium, sign in on the speakers sign-in sheet, state his or her name and address for the record (although not required), and, if speaking for an organization or other group, identify the organization or group represented.
2. All remarks should be addressed to the Board as a whole, not to an individual Board Member.
3. Questions, if any, should be directed to the President/Presiding Officer who will determine whether, or in what manner, an answer will be provided.

B. Public Comment for Items NOT on the Agenda

Public Comment is the period set aside at Board Meetings for members of the public to address the Board on items of District business other than scheduled agenda items.⁶⁰

1. Timing

Public Comment for each speaker is limited to three (3) minutes, unless the Board, by concurrence, extends such time.

2. District Matters

Presentations under Public Comment are limited to items within the subject matter jurisdiction of the District.

3. Response to Public Comment

The Board, at its discretion, may direct Staff to respond to a concern or question raised, place items on the agenda for consideration at a future Board Meeting, or permit a Board Member to address the individual providing the Public Comment for the purposes of clarification or discovery of facts, subject to recognition.

C. Agenda Item Oral Presentation

Any member of the public wishing to address the Board orally on District business matters appearing on the Board Agenda, may do so when that item is taken up by the Board, or as otherwise specified by the Board or the President/Presiding Officer.

1. Presentations Submitted in Writing

Persons who anticipate oral presentations exceeding three (3) minutes are encouraged to submit comments in writing, in advance, care of the General Manager, for prior distribution to the Board and other interested parties. Submission of comments in writing is encouraged in lieu of possible lengthy oral presentations which may not be permitted.

2. Timing

Comments by the public on District business matters appearing on the agenda may do so once the President/Presiding Officer opens the matter for public comment. Members of the public may speak a second time after the close of Public Comment only if more time is allowed by the President/Presiding Officer or the majority of the Board.

3. Assigning Time

Persons wishing to assign their time for oral presentations to other individuals may do so only with authorization of the President/Presiding Officer or a majority of the Board.

4. Reading Written Comments

Persons wishing to read written comments into the record may do so only with authorization of the President/Presiding Officer or a majority of the Board. Additional procedures for written comments are detailed below.

D. Comments in Writing Encouraged

Members of the public may submit, and are encouraged to submit, comments in writing to the Board, care of the General Manager, relating to any items of District business, whether on the Board agenda or otherwise. Such comments will be distributed to Members of the Board and considered and acted upon, or not acted upon, as the Board, in its judgment, may deem appropriate. All written comments submitted prior to or during the item the comments relate to, will be part of the record on that particular item. Written comments will not be read aloud at the Board Meeting.

1. Comment Cards

Comment cards may be used by members of the public in attendance at the Meeting who do not wish to, or cannot verbally, address the Board during a Meeting. A person may indicate his or her brief comments on the card and his or her opposition or support for an item on a comment card. During the public testimony on the item, the President indicates that the Board has received comment cards from (name of person) in support of the project or issue and comment cards from (name of person) in opposition of the project or issue.

2. Repetitious Comments Prohibited

Speakers shall not present the same, or substantially the same, items or arguments to the Board repeatedly or be repetitious in presenting their oral comments. If a matter has been presented orally before the Board, whether the Board has taken action, or determined to take no action, the same or substantially the same matter may not be presented orally by the same person any further. Nothing in the foregoing precludes submission of comments to the Board in writing for such action or non-action as the Board, in its discretion, may deem appropriate.

E. Speaker Time Limits for an Agenda Item

In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Board on the same subject matter, the President/Presiding Officer may request that a spokesperson be chosen by the group, and in case additional matters are to be presented by any other member of the group, that there be a limit on the number of such persons addressing the Board. A specific time limit may also be set for the total presentation. No group shall arrange themselves so as to use individual speakers' times in sequential order to circumvent the time limits.

F. Waiver of Guidelines

Any of the foregoing guidelines may be waived by majority vote of the Board Members present when it is deemed that there is good cause to do so, based upon the particular facts and circumstances involved.

G. Decorum

It is crucial that the public have confidence in the integrity of its local government. Further, to ensure that the Board's business is conducted in a manner that is both professional and efficient, it is important that all participants in the process exercise decorum and civility.

The President/Presiding Officer shall maintain order, decorum, and the fair and equitable treatment of all speakers. The President/Presiding Officer shall keep discussions and questions focused on the specific agenda item under consideration.

Board Members shall perform their duties in accordance with the District's processes and rules of order governing the deliberation of public policy issues, the involvement of the public, and the implementation of policy decisions of the Board by District Staff. They shall work together collaboratively, assisting each other in conducting the affairs of the District. Board Members shall fully participate in public meetings, in both the open and closed sessions, while demonstrating respect and courtesy to others. Board Members and the General

Manager shall stay focused, stay on topic, and act efficiently during public meetings. They shall refrain from interrupting other speakers or otherwise interfering with the orderly conduct of the meetings.

To preserve the integrity of Board meetings, no person shall engage in disruptive behavior of another person during a public meeting. Harassment includes, but is not limited to:

1. Verbal harassment such as racial epithets, derogatory comments, or slurs, heckling, whistling, yelling, and other similar demonstrations;
2. Physical harassment such as impeding or blocking movement, grabbing, pushing, slapping, punching, kicking, or otherwise striking the body of another or an object attached to another's body. Sexual harassment such as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature, such as name calling, suggestive comments, or lewd talks and jokes that unreasonably interferes with an individual's work performance or has the purpose or effect of creating an intimidating, hostile, or offensive work environment; and
3. Use of profanity, obscene language, and threats that disrupt, disturb, or otherwise impede orderly conduct.

If these rules are violated, the President or Presiding Officer may take the following action:

1. Warn the individual prior to removal that the behavior is disrupting and failure to cease the behavior will result in their immediate removal. Behavior which a reasonable person would receive to be an actual threat of harm or use of force may result in the immediate removal of the individual without a prior warning.
2. If the behavior persists, the President or Presiding Chair may stop the meeting and contact the Sheriff's department and order the disrupting party to sit quietly and observe the remainder of the meeting without additional input or participation.
3. If the disruptive behavior continues further, the President or Presiding Chair may request the Sheriff's department remove the individual from the meeting.

Any person making personal, impertinent, or derogatory remarks, or who shall become boisterous while addressing the Board, shall be barred from further audience before the Board at said Meeting by the President/Presiding Officer unless permission to continue is granted by a majority of the Board.⁶¹

Appendix A
ICMA Code of Ethics

ICMA Code of Ethics

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every Member of ICMA, who shall:

Tenet 1

Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

Tenet 2

Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.

Tenet 3

Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

Tenet 4

Recognize that the chief function of local government at all times is to serve the best interests of all people.

Tenet 5

Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

Tenet 6

Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the Members.

Tenet 7

Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the Members of the employing legislative body.

Tenet 8

Make it a duty continually to improve the Member's professional ability and to develop the competence of associates in the use of management techniques.

Tenet 9

Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Tenet 10

Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Tenet 11

Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions pertaining to appointments, pay adjustments, promotions, and discipline.

Tenet 12

Seek no favor; believe that personal aggrandizement or profit secured by confidential information, or by misuse of public time is dishonest.

Appendix B
Referenced Code Citations

- ¹ Gov. Code, § 61000 *et seq.*
- ² Gov. Code, § 61040 (a)
- ³ Gov. Code, § 61042 (a)
- ⁴ Gov. Code, § 61040
- ⁵ *Ibid.*
- ⁶ Gov. Code, § 1770, subd. (g).
- ⁷ Assembly Bill 2449
- ⁸ Gov. Code, § 61051.
- ⁹ Gov. Code, § 61047.
- ¹⁰ Gov. Code, § 53232.2
- ¹¹ *Ibid.*
- ¹² Gov. Code, § 87103.
- ¹³ Gift limits are updated every odd year by the Fair Political Practices Commission. This amount is effective January 1, 2021 - December 31, 2022. Please check with District Counsel to confirm the current gift limit.
- ¹⁴ *Ibid.*
- ¹⁵ Gov. Code, § 82033.
- ¹⁶ *Ibid.*
- ¹⁷ Gov. Code, § 84308.
- ¹⁸ Gov. Code, § 87105.
- ¹⁹ Gov. Code, § 87105, subds. (a)(1)-(3).
- ²⁰ Gov. Code, § 53235.1 (b)
- ²¹ Gov. Code, § 53237.1.
- ²² Gov. Code, § 1780, subd. (b).
- ²³ Gov. Code, § 1780, subd. (c).
- ²⁴ Gov. Code, § 1780, subd. (d)(1).
- ²⁵ *Ibid.*
- ²⁶ Gov. Code, § 1780, subd. (e)(1).
- ²⁷ Gov. Code, § 1780, subd. (g)(2).
- ²⁸ Gov. Code, § 1780, subd. (f)(1).
- ²⁹ Gov. Code, § 1780, subd. (f)(2).
- ³⁰ Gov. Code, § 87406.3.
- ³¹ Gov. Code, § 61044.
- ³² Gov. Code, § 54959.
- ³³ Gov. Code, § 54960.
- ³⁴ Gov. Code, § 61045.
- ³⁵ Gov. Code, § 54954, subd. (b).
- ³⁶ Gov. Code, § 54954, subd. (e).
- ³⁷ Gov. Code, § 54956
- ³⁸ Gov. Code, § 54956.5
- ³⁹ Gov. Code, § 54955
- ⁴⁰ Gov. Code, § 54954.5.
- ⁴¹ Gov. Code, § 61045.
- ⁴² Gov. Code, § 61043
- ⁴³ Gov. Code, § 61043, subd. (b).
- ⁴⁴ Gov. Code, § 54954.5.
- ⁴⁵ Gov. Code, § 54953.
- ⁴⁶ Gov. Code, § 61045.
- ⁴⁷ Gov. Code, § 54953.5. Gov. Code, § 6250 *et seq.*

⁴⁸ Gov. Code, § 54957.6

⁴⁹ Gov. Code, § 54954.5

⁵⁰ Gov. Code, § 54954.

⁵¹ *Ibid.*

⁵² Gov. Code, § 61045, subd. (c).

⁵³ Gov. Code, § 36937

⁵⁴ Gov. Code, § 36933

⁵⁵ Gov. Code, § 54955.

⁵⁶ Gov. Code, § 54954.2 (b)(3)

⁵⁷ Gov. Code, § 36934

⁵⁸ Gov. Code, § 87100 *et seq.*

⁵⁹ *City of Pasadena v. Paine* (1954) 126 Cal.App.2d 93.

⁶⁰ Gov. Code, § 54954.3.

⁶¹ Gov. Code, § 54957.9.; Senate Bill 1100

San Miguel
Community
Services District



Board Members'
Handbook

Board Members' Handbook September 2017
Comprehensive revision December 2022 (Resolution 2022-XX)

Style Definition: TOC 1: No widow/orphan control, Don't keep with next, Don't keep lines together

Style Definition: TOC 2: No widow/orphan control, Don't keep with next, Don't keep lines together

Style Definition: TOC 3: No widow/orphan control, Don't keep with next, Don't keep lines together

Style Definition: TOC 4

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Board for a quasi-judicial hearing, as soon as the Board is informed that the matter		
will come before it as a quasi-judicial hearing, that Board Member must disclose		
the substance of the contact and the names of the parties on the record at the		
beginning of the Board's quasi-judicial hearing. Visits by Board Members to sites		
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PART I: ADMINISTRATIVE GUIDELINES

Chapter 1: Introduction & Overview

A. Purpose of San Miguel Community Services District Board Member's Handbook

The San Miguel Community Services District (“District”) has prepared this Board Members’ Handbook (“Handbook”) to assist Board Members and other District Officials (collectively, “District Officials”) by documenting accepted practices and clarifying expectations. This Handbook should serve as a reference on adopted practices and procedures pertaining to District Board of Directors (“Board”) meetings, committee meetings or advisory groups, if any, provide an overview of District operations, Board powers and responsibilities, expected behavior and decorum from Board Members and other elected or appointed officials, and other related matters. The Handbook supersedes any other Handbooks which govern the Board, Committees, or Advisory Groups.

The Board of Directors (Board) is elected by the people of San Miguel and as such is the voice for the People who receive services from the District. The Board is committed to acting in the best interest of the people it serves.

B. Overview of Basic Documents

This Handbook is a summary of the important aspects of District Officials’ activities. However, it cannot incorporate all materials and information necessary for understanding the business of District Officials. Many other laws, plans, and documents exist which bind the District Officials to certain courses of action and practices. A summary of some of the most notable documents which establish District Officials’ direction is provided below.

1. California Government Code

1.

The California Government Code is a compilation of legal codes enacted by the California State Legislature which collectively form the general statutory law of California. The Government Codes contains many requirements for the operation of local government and administration of public meetings throughout the state such as open meeting laws, also known as the Brown Act, which ensures public awareness of local body decisions which affects the community they live in. The District is a “Special District” which means it is organized in accordance with provisions of the California Government Code and it is bound by the state’s general law.

2. Ordinances

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An ordinance prescribes a permanent rule of conduct subject to the jurisdiction of the District and remains in effect until the ordinance is repealed. The Board shall act by ordinance or resolution. All ordinances shall be recorded as having passed or failed and individual votes will be recorded unless the action is unanimous. All ordinances adopted by the Board shall be numbered consecutively, starting anew at the beginning of each fiscal year.

3. Annual Budget

The District's annual budget provides a description of District services and the resources used to provide services. The document contains a broad overview of the budget, as well as descriptions of programs offered within each division of the organization.

4. Emergency Operations Plan

The District maintains an emergency plan entitled "Emergency Operations Plan", which describes actions to be taken in periods of extreme emergency. The Emergency Operations Plan may be updated from time to time. The Board may be called upon during an emergency to establish policies related to the specific incident.

C. Orientation of New District Officials

C.

It is important that new and incoming District Officials gain an understanding of the full range of services and programs provided by the District. As Board Members join the Board, or other District Officials join their respective committees, the General Manager is instructed to provide invitations for Members to tour facilities and meet with key Staff. At any time, if there are facilities or programs about which Board Members would like more information, arrangements will be made to increase awareness of these operations.

Basic Definitions:

1. Chair/Presiding Officer is the individual authorized by law or District Policy to oversee, direct and preside over the public meeting of the Board or any other District Committee.
2. District Official is any elected or appointed Member of the Board or District Committee established by resolution or Board policy.
3. Board of Directors is the legislative body of five (5) members whom who govern each district by establishing policies for the operation of the

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District. Each Board Member serves a term of four (4) years or until his or her successor qualifies and takes office.²

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Chapter 2: Board—General Powers and Responsibilities

D-A. Board Authority

The Board is the unit of authority within the District. Board Members have no individual authority. As individuals, Board Members may not commit the District to any policy, act, or expenditure. Board Members do not represent any fractional segment of the community, but are part of the body, which represents and acts for the District as a whole. Routine matters concerning the operational aspects of the District are to be delegated to the professional District Staff Members.

E. Board Functions

B.

Each Board Member serves a term of office of four (4) years or until his or her successor qualifies and takes office. Board Members shall take office at noon on the first Friday in December following their election.³ The Board approves the budget and determines the public services to be provided, as well as and the taxes, fees, and assessments to pay for these public services. It focuses on the District's mission to provide fire protection, wastewater, water, lighting, and solid waste collection. The Board appoints a professional General Manager to carry out the administrative responsibilities of the District.

Each Board Member shall not hold an incompatible office. Service on a municipal advisory council or area planning commission shall not be considered an incompatible office.⁴ Each Board Member shall hold office and discharge his or her duties with loyalty. Each Board Member shall attend all regular and special meetings of the Board, unless there is good cause.

No person shall be a candidate for the Board of Directors unless he or she is a voter of the District. All Members of the Board shall exercise their independent judgement on behalf of the interests of the entire District. A Member of the Board shall not be a compensated employee of the District.⁵

Board President and Vice-President Functions:

1. President

The President is to preside at all Meetings of the Board and perform such other

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duties consistent with the office as may be imposed by the Board. _At Board Meetings, the President assists the Board in focusing on the agenda, discussions, and deliberations. _The President does not possess any power of veto. _As presiding officer of the Board, the President is to faithfully communicate the will of the Board majority in matters of policy. _The President is also recognized as the official head of the District for all ceremonial purposes. _The ~~President shall be selected by the Board~~Board shall select the President annually in December.

2. Vice-President

The Vice-President shall perform the duties of the President during the President's absence or disability. _The Vice-President shall serve in this capacity at the pleasure of the Board. The Board shall select the Vice President annually in December.

F.C. Attendance Requirements

Each Board Member shall attend all Meetings of the Board, unless he or she has an excused absence. For the purpose of this Chapter, an "Absence" includes failure to arrive during "Roll Call", leaving prior to "Adjournment", departure from a Board Meeting for more than thirty (30) minutes, or failure to attend an entire Board Meeting.

An excused absence may include:

- a. illness of the Member, illness or death of a Member's spouse, domestic partner, parent, child, sibling, or dependent; or
- b. Board-related business; or
- c. Personal leave (limited to one per fiscal year); or
- d. Emergency; or
- e. Required military service; or
- f. Maternity or paternity leave; or
- g. Board consensus excusing such an absence.
- h. Employment scheduling conflict

A Board Member who has three (3) unexcused Absences for a period of three (3) consecutive months will result in a vacancy of his or her seat on the Board.⁶

1. Remote Attendance

Any Board ~~M~~member who needs to remotely attend a public meeting must notify the Board at the earliest opportunity, up to and including the start of a regular meeting, of their need to participate remotely, including a general

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description of the circumstances necessitating remote attendance. The general description does not require the Board Member to disclose any medical diagnosis or disability, or any personal medical information.

Each member of the Board may only remotely attend a meeting for just cause twice in one calendar year. There is no restriction on the number of times remote attendance may be utilized for emergency circumstances; however, remote participation may not exceed more than three (3) consecutive months or twenty percent (20%) of the regular meetings for the District within a calendar year.

When remote attendance is requested pursuant to emergency circumstances, the Board must take action to approve the request at the earliest opportunity. If the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made, the Board may take such action at the beginning of the meeting. Additionally, the remotely attending Board Member must publicly disclose at the meeting, before any action is taken, whether any other individuals who are 18 years of age or older are present in the room at the remote location and the general nature of the member's relationship to such individuals.⁷

2. Required Sign-In Sheets:

In order to receive his or her monthly stipend, Board Members will be required to sign-in on two (2) separate occasions at each Board Meeting.

The sign-in sheet will be circulated at the "Call to Order" agenda item of the open session of the Board Meeting. Then the sign-in sheet will then be circulated during the "Board Comments" agenda item of the Board Meeting.

G.D. Appointment of General Manager and District Counsel

The Board appoints two (2) positions within the District organization: General Manager and District Counsel. Both positions serve at the will of the Board.

1. General Manager

The General Manager is an employee of the District and has an employment agreement which specifies terms of employment, including an annual evaluation by the Board. The General Manager shall be the administrative head of the District under the direction of the Board. He or she shall be responsible for implementation of policies established by the Board and supervision of district employees, facilities, and finances.⁸

2. District Counsel

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District Counsel services will be provided by contract. _The District Counsel attends all Board Meetings, as well as other meetings at the request of the Board as deemed necessary. _The District Counsel is appointed and serves at the pleasure of the Board.

H.E. Role in Eemergency

The Board has some extraordinary powers for the protection of persons and property within the District in the event of an emergency. _The District maintains an "Emergency Operations Plan" by and which the role of Board Members and District Staff is identified.

H.F. Standing Ccommittees

Currently the Board does not have any standing committees or advisory groups. _In the event the Board elects to reestablish committees or advisory groups in the future, the Handbook will be revised to reflect the general powers and responsibilities for each committee or advisory group.

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Chapter 3: Board Administrative Support

A. Requests for Research or Information

Board Members may request information or research from the General Manager on a given topic. All Board Member requests for research or information should only be directed to the General Manager and not directly to a District Staff Member. Requests for new information or policy direction will be brought to the full Board for consideration at a regular meeting. All written products will be provided to the full Board.

B. Inappropriate Actions

The Board has delegated to the General Manager the responsibility to discuss, on behalf of the full Board, any perceived or inappropriate action by a Board Member. The General Manager will discuss with the Board Member the action and suggest a more appropriate process or procedure to follow. After this discussion, if further inappropriate action continues, the General Manager will report the concern to the full Board.

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Chapter 4: Board Member Finances

A. Board Member Compensation

Pursuant to Government Code section 61047, Board Members are authorized to receive up to One Hundred Dollars (\$100.00) per day of service, limited to six (6) days in one (1) month, and all other expenses incurred.

Board Members may waive their stipends as provided by state law⁹; however, they may not elect to assign their salary to any person or entity, including a charitable organization.

Per day of service means that compensation is limited to no more than One Hundred Dollar (~~\$100.00~~) stipend (~~-\$100.00~~) per day (i.e., a special meeting and a regular Board Meeting in the same day would be compensated with a single stipend payment for that day).

The following types of authorized functions are eligible for compensation:

1. Regularly scheduled Board Meetings.
2. One (1) special meeting a month.
3. One (1) special or informal work session or conference per month.
4. Emergency meetings of any duration.
5. Participation in a training program on a topic that is directly related to the District as assigned or approved by the Board. Members attending must deliver a written report to the Board of Directors regarding the Member's participation at the next Board of Directors' Meeting following the training program.
6. Board-appointed regional meetings that are not already reimbursed. Board Members attending must deliver a written report to the Board of Directors regarding the Member's representation at the next Board of Directors' Meeting following the public meeting or public hearing.
7. Participation in a scheduled Board retreat or Board training session.

Forfeiture of Stipend. A Board Member will not be eligible for a stipend under the following conditions:

1. For the relevant Board Meeting, if a Board Member fails to arrive for "Roll Call", leaves prior to "Adjournment", leaves for a period of more than thirty (30) minutes in the middle of that Board Meeting, or fails to attend the entire Board Meeting, without a Board-approved excused absence.
2. No Board Member shall receive a stipend during a fiscal emergency. A fiscal emergency is defined as one of the following:

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- a. Half of all departments are running negative budget balances for two (2) consecutive years;
- b. At any time in which the total Operational Reserve for the District falls below fifteen percent (15%) of the Board approved, operational revenue budget OR operational expenditure budget for that period;
- c. Fails to complete the Statement of Economic Interest (Form 700);
- d. Fails to complete the required training within sixty (60) days of appointment. Compensation will be withheld until training is completed.
- e. If the District declares bankruptcy; or
- f. Existing departmental Staff are laid off due to budget problems.

3. Two (2) unexcused absences will result in a forfeiture of the Board Member's stipend for the remainder of the fiscal year.

Additional Requirements. As a condition of receiving Board stipends, the collective Board shall be required to undergo a yearly Board analysis.

Additional Compensation. Any future increases or changes to these rules that results in an increased fiscal impact to District shall be made through an ordinance pursuant to Government Code 61047(b) and shall be brought before the voters at a regularly scheduled election.

B. Expenditure Allowance

The annual District budget may include an expenditure allowance for expenses necessary for Members to undertake official District business. Eligible expenses include travel expenses, including meals for Board Members, and mileage reimbursement, which are made for District business.¹⁰ Expenses for Board Members shall be approved in advance by the Board. Donations to organizations are not eligible, nor are meals, for individuals other than Board Members.

C. Expenditure Guidelines

Any expense must be related to District affairs.¹¹ Public property and funds may not be used for any private or personal purpose. For example, reimbursement is not allowed to pay for meals at a meeting to discuss political or campaign strategies. It is also inappropriate for District funds to pay for a meal or other expenses of a private citizen or spouse attending a meeting.

District budgetary practices and accounting controls apply to expenditures within the District budget. Board Members should plan expenditures which will allow them to remain within the annual allocation. When exceptional circumstances require that additional amounts be allocated, the request must be made to the General Manager, and Board action may be necessary.

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Commented [JE14]: Based on the 10/27/22 meeting; can you clarify if the board would like backpay issued upon completion of the required training of if any prior stipends are forfeited as a consequence of non compliance.

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Reimbursement requests should be made through the General Manager's office, with receipts. -Expenditure records are public information.

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Chapter 5: Board Member Communications

A. Overview

Perhaps the most fundamental role of a Board Member is communication; communication with the public to assess community options and needs, and communication with Staff to provide policy directions and to gain an understanding of various policy alternatives. Because the Board performs as a body (that is acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking “for” the Board. Equally important, when Members are expressing personal views and not those of the Board, the public should be so advised. When responding to constituent requests or concerns, Board Members should respond to the individuals in a positive manner and route their questions to the General Manager.

B. Speaking “for the District”

When Board Members are requested to speak to groups or are asked the Board’s position on an issue, the response should reflect the position of the Board as a whole. Of course, a Board Member may clarify their vote on a matter by stating “While I voted against X, the Board voted in support of it.” When representing the Board at meetings or other venues, it is important that those in attendance gain an understanding of the Board’s position rather than that of an individual Member.

C. Correspondence to Board Members

1. Written correspondence to the Board from staff will be through secure District Email.
2. Board packets will be provided to the Board through District email. Paper copies of Board packets and other information will not be provided unless an exception is granted by the Board President or General Manager.

D. Correspondence from Board Members

~~3-1~~ Members of the Board may be called upon to write letters to citizens, businesses or other public agencies. Typically, the President will be charged with transmitting the District’s position on policy matters to outside agencies on behalf of the Board. Individual Members of the Board will often prepare letters for constituents in response to inquiries or to provide requested information.

~~4-~~ The following is the policy of the Board relative to official and non-official correspondence by Members of the Board:

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- a. Board Members shall not write or send letters on District stationary or letterhead without Board approval.
- b. The President is authorized to send thank you and acknowledgement letters as they directly pertain to the District in its usual course of business. Such correspondence shall not represent or include Board endorsements, positions, etc. All correspondence signed by the President shall have a copy forwarded to each Board Member.
- c. Board Members may endorse political candidates, initiatives, legislation or positions using their own stationary. They may identify themselves by Board position and title, but in no case shall said endorsements infer that the District or Board supports said position or candidate. Board Members are encouraged to notify or send copies of said endorsement to the full Board.
- d. The Board policy is that it will not support individual political candidates but may vote to support or take stands on initiatives, measures, or other legislation as appropriate and permissible under state law. The President shall be authorized to sign letters stating the Board's position.

E. Confidential Issues

Confidential issues, including anything which has been discussed in a closed session, shall not be disclosed to any member of the public, including the press. Violations are subject to civil action as discussed in Chapter 9: Open Meetings Penalties Penalties and Applicability.

F. Local Ballot Measures

At times, ballot measures may be placed on the ballot that affect Board policy. There are restrictions regarding what actions the Board or individual Members may take on ballot measures under California law.

G. State Legislation, Propositions

The Board may be asked to take action on pending State legislation. The Board has adopted a practice of requiring analysis of bills prior to taking any official position. The analysis is to include a summary of the legislation's purpose and a listing of those entities both in support and against the proposed legislation.

H. Proclamations

Ceremonial proclamations are often requested of the District in recognition of an event or individual. Proclamations are not statements of policy but a manner in which the District can make special recognition of an event (e.g., Recycling Week). As part of his or her ceremonial responsibilities, the President is charged with administration of proclamations. Individual Board

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Members do not issue proclamations but may request that the President issue a proclamation.

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Chapter 6: District Officials—Conflicts & Liability

A. Conflict of Interest

State laws are in place that attempt to eliminate any action by a District Official that may reflect a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. Newly elected officials are required to file a Statement of Economic Interest (Form 700) within thirty (30) days of being sworn into office. Thereafter, elected officials are required to file an annual Form 700. The General Manager will notify the District Officials of any filing requirements. Elected officials' home addresses or telephone numbers are not to be posted or provided without written permission of the official.

At any time if a District Official believes that a potential for conflict of interest exists, he or she is encouraged to consult with the District Counsel, or private legal counsel, for advice. Staff may also request an opinion from the District Counsel regarding a District Official's potential conflict. Laws which regulate conflicts are very complicated. Violations may result in significant penalties or fines, including criminal prosecution. While not inclusive, a general summary of conflict rules has been prepared and appears below.

There are several laws that govern conflicts of interest for public officials in California – the Political Reform Act and Government Code sections 1090 and 87105 (<http://leginfo.legislature.ca.gov/faces/codes.xhtml>). In general terms, the Political Reform Act prohibits a public official from having a financial interest in a decision before ~~said the~~ official. Government Code section 1090 prohibits a public official from being interested in government contracts; Government Code section 87105 requires a public official who has a conflict of interest to publicly announce the conflict, recuse himself or herself, and leave the room until after the discussion and voting on the matter is complete.

B. Political Reform Act

The Political Reform Act prohibits public officials (including elected officials such as District Board Members) from making, participating in, or in any way attempting to use their official position to influence a governmental decision in which they know, or have reason to know, that they have a disqualifying conflict of interest. Therefore, if a Board ~~M~~member has a conflict of interest, the ~~M~~member must disqualify himself or herself from acting on, or participating in, the decision before the District. During that discussion, the Board ~~M~~member must leave the area where the discussion is taking place.

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A Board Member has a financial interest if “it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from the effect on the public generally on one (1) or more of the economic interests of the public official or a member of the public official’s immediate family.”¹²

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Economic interests include interests in businesses worth Two Thousand Dollars (\$2,000) or more, interests in real property, both ownership and leases, worth Two Thousand Dollars (\$2,000) or more, a source of income in an amount of Five Hundred Dollars (\$500) or more within one (1) year of the decision, and gifts of Five Hundred and Twenty Dollars (\$520¹) or more provided to or received within one (1) year of the decision.¹³

Often the economic interest involved is real property owned or leased by the District Official. In these cases, a public official is presumed to have a conflict of interest if he or she has a direct or indirect interest worth Two Thousand Dollars (\$2,000) or more in fair market value.¹⁴ If a Board Member has a pro rata share interest in real property, in which the Board Member or immediate family Member owns, and has a ten percent (10%) or greater interest in the property, then that is also a conflict of interest.¹⁵

Board Members are also prohibited from knowingly accepting, soliciting, or directing a contribution of more than Two Hundred and Fifty Dollars (\$250) from any party (or their agent) while a proceeding involving a license, permit or entitlement is pending before the district and for twelve (12) months following the date a final decision is rendered. If a Board Member accepts more than \$250 prior to rendering a decision, they shall disclose that on the record of the proceeding and recuse themselves from participating in the decision-making. However, if the Board Member returns the contribution within thirty (30) days from the time the Member knew or reasonably should have known of the contributions, the Member shall be permitted to participate in the proceedings.¹⁶

Commented [JE21]: Added this language.

Determining whether a Board Member has a disqualifying conflict of interest is very complicated and fact specific. Please contact the District Counsel if you suspect that you may have a conflict of interest.

A Board Member who believes they may have a conflict of interest must take the following steps:¹⁷

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¹ Gift limits are updated every odd year by the Fair Political Practices Commission. This amount is effective January 1, 2021- December 31, 2022. Please check with District Counsel to confirm the current gift limit.

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1. Publicly identify the financial interest.

This must be done in enough detail for the public to understand the economic interest that creates the conflict of interest. Residential street addresses do not have to be disclosed.

2. Recuse yourself from both the discussion and the vote on the matter.

Recusal applies to all proceedings related to the matter.

3. Leave the room until the matter has been completed.

The matter is considered complete when there is no further discussion, vote, or any other action.¹⁸

Exceptions: if the matter is on the consent calendar, recusal is not required. Additionally, if the individual with the conflict wants to speak during public comment, he or she may do so as a private citizen. However, this is the only time he or she may be in the room while the matter is being considered.

C. Government Code Section 1090

Government Code section 1090 is similar to the Political Reform Act, but it applies only to District contracts in which a public official has a financial interest. The financial interests covered by Government Code section 1090 are different than those in the Political Reform Act. Having an interest in a contract may preclude the District from entering into the contract at all. In addition, the penalties for violating Government Code section 1090 are severe. If a District Official believes that he or she may have any financial interest in a contract that will be before the Board, the District Official should immediately seek advice from the District Counsel or the District Official's personal attorney. There are a number of other restrictions placed on Board actions, which include prohibitions on secrecy and discrimination, as well as assurance that all District funds are spent for public purposes. Violations of these restrictions may result in a personal liability for individual District Officials.

D. Conflict of Interest Forms

Annual disclosure statements are required of all Board Members and senior Staff. These disclosure statements indicate potential conflicts of interest, including sources of income, ownership of property, and receipt of loans and gifts. Board Members often serve on the governing board of other local agencies as a result of appointment or delegation through the Board. These agencies will also require submittal of disclosure forms. These forms require information including income, loans, receipt of gifts, and interest in real property, among other items.

E. Ex Parte Communications

All Board Members may have "ex parte" communications—meaning—meaning

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communications outside the meeting forum. However, such communications should not be encouraged, made, or accepted when such communication is designed to influence the official decision or conduct of the District Official in order to obtain a more favored treatment or special consideration to advance the personal or private interests of himself or herself, or others. This guarantees that all interested parties to any matter shall have equal opportunity to express and represent their interests. The applicable California law, the Brown Act, is discussed in Chapter 9 of this Handbook and provides more detail as to Board Members' obligations under California State law.

F. Liability

The District offers a variety of services and may often find itself subject to legal actions through lawsuits. The District must always approach its responsibilities in a manner which reduces risk to all involved. However, with such a wide variety of ~~high-profile~~high-profile services (e.g., fire, utilities), risk cannot be eliminated.

The District belongs to the Special District Risk Management Association to manage insurance and risk activities. When claims are filed against the District, they are sent to the District's claims examiner to review and make recommendations. Unless there is a clear liability on the part of the District, the claim will normally be recommended for denial. The claim is placed on the District agenda for rejection, but will only be discussed in closed session if the Board desires. The Board should be careful discussing details of a claim or lawsuit outside of closed session.

It is important to note that violations of certain laws and regulations by individual District Officials may result in that official being personally liable for damages which would not be covered by the District's insurance. Examples may include discrimination, harassment, sexual assault, or fraud.

G. AB 1234 Training

California State law requires any compensated member of a legislative body to receive two (2) hours of ethics training in general ethics principles and ethics law within twelve (12) months of their first date of service and then every two (2) years thereafter.¹⁹

H. AB 1661 Training

California State law requires local agency officials to receive two (2) hours of sexual harassment prevention training and education within the first six (6) months of taking office and every two (2) years thereafter.²⁰

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I. Tracking Board Member Training

Board Member(s) who fail to complete the required training within the specified timeframe will be placed on each subsequent regular Board Member agenda to discuss which Board Member(s) is out of compliance and upcoming opportunities to bring them into compliance.

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Chapter 7: District Officials—Interaction with Staff and Officials

A. Overview

Board policy is implemented through District Staff. Therefore, it is critical that the relationship between the Board and Staff be well understood by all parties so policies and programs may be implemented successfully. To maintain effective relationships between the Board and Staff, it is important that roles are clearly recognized.

B. Board-Manager Relationship

1. Employment Relationship Between the Board and the General Manager

This relationship honors the fact that the General Manager is the chief executive officer of the District. The Board should avoid situations that can result in District Staff being directed, intentionally or unintentionally, by one (1) or more Members of the Board. Regular communication between the Board and the General Manager is important in maintaining open communications. All dealings with the General Manager, whether in public or private, should respect the authority of the General Manager in administrative matters. Disagreements should be expressed in policy terms rather than in terms that question satisfaction with or support of the General Manager.

2. Evaluation

The Board is to evaluate the General Manager on an annual basis and pursuant to the terms of the General Manager's contract with the District.

3. Open Communication

As in any professional relationship, it is important that the General Manager keep the Board informed. The General Manager respects, and is sensitive to, the political responsibility of the Board and acknowledges that the final responsibility for establishing the policy direction of the District is held by the Board. The General Manager encourages regular one on one meetings with Board Members to provide information on various issues before the Board.

4. Staff Roles

The Board recognizes the primary functions of Staff as executing Board policy and actions taken by the Board and in keeping the Board informed. Staff is obligated to take guidance and direction only from the Board as a whole through the General Manager or from the appropriate management supervisors. The Board is discouraged from instructing Staff directly, but

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should instead, submit any requests to the General Manager or District Counsel. Further, any comments or concerns from the Board should be communicated to the General Manager or District Counsel. Staff is directed to reject any attempts by individual Members of the Board to unduly direct, or otherwise pressure, them into making, changing, or otherwise influencing recommendations.

District Staff will make every effort to respond in a timely and professional manner to all requests made by the General Manager on behalf of an individual Board Member for information or assistance, provided that the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to Staff through the direction of the full Board.

C. General Manager Code of Ethics

The General Manager is subject to a professional code of ethics from his or her professional association. These standards appear in Appendix A of this Handbook, the International City/County Management Association (“ICMA”) Code of Ethics. It should be noted that this code binds the General Manager to certain practices which are designed to ensure actions are in support of the District’s best interests. Violations of such standards can result in censure by the professional association.

D. Board-District Counsel Relationship

1. District Counsel

The District Counsel is the legal advisor for the Board, the General Manager, and department heads. The District Counsel will keep the Board apprised of current, relevant court rulings and legislation as it pertains directly to District business or litigation.

2. District Counsel Legal Responsibilities

The general legal responsibilities of the District Counsel are to:

- a. Provide legal assistance necessary for formulation and implementation of legislative policies and projects;
- b. Represent the District’s interest, as determined by the District, in litigation, administrative hearings, negotiations and similar proceedings;
- c. Prepare ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes for which they are prepared; and

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d. To keep the Board and Staff apprised of court rulings and legislation affecting the legal interest of the District.

d.

3. District Counsel Representation

It is important to note that the District Counsel does not represent individual Board Members but the Board as a whole.

E. General Manager-District Counsel Relationship

The District Counsel provides legal support and advice to the General Manager to assist him or her in implementing Board policies and exercising his or her authority as the chief executive officer of the District. The District Counsel also keeps the General Manager apprised of current relevant court rulings and legislation. It is important to note that the District Counsel represents the Board and the District as a whole, not the General Manager, Board Members, or individual residents of the District. The District Counsel may share confidential information obtained from the General Manager with the Board if necessary to protect the best interests of the District and vice versa.

1. District Officials

In order to manage the costs of legal services, the Board must meet and discuss in closed session and a quorum of Board Members must agree that an individual Board Member may contact District Counsel on any matters which would cause District Counsel to undertake legal research and analysis in order to provide an opinion or guidance to the member. This does not apply to any perfunctory inquiries or ministerial matters where the Board Member contacts District Counsel. The Board President need not seek nor obtain Board approval to confer with District Counsel on any matter which he or she deems necessary or in circumstances where Counsel reaches out to the President in order to facilitate the appropriate performance of District or Board business.

F. Access to Information and Communications Flow

1. Objectives

It is the responsibility of Staff to ensure Board Members have access to information from the District and to ensure such information is communicated completely and with candor to those making the request. However, Board Members must avoid intrusion into those areas that are the responsibility of the Staff. Individual Board Members shall not intervene in Staff decision-making, the development of Staff recommendations, scheduling of work, and executing department priorities. This is necessary to protect Staff from undue influence and pressure from individual Board Members and to allow Staff to

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execute priorities given by the General Manager on behalf of the Board as a whole, without fear of reprisal.

2. Board Roles

The full Board retains power to accept, reject, amend, influence, or otherwise guide and direct Staff actions, decisions, recommendations, workloads and schedules, departmental priorities, and the performance of District business. Individual Members of the Board shall not make direct attempts to pressure or influence Staff decisions, recommendations, workloads, schedules, and department priorities. If a Board Member wishes to influence the actions, decisions, recommendations, workloads, work schedule, and priorities of Staff, that Member must prevail upon the Board to do so as a matter of Board policy. Board Members also have a responsibility of information flow. It is critical that they make extensive use of Staff reports, Committee reports, and committee minutes. Board Members should come to meetings prepared—having read the board agenda packet materials and supporting documents, as well as any additional information or memoranda provided on District projects or evolving issues. Additional information may be requested from Staff, via the General Manager, if necessary.

3. Access to Information

Individual Board Members, as well as the Board as a whole, are permitted complete freedom of access to any information requested of Staff and shall receive the full cooperation and candor of Staff in being provided with any requested information. Any request for information shall be directed to the General Manager. The General Manager or District Counsel will pass critical information to all Board Members. The Board will always be informed by the General Manager or District Counsel when a critical or unusual event occurs about which the public would be concerned.

There are limited restrictions when information cannot be provided. Draft documents (e.g., Staff reports in progress) are under review and not available for release until complete and after review by District management. In addition, there are legal restrictions on the District's ability to release certain personnel information even to Members of the Board. Confidential personnel information also has restrictions on its ability to be released. Any concerns Board Members may have regarding the release of information, or the refusal of the General Manager to release information, should be discussed with the District Counsel for clarification.

G. Dissemination of Information

In cases where a Staff response to an individual Board Member request involves written materials which may be of interest to other Board Members,

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the General Manager will provide copies of the material to all other Board Members. In making this judgment, the General Manager will consider whether the information is significant, new, otherwise not available to the Board, or of interest to the Board.

H. Restrictions on Political Involvement by Staff

Local governments are non-partisan entities. Staff formulates recommendations in compliance with District policy and for the good of the community and is not influenced by political factors. For this reason, it is very important to understand the restrictions of Staff in any level of political involvement through campaigns, fundraisers, or other means.

1. Staff Members

By working for the District, Staff Members do not surrender rights to be involved in local elections. Indeed, laws are in place to preserve those rights. However, there are limitations to such involvement. Different restrictions apply to management and general employees.

2. Management Staff

The General Manager strongly discourages any involvement in local campaigns, even while on personal time. Such involvement erodes the tenet that Staff are to provide an equal level of service to all Members of the Board.

3. General Employees

These employees have no restrictions while off the job; however, no participation in campaigns or other activities may take place while on the job. No District resources may be used by Staff in support of any campaign. Even while off the job, no employee may participate in campaigns or other political activities while in District uniform. For example, posing for a promotional photograph for a candidate for local office while in uniform is inappropriate. The support of the Board in these matters is requested. A Board Member asking Staff to sign petitions or similar items can create an awkward situation.

I. General Conduct Expectations

Board Members are expected to uphold a high standard of civility towards each other and to abide by the District's Ethics and Civility Code. Civility is expected between Board Members, the public, and District Staff while in Board Meetings and when out in public. Rude behavior and profanity will not be tolerated.

While in public, Board Members should be aware that they are still viewed as elected representatives of the residents of the District. As such, Board

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Members' behavior in public shall be appropriate and shall not include inappropriate gesturing (including, but not limited to, crude or offensive body language, gyrating, or other inappropriate body movements) or profanity. While social media, with its use of popular abbreviations and shorthand, does not adhere to standard conventions of correspondence, the content and tenor of online conversations, discussions, and information posts should model the same professional behavior displayed during Board Meetings and community Meetings.

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Social media sites are not to be used as mechanisms for conducting official District business other than to informally communicate with the public. Examples of business that may not be conducted through social media include making policy decisions, official public noticing, and discussing items of legal or fiscal significance that have not been previously released to the public. Officials' social media site(s) should contain links directing users back to the District's official website for in-depth information, forms, documents, or online services necessary to conduct official District business. Officials will not post or release proprietary, confidential, or sensitive information on social media websites.

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Board Members must conduct themselves in a respectable manner so as not to damage the prestige of his or her elected title. In the performance of their official duties and in public, they should refrain from any form of conduct which may cause any reasonable person unwarranted offense or embarrassment.

Board Members will be provided District e-mail addresses. Board Members shall not use his or her personal e-mail address for District-related matters.

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Chapter 8: Leaving Office

A. Filling Board Vvacancies

Once it has been determined that a seat on the Board is vacant, the District must notify the San Luis Obispo County elections official that there is a vacancy within fifteen (15) days of the Board being notified of the vacancy, or the effective date of the vacancy, whichever date comes later.²¹ A vacancy on the Board may be filled by appointment, call of a special election, or in the manner prescribed by law.²² Alternatively, the Board may appoint a person to fill a vacancy on the Board to hold office only until the date of a special election, which shall be immediately called to fill the remainder of the term.

1. Appointing a Nnew Mmember

If the Board wishes to appoint a new Member, it must do so within sixty (60) days of either being notified of the vacancy or the effective date of the vacancy, whichever date comes later.²³ Once the appointment has been made, the District must notify the San Luis Obispo County elections official within fifteen (15) days of the appointment.²⁴

2. Special Election

If the Board wishes to hold a special election, it must call the election within sixty (60) days of either being notified of the vacancy or the effective date of the vacancy, whichever comes later.²⁵ The election shall be held on the next established election date, as long as it is at least one hundred thirty (130) days after the call of the election.²⁶

3. Intervention by the Board of Supervisors

If the Board chooses not to call an election or make an appointment within sixty (60) days to fill the vacancy, then the San Luis Obispo County Board of Supervisors may fill the vacancy with an appointment or call for an election within ninety (90) days of the vacancy.²⁷ If the County Board of Supervisors calls for an election, it shall be held on the next established election date, which is at least one hundred and thirty (130) days from when the election is called.²⁸

B. Conflicts of Interest Wwhile Leaving Office

A public official may not use his or her official position to influence prospective employment. California law prohibits elected officials, who held a position with the agency from lobbying the agency, to take any action within one (1) year of the official's departure from office or employment.²⁹ However, the individual may appear before the agency with which the official worked if the official is appearing on behalf of another public agency, or in their

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individual capacity.

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PART II: BOARD PROCEDURAL GUIDELINES

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Chapter 9: Open Meetings—Brown Act

A. Policy

1. Introduction

The Board shall hold a regular meeting at least once every three (3) months in compliance with the provisions of the Ralph M. Brown Act, the Open and Public Meeting Law (the “Brown Act”).³⁰

2. Penalties and Applicability

The intent of the Brown Act is to ensure that deliberation and actions of local public agencies are conducted in open and public meetings.

a. Penalties.

The law provides for misdemeanor penalties for Members of a body who violate the Brown Act.³¹ Violations are also subject to civil action.³²

b. Applicability.

The Brown Act applies to the Board, committees, and ad hoc committees that advise the Board. Staff cannot promote actions which would violate the Brown Act.

B. Meetings

1. General

All meetings shall be open and public. A meeting takes place whenever a quorum (three (3) or more Members) is present and information about the business of the body is received; discussions qualify as a meeting. Motions must be passed unanimously if only three (3) Board Members attend.³³ Social functions do not fall under the Brown Act unless District business is discussed.

2. Serial Meetings

These can take place, and are prohibited by the Brown Act, when any Member of the Board or District Staff contact more than two (2) Board Members for the purpose of deliberating or acting upon an item pending before the Board (does not apply to the public or media). Correspondence that merely takes a position on an issue is acceptable.

C. Procedure

The following procedure shall be followed:

a. Posting the Agenda

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Agendas for regular Meetings must be made available seventy-two (72) hours in advance of the Meeting in the District's office and must include the following:

- i. Time and location of the Meeting.
- ii. Description of the agenda items. The description should be reasonably calculated to adequately inform the public and should include the contemplated Board action.
- iii. Public comments section. A section providing an opportunity for Members of the public to address the Board. (The public comments portion of the agenda meets this requirement.)

iii.

b. Agenda Items

Requests for items to appear on the Board's regular meeting agenda shall be presented to the General Manager, or his or her designee, in writing no later than 4:30 p.m., two (2) weeks prior to the meeting date.

Requests for items to appear on a future meeting agenda, made during a Board meeting, shall be made during Board comment and be supported by at least two (2) members of the Board.

D. Actions

No action can be taken on any item not appearing on the posted agenda, except as set forth in Government Code section 54954.2.

E. Ex Parte Communication

Board Members who have ex parte communications with a party that appears before them at the Meeting, should disclose that he or she had ex parte communication with the party. This can be done by stating that the Board Member had ex parte communication with a party, at a time in the meeting when the item is discussed.

Any written ex parte communication received by a District Official in a matter when all interested parties should have an equal opportunity for a hearing, shall be made a part of the record by the recipient.

Further information pertaining to ex parte communication can be found in Chapter 6, subsection E of this Handbook.

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Chapter 10: Board Meetings

A. Board Meetings

1. Regular Meetings

Regular Meetings of the Board shall be held the fourth Thursday of each month, whereby the regular Meeting will commence at 7:00 p.m., with closed session to follow the regular meeting. Meetings will be held at the San Miguel Fire Station located at 1150 Mission Street, San Miguel, California.

a. Other Locations

The Board may, from time to time, elect to meet at other locations within the District and upon such election, shall give public notice of the change of location in accordance with provisions of the Government Code.³⁴

b. Location During Local Emergency

If by reason of fire, flood, or other emergency, it shall be unsafe to meet at the San Miguel Fire Station, the Meetings may be held for the duration of the emergency at such other place as may be designated by the President, or if the President does not so designate, by the Vice President or the General Manager.³⁵

c. Holidays

When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for that day shall be held on the next regular business day at the regular time and place or at such other time as shall be determined and noticed by the Board.

2. Special Meetings & Emergency Meetings

Special Meetings and Emergency Meetings of the Board may be called and held from time to time consistent with, and pursuant to, the procedures set forth in the Government Code.³⁶

Notice for a Special Meeting must be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting as specified in the notice to all Board Members. The call and notice shall specify the time and place of the Special Meeting and the business to be transacted or discussed. The call and notice shall be posted at least twenty-four (24) hours prior to the Special Meeting in a location that is freely accessible to members of the public.

Written notice to all Board Members can be waived if the majority of the Board declares an emergency situation which requires the District to act immediately to preserve public peace, health, and safety over the District.³⁷

3. Adjourned Meetings

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The Board may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the procedures set forth in the Government Code.³⁸

At 10:00 p.m., the Board may finish a pending agenda item, but then must adjourn the meeting to the next regularly scheduled meeting, or to a special meeting. The Board, by a unanimous vote, may vote to finish the remaining agenda items past the 10:00 p.m. deadline.

4. Closed Session

The Board may hold closed sessions during any regular or special meeting, or any time otherwise authorized by law, to consider or hear any matter which is authorized by state law to be heard in closed session. The general subject matter for consideration shall be expressed in open meeting before such session is held.³⁹

a. Time Limit

Closed session will be held following the regular or special meeting agenda; closed session items are to be agendaized and the order for their consideration is specified in the agenda. A special meeting may be held for the purpose of discussing closed session items as long as all items are agendaized and all noticing requirements are met.

5. Cancellation of Regular Meetings

Any meeting of the Board may be canceled in advance by a majority of the Board.

6. Quorum⁴⁰

A majority of the Board constitutes a quorum for transaction of business. However, a motion must pass unanimously if only three (3) Board Members attend. Less than a majority may adjourn from time to time and compel attendance of absent Members in the manner and under the penalties prescribed by resolution. If all Board Members are absent from any regular meeting, the General Manager shall declare the meeting adjourned to a stated day and hour. The General Manager shall cause a written notice of the adjournment to be delivered personally to each Board Member at least three (3) hours before the adjourned meeting.

7. Chair⁴¹

The President shall preside over all Board Meetings. The President shall have the authority to preserve order at all Board Meetings, to call for the removal of any person or persons from any meeting of the Board for disorderly conduct, to interpret and enforce the procedural guidelines of the Board, and to determine the order of business under the guidelines of the Board.

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a. Absence of President

The Vice President shall act as President in the absence or disability of the President.⁴²

b. President & Vice President Absence

When the President and Vice President are absent from any meeting of the Board, the Board Members present may choose another Member to act as President and that person shall, during that meeting, have the duties of the President. Upon the arrival of the President or Vice President, the acting President shall relinquish the chair at the conclusion of the business before the Board.

c. Presiding Officer

The Presiding Officer for any District appointed or created committees and boards shall preside over public meetings of such committees and boards.

8. Attendance by the Public

Except as specifically provided by law for closed sessions,⁴³ all meetings of the Board shall be open to the public in accordance with the terms, provisions, and exceptions consistent with state law.⁴⁴

9. Action Minutes

The General Manager, or his or her designee, will maintain a written record and attest to the proceedings of the Board in the form of action minutes. Action minutes will include final motions with votes of the Board and reflect the names of public speakers.⁴⁵

10. Recordings of Meetings

Audio/ Video recordings of proceedings shall be made and shall be maintained by the General Manager, or his or her designee for a term defined by law or District policy.⁴⁶

B. Policy Decision-Making Process

1. Ad-Hoc Committees

The President shall appoint such ad-hoc committees as may be deemed necessary or advisable by the Board. Ad-hoc committees are formed on an as-needed basis with a clearly defined purpose and term. The duties of an ad-hoc committee shall be outlined at the time of appointment, and the committee shall dissolve when its final report has been made.

2. Town Hall or Community Meetings

Such meetings may be held by an individual Board Member and are not considered official governmental committees or Board Meetings. Town hall or

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community mMeetings do not require formation or appointment by the President or Board. The Board Member shall disclose this fact at their town hall mMeeting(s). To avoid possible Brown Act violations, only two (2) Board Members may participate in the discussion at a town hall or community mMeeting.

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Chapter 11: Order of Business

A. General Order

The business of the Board at its Meetings will generally be conducted in accordance with the following order of business, unless otherwise specified. A closed session may be held at any time during a ~~m~~Meeting consistent with applicable law.

1. CALL TO ORDER (approximately 6:00 p.m.)

2. ROLL CALL

The General Manager, or his or her designee, shall call the roll of the Board Members. The roll shall be called randomly, except that the name of the President shall be called last. The names of each Board Member shall be called on each roll call whether they are present or absent and shall be entered into the minutes.

3. APPROVAL OF AGENDA:

A motion should be made to approve the agenda for the current Meeting. Should a Board Member wish to remove an item from the consent calendar for separate discussion, any Board Member may do so during the approval of the agenda or during the approval of the consent calendar.

4. PLEDGE OF ALLEGIANCE

5. PUBLIC COMMENT (~~NON-AGENDA~~NON-AGENDA ITEMS)

6. SPECIAL PRESENTATIONS/PUBLIC HEARINGS

All special presentations and public hearings will be calendared and coordinated through the President or the General Manager. The guidelines for conducting public hearings are discussed below at subsection B of this Chapter.

7. STAFF REPORTS/COMMITTEE REPORTS

1. San Luis Obispo County
2. Camp Roberts – Army National Guard
3. Community Service Organizations
4. General Manager
5. District General Counsel
6. Director Utilities
7. Fire Chief

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7.

8. AGENDA

a. Consent Calendar

All matters listed under the consent calendar are considered by the Board to be routine and will be acted upon in a single motion. Separate discussions of these items may be requested by a Board Member or Staff Member prior to the time the Board considers the motion to adopt. A ~~A~~member of the public may not pull an item from the consent calendar.

Agenda items requested for removal from the consent calendar by Board Member or Staff will be considered at the beginning of the "Staff/Committee Reports" section of the agenda. A Board Member may vote "no" on any consent item without comment or discussion. Any substantive Board comments, questions, or discussion on an item will require removal of the item from the consent calendar.

9. BOARD ACTION ITEMS

- a. Unfinished Business
- b. New Business

10. BOARD COMMENTS

This section is intended for Board Members to make brief announcements, request information from Staff, request future agenda item(s) and report on their own activities related to District business. No action is to be taken until an item is placed on a future agenda.

11. CLOSED SESSION (IF NECESSARY)

- a. The Board meets from time to time in closed sessions which are duly held Meetings, or a portion thereof, at which certain actions may be taken and are not open to public and news media. Matters discussed in closed sessions are considered confidential and include:
 - i. Meeting the local agency's designated representatives regarding salaries or compensation paid for in the form of fringe benefits for represented and unrepresented employees.⁴⁷
 - ii. License/permit determination
 - iii. Conference with real property negotiators
 - iv. Existing/anticipated litigation
 - v. Liability claims
 - vi. Security threat to public service or facilities
 - vii. Public employee appointment

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- viii. Public employment
- ix. Public employee performance evaluations
- x. Public employee discipline, dismissal or release
- xi. Conference with labor negotiators
- xii. Case review/planning
- xiii. Trade secrets
- xiv. Hearings
- xv. Charge or complaint involving information protected by Federal law
- xvi. Conference with joint powers agency
- xvii. California State audits⁴⁸

The Board must adhere to the time limits for closed session in order to begin the regular meeting in a timely manner. If the Board does not conclude the closed session in the required timeframe as set forth in the agenda, the Board will temporarily conclude the closed session meeting until the close of the regular meeting.

12. CALL TO ORDER FOR REGULAR BOARD MEETING/REPORT OUT OF CLOSED SESSION

13. ADJOURNMENT TO NEXT REGULAR MEETING OF (Date)

B. Conduct of Business

The following is the preferred sequence of the decision-making process:

- a. Announce business item;
- b. Review Staff report;
- c. Board comment and discussion;
- d. Hear public comment;
- e. Board comment and discussion;
- f. Present motion;
- g. Second;
- h. Roll call or voice vote; and
- i. Announcement of the decision.

C. Action on Agenda Items

In accordance with the Ralph M. Brown Act, the Board may not take action on any item that did not appear on the posted Board agenda seventy-two (72) hours prior to the Board Meeting unless an exception is made as permitted by the Government Code.⁴⁹

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D. Items Placed on Written Agenda

Items of business shall be placed upon the written agenda prior to the deadline announced, or observed for the preparation thereof, at the request of the General Manager or the District Counsel.

Any Member of the Board may place an item on a future agenda by making a formal request to the General Manager at a Meeting of the Board. The General Manager will place Board items on a future Board agenda when reasonable based on the Staff time and research necessary to prepare the item for Board consideration.

E. Items from the Board, General Manager, or District Counsel

These sections of the agenda provide the opportunity for brief comment on the District business, District operations, District projects, and other items of general interest.⁵⁰

F. Public Hearings:

1. General Procedure

The Board may, at its discretion or in compliance with applicable law, call a public hearing on any subject within its purview. The Board procedure for the conduct of public hearings is generally as follows:

a. The Staff Presents its Report:

After the President/Chair announces the item as it appears on the agenda, District Staff will give a presentation to the Board and the public on the Staff report prepared for the matter.

b. Initial Questions to Staff by the Board:

Prior to opening up a public hearing on a matter, Board Members may ask questions of Staff, or third-party consultants, regarding the Staff report and the item.

c. President/Chair Opens the Public Hearing:

i. Applicant or Appellant Presentation. The applicant or appellant then has the opportunity to present comments, testimony, or argument.

ii. Public Testimony. Members of the public are provided with the opportunity to present their comments, testimony, or argument. Members of the public presenting comments, testimony, or argument will follow the following guidelines:

1. Members of the Public Request to Speak. Any person desiring to speak or present evidence shall make his or her

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presence known to the President/Chair and upon being recognized by the President/Chair, the person may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the President/Chair.

2. Board Questions of Speakers. Members of the Board who wish to ask questions of the speakers or each other during the public hearing portion may do so, but only after first being recognized by the President/Chair.
3. Public Oral Presentations. All Board guidelines pertaining to oral presentation by members of the public apply during public hearings. These guidelines are discussed in this Handbook in Chapter 13: "Addressing the Board."
4. Materials for Public Record. All persons interested in the matter being heard by the Board shall be entitled to submit written evidence or remarks, as well as other graphic evidence. Materials shall be submitted to the General Manager for distribution to the board, and for the record.
5. Germane Comments. No person will be permitted during the hearing to speak about matters or present evidence which is not germane to the matter being considered. A determination of relevance shall be made by the President/Chair, but may be appealed to the full Board.
 - a. The applicant or appellant is given an opportunity for rebuttal or closing argument.
 - b. The public input portion of the public hearing is closed.

d. Questions and Discussion from the Board:

Board Members should not express their opinions on an item prior to the close of the public hearing, as the Board Members should not form or express an opinion until after all testimony has been received. Questions and comments from the Board should not be argumentative, and the Board should not engage in debates with Staff, or those Members of the public testifying to an opinion, until after all testimony has been received.

Any Board Member shall have the right to express dissent from, or protest to, any action of the Board and have the reason entered in the minutes. If the dissenting Board Member desires such dissent or protest to be entered into the minutes, this should be made clear by language such as "I would like the minutes to show that I am opposed to this action for the following

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reasons..."

e. **Board Decision Occurs:**

Once the Board completes its discussion of the matter, a Board Member may make a motion to take action on the item. A Board Member may also make a motion to table, amend, substitute, postpone, or continue the matter, pursuant to these procedures. If the Board is unsuccessful in carrying a motion on the matter before the adjournment of the Meeting, the motion shall be deemed to have failed.

The President/Chair, General Manager, or Board Clerk will announce the final decision of the Board.

2. **Time for Consideration**

Matters noticed to be heard by the Board will commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible and will continue until the matter has been completed, or until other disposition of the matter has been made.

3. **Continuance of Hearing**

Any hearing being held, noticed, or ordered to be held by the Board at any Board Meeting may, by order, notice, or continuance, be continued or re-continued to any subsequent hearing.

4. **Communications and Petitions**

Written communications and petitions concerning the subject matter of the hearing will be noted and summarized by the President/Chair. A reading in full shall take place where a majority of the Board votes to have that correspondence read into the record.

5. **Ex-Parte Contacts**

Should a Board Member, and one (1) or more members of the public, make contact outside of the hearing process regarding a matter which is, or may be, before the Board for a quasi-judicial hearing, as soon as the Board is informed that the matter will come before it as a quasi-judicial hearing, that Board Member must disclose the substance of the contact and the names of the parties on the record at the beginning of the Board's quasi-judicial hearing. Visits by Board Members to sites or properties that are the subject of such pending hearings, shall also be disclosed at the beginning of the Board's quasi-judicial hearing.

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6. Resolutions

A resolution is generally adopted by the Board to deal with temporary or special matters, such as when the Board makes only a factual determination or certification that certain necessary conditions or requirements set by statute have been met. Resolutions can also express opinions of the legislative body or set temporary standards (i.e., amount of processing fees that may be changed again by future resolutions). Resolutions are recorded and kept on file with the General Manager or the Board Clerk.

7. Voting & Publishing Requirements for Resolutions and Ordinances

a. Voting:

All resolutions require a recorded majority vote of the total Membership of the Board.⁵¹ Resolutions shall be signed by the President, attested by the General Manager and to form by Legal Counsel.

b. Publishing:

Ordinances take effect thirty (30) days after their final passage unless they meet an exception.⁵² Within fifteen (15) days after its passage, the Board clerk shall cause each ordinance to be published at least once with the names of the Board Mmembers voting for and against the ordinance, in a publication circulated in the District. Cost of publication shall not exceed the customary rate charged for private legal notices.⁵³

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Chapter 12: Guidelines of Conduct

A. General Procedures

It is the policy of the Board not to become involved in the protracted discussion over parliamentary procedure. Consistent with any statute or other legal requirement, any issue of procedure relating to conduct of a meeting or hearing, not otherwise provided for herein, may be determined by the President/Presiding Officer, subject to appeal to the full Board.

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B. Authority of the President/Presiding Officer

Subject to appeal to the full Board, the President/Presiding Officer shall have the authority to prevent the misuses of motions, the abuse of any privilege, or obstruction of the business of the Board, by ruling any such matter out of order. In so ruling, the President/Presiding Officer shall be courteous and fair and should presume that the moving party is acting in good faith.

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C. President to Facilitate Board Meetings

The Board delegates the responsibility and expands the role of President/Presiding Officer to include the facilitation of Board Meetings. In the role as facilitator, the President/Presiding Officer will assist the Board to focus on their agenda, discussions and deliberations.

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D. Board Deliberation & Order of Speakers

The President/Presiding Officer is delegated the responsibility to oversee the debate and the order of speakers. Speakers will generally be called upon in the order they request to speak as recognized by the President/Presiding Officer.

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E. Limit Deliberation to Item at Hand

Board Members will limit their comments to the subject matter, item, or motion being currently considered by the Board.

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F. Length of Board Comments

Board Members will govern themselves as to the length of their comments or presentations. The Board delegates to the President/Presiding Officer the responsibility to assist the Board by signaling if a Board Member has been speaking for an excessive time period. Comments from Board Members are limited to five (5) minutes for each Board Member, unless the Board, by concurrence, extend such time.

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G. Limitations of Debate

Board Members will be allowed to speak once before the President/Presiding

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Officer opens the matter for public comment. Board Members may speak a second time after the close of Public Comment if more time is allowed by the President/Presiding Officer or the majority of the Board. Comments from Board Members are limited to the question under debate, avoiding all personalities and indecorous language. Comments are limited to five (5) minutes for each Board Member, unless the Board, by concurrence, extend such time.

H. Obtaining the Floor

Any Member of the Board wishing to speak must first obtain the floor by being recognized by the President/Presiding Officer. The President/Presiding Officer must recognize any Board Member who seeks the floor when appropriately entitled to do so.

Once recognized, a Board Member shall not be interrupted when speaking unless it shall be to call him or her to order. If a Board Member, while speaking, is called to order, he or she shall cease speaking until the question of order has been determined and, if in order, he or she shall be permitted to proceed.

I. Motions

Motions may be made by any Member of the Board, including the President/Presiding Officer, providing that before a motion is offered by the President/Presiding Officer, the opportunity for making a motion is offered to the other Board Members. Any Members of the Board, other than the person offering the motion, may second the motion.

1. Procedure for Motions

Before a motion can be considered or debated, it must be seconded. Once the motion has been properly made and seconded, the President/Presiding Officer shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any Board Member properly recognized by the President/Presiding Officer. Once the matter has been fully discussed and the vote is called for, no further discussion will be allowed; however, Board Members may be allowed to explain their vote.

a. Process to Make and Second a Motion.

Board Members wanting to make or second a motion may do so through a verbal request to the President/Presiding Officer.

2. Precedence of Motions

When a motion is on the floor, no other motion shall be entertained except the following, which shall have precedence in the following order:

a. Motion to Adjourn the Meeting (not debatable).

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A motion to adjourn shall be in order at any time, except as follows:

- I. When repeated after defeat without any intervening business or discussion.
- II. When made as an interruption of a Board Member who is speaking.
- ~~III.~~ While a vote is being taken.
 - ~~—~~A motion to adjourn “to another time” shall be debatable only as to the time which the meeting is adjourned.
- ~~III.~~

b. Motion to Fix Hour of Adjournment:

Such motion shall be set to a definite time at which to adjourn and shall be undebatable and unamendable except to the time set. Notice of the adjournment and the date of the subsequent meeting shall be conspicuously posted on or near where the meeting was held within twenty-four (24) hours of the adjournment.⁵⁴

The Board may take action on an item not appearing on the agenda if the item was posted on the agenda for a prior meeting occurring not more than five (5) calendar days prior to the date action is taken on the item and the prior meeting was continued to the meeting at which action is being taken.⁵⁵

c. Motion to Table:

A motion to table shall be used to temporarily bypass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. The tabled item may be “taken from the table” at any time by a motion made prior to the end of the meeting. If the item is not taken from the table prior to the end of the meeting, it shall be placed on a future agenda as a new matter.

d. Motion to Amend:

A motion to amend can be made after a motion is introduced and seconded. A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A motion to amend shall be voted on first, followed by a vote on the original motion, as amended or as originally stated, depending on whether the motion to amend carries.

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e. Motion to Substitute:

A motion to substitute can be made after a motion is introduced and seconded. A substitute motion on the same subject shall be acceptable and voted on before a vote on a motion to amend the main motion amendment.

f. Motion to Continue:

Motions to continue to a definite time shall be amendable and debatable as to the propriety of postponement and time set. If desired, the Board Member who initiates the motion to continue may also move to reopen the hearing to receive further testimony.

3. Motions Introducing Ordinances

Ordinances shall not be passed within five (5) days of their introduction unless they are urgency ordinances. Ordinances may only be passed at a regular meeting and must be read in full at the time of introduction and passage except when, after reading the title, further reading is waived. Motions introducing ordinances for adoption at a future meeting are deemed to include a waiver by the Board of the full reading of the text and title of the proposed ordinance unless the motion otherwise specifically so provided. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular meeting held at least five (5) days after alteration. Corrections of typographical or clerical errors are not considered alterations for purposes of this paragraph.⁻⁵⁶

J. Voting Procedures

Any Board Member present at a meeting when a question comes up for a vote, should vote for or against the measure, unless he or she is disqualified from voting and abstains because of such disqualification. All votes shall be roll call votes, except for minute actions. The call of roll call votes shall not be interrupted. Minute actions may be taken by voice vote. The results reflecting all "ayes" and "noes" and "abstentions" must be clearly set forth for the record. Unless a Board Member clearly states that he or she is not voting because of a conflict of interest, his or her silence shall be recorded as an affirmative vote.

1. Abstention

An abstention does not count as a vote for or against a matter. If a Board Member abstains, he or she is counted as present for quorum purposes, but is not deemed to be "voting" for purposes of determining whether there has been a "majority vote of those Members present and voting." If a Board Member abstains from voting on the grounds that he or she has, or may have, a conflict of interest, that abstention shall be made either at the beginning of the Board's consideration of the matter, or as soon as the Board Member recognizes that he

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or she may have such a conflict or potential conflict. In addition, the Board Member shall state for the record the precise nature of the interest which he or she may have that creates the conflict or potential conflict and shall leave the room where the Board Meeting is taking place during discussion of the item when required to do so by the Political Reform Act.⁵⁷

2. Tie Votes

A tie vote results in a lost motion. In such an instance, any Member of the Board may offer a motion for further action. If there is no action by an affirmative vote, the result is no action. If the matter involves an appeal and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.

3. Motion for Reconsideration

Motions for reconsideration of a matter may only be made at the same meeting at which the Board takes action on a matter. Such motion may only be made by a Board Member who voted with the side that prevailed on the matter in question. With regard to a tie vote resulting in a lost motion, the prevailing side will be deemed to be those Board Members who voted in the negative. Any Member of the Board may second a motion for reconsideration. A motion to reconsider shall be debatable.

K. Non-Observance of Guidelines

The guidelines are adopted to expedite and facilitate the transaction of the business of the Board in an orderly fashion and shall be deemed to be procedural only. The Board shall not be required to follow formal organizational procedures such as Robert's Rules of Order. Failure to strictly observe the guidelines shall not affect the jurisdiction of, or invalidate any action taken by the Board.⁵⁸

L. Non-exclusive Guidelines

These guidelines are not exclusive and do not limit the inherent power and general legal authority of the Board or of the President/Presiding Officer, to govern the conduct of Board Meetings, as may be considered appropriate from time to time or in particular circumstances, for purposes of orderly and effective conduct of the affairs of the District.

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Chapter 13: Addressing the Board

A. Oral Presentations by Members of the Public

The rules governing oral presentations by members of the public at Board Meetings are as follows:

1. When called upon, the person is requested to come to the podium, sign in on the speakers sign-in sheet, state his or her name and address for the record (although not required), and, if speaking for an organization or other group, identify the organization or group represented.
2. All remarks should be addressed to the Board as a whole, not to an individual Board Member.
3. Questions, if any, should be directed to the President/Presiding Officer who will determine whether, or in what manner, an answer will be provided.

B. Public Comment for Items NOT on the Agenda:

Public Comment is the period set aside at Board Meetings for members of the public to address the Board on items of District business other than scheduled agenda items.⁵⁹

1. Timing

Public Comment for each speaker is limited to three (3) minutes, unless the Board, by concurrence, extends such time.

2. District Matters

Presentations under Public Comment are limited to items within the subject matter jurisdiction of the District.

3. Response to Public Comment

The Board, at its discretion, may direct Staff to respond to a concern or question raised, place items on the agenda for consideration at a future Board Meeting, or permit a Board Member to address the individual providing the Public Comment for the purposes of clarification or discovery of facts, subject to recognition.

C. Agenda Item Oral Presentation

Any member of the public wishing to address the Board orally on District business matters appearing on the Board Agenda, may do so when that item is taken up by the Board, or as otherwise specified by the Board or the President/Presiding Officer.

1. Presentations Submitted in Writing

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Persons who anticipate oral presentations exceeding three (3) minutes, are encouraged to submit comments in writing, in advance, care of the General Manager, for prior distribution to the Board and other interested parties. Submission of comments in writing is encouraged in lieu of possible lengthy oral presentations which may not be permitted.

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2. Timing

Comments by the public on District business matters appearing on the agenda may do so once the President/Presiding Officer opens the matter for public comment. Members of the public may speak a second time after the close of Public Comment only if more time is allowed by the President/Presiding Officer or the majority of the Board.

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3. Assigning Time

Persons wishing to assign their time for oral presentations to other individuals may do so only with authorization of the President/Presiding Officer or a majority of the Board.

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4. Reading Written Comments

Persons wishing to read written comments into the record may do so only with authorization of the President/Presiding Officer or a majority of the Board. Additional procedures for written comments are detailed below.

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D. Comments in Writing Encouraged

Members of the public may submit, and are encouraged to submit, comments in writing to the Board, care of the General Manager, relating to any items of District business, whether on the Board agenda or otherwise. Such comments will be distributed to Members of the Board and considered and acted upon, or not acted upon, as the Board, in its judgment, may deem appropriate. All written comments submitted prior to or during the item the comments relate to, will be part of the record on that particular item. Written comments will not be read aloud at the Board Meeting.

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1. Comment Cards

Comment cards may be used by members of the public in attendance at the Meeting who do not wish to, or cannot verbally, address the Board during a Meeting. A person may indicate his or her brief comments on the card and his or her opposition or support for an item on a comment card. During the public testimony on the item, the President indicates that the Board has received

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comment cards from (name of person) in support of the project or issue and comment cards from (name of person) in opposition of the project or issue.

2. Repetitious Comments Prohibited

Speakers shall not present the same, or substantially the same, items or arguments to the Board repeatedly or be repetitious in presenting their oral comments. If a matter has been presented orally before the Board, whether the Board has taken action, or determined to take no action, the same or substantially the same matter may not be presented orally by the same person any further. Nothing in the foregoing precludes submission of comments to the Board in writing for such action or non-action as the Board, in its discretion, may deem appropriate.

E. Speaker Time Limits for an Agenda Item

In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Board on the same subject matter, the President/Presiding Officer may request that a spokesperson be chosen by the group, and in case additional matters are to be presented by any other member of the group, that there be a limit on the number of such persons addressing the Board. A specific time limit may also be set for the total presentation. No group shall arrange themselves so as to use individual speakers' times in sequential order to circumvent the time limits.

F. Waiver of Guidelines

Any of the foregoing guidelines may be waived by majority vote of the Board Members present when it is deemed that there is good cause to do so, based upon the particular facts and circumstances involved.

G. Decorum

It is crucial that the public have confidence in the integrity of its local government. Further, to ensure that the Board's business is conducted in a manner that is both professional and efficient, it is important that all participants in the process exercise decorum and civility.

The President/Presiding Officer shall maintain order, decorum, and the fair and equitable treatment of all speakers. The President/Presiding Officer shall keep discussions and questions focused on the specific agenda item under consideration.

Board Members shall perform their duties in accordance with the District's processes and rules of order governing the deliberation of public policy issues, the involvement of the public, and the implementation of policy decisions of the Board by District Staff. They shall work together collaboratively, assisting

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each other in conducting the affairs of the District. Board Members shall fully participate in public mMeetings, in both the open and closed sessions, while demonstrating respect and courtesy to others. Board Members and the General Manager shall stay focused, stay on topic, and act efficiently during public mMeetings. They shall refrain from interrupting other speakers or otherwise interfering with the orderly conduct of the meetings.

To preserve the integrity of Board meetings, no person shall engage in disruptive behavior of another person during a public meeting. Harassment includes, but is not limited to:

1. Verbal harassment such as racial epithets, derogatory comments, or slurs, heckling, whistling, yelling, and other similar demonstrations;
2. Physical harassment such as impeding or blocking movement, grabbing, pushing, slapping, punching, kicking, or otherwise striking the body of another or an object attached to another's body. Sexual harassment such as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature, such as name calling, suggestive comments, or lewd talks and jokes that unreasonably interferes with an individual's work performance or has the purpose or effect of creating an intimidating, hostile, or offensive work environment; and:
3. ~~Use of profanity, obscene language, and threats that disrupt, disturb, or otherwise impede orderly conduct.~~

3.

If these rules are violated, the President of Presiding Officer may take the following action:

1. Warn the individual prior to removal that the behavior is disrupting and failure to cease the behavior will result in their immediate removal. Behavior which a reasonable person would receive to be an actual threat of harm or use of force may result in the immediate removal of the individual without a prior warning.
2. If the behavior persists, the President or Presiding Chair may stop the meeting and contact the Sheriff's department and order the disrupting party to sit quietly and observe the remainder of the meeting without additional input or participation.
3. If the disruptive behavior continues further, the President or Presiding Chair may request the Sherriff's department remove the individual from the meeting.

Any person making personal, impertinent, or derogatory remarks, or who shall become boisterous while addressing the Board, shall be barred from further audience before the Board at said Meeting by the President/Presiding Officer unless permission to continue is granted by a majority of the Board.⁶⁰

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Appendix A
ICMA Code of Ethics

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ICMA Code of Ethics

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every Member of ICMA, who shall:

Tenet 1

Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

Tenet 2

Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.

Tenet 3

Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

Tenet 4

Recognize that the chief function of local government at all times is to serve the best interests of all people.

Tenet 5

Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

Tenet 6

Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the Members.

Tenet 7

Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the Members of the employing legislative body.

Tenet 8

Make it a duty continually to improve the Member's professional ability and to develop the competence of associates in the use of management techniques.

Tenet 9

Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Tenet 10

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Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Tenet 11

Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions pertaining to appointments, pay adjustments, promotions, and discipline.

Tenet 12

Seek no favor; believe that personal aggrandizement or profit secured by confidential information, or by misuse of public time is dishonest.

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Appendix B
Referenced Code Citations

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- ¹ Gov. Code, § 61000 *et seq.*
- ² Gov. Code, § 61040 (a)
- ³ Gov. Code, § 61042 (a)
- ⁴ Gov. Code, § 61040
- ⁵ *Ibid.*
- ⁶ Gov. Code, § 1770, subd. (g).
- ⁷ Assembly Bill 2449
- ⁸ Gov. Code, § 61051.
- ⁹ Gov. Code, § 61047.
- ¹⁰ Gov. Code, § 53232.2
- ¹¹ *Ibid.*
- ¹² Gov. Code, § 87103.
- ¹³ *Ibid.*
- ¹⁴ Gov. Code, § 82033.
- ¹⁵ *Ibid.*
- ¹⁶ Gov. Code, § 84308.
- ¹⁷ Gov. Code, § 87105.
- ¹⁸ Gov. Code, § 87105, subds. (a)(1)-(3).
- ¹⁹ Gov. Code, § 53235.1 (b)
- ²⁰ Gov. Code, § 53237.1.
- ²¹ Gov. Code, § 1780, subd. (b).
- ²² Gov. Code, § 1780, subd. (c).
- ²³ Gov. Code, § 1780, subd. (d)(1).
- ²⁴ *Ibid.*
- ²⁵ Gov. Code, § 1780, subd. (e)(1).
- ²⁶ Gov. Code, § 1780, subd. (g)(2).
- ²⁷ Gov. Code, § 1780, subd. (f)(1).
- ²⁸ Gov. Code, § 1780, subd. (f)(2).
- ²⁹ Gov. Code, § 87406.3.
- ³⁰ Gov. Code, § 61044.
- ³¹ Gov. Code, § 54959.
- ³² Gov. Code, § 54960.
- ³³ Gov. Code, § 61045.
- ³⁴ Gov. Code, § 54954, subd. (b).
- ³⁵ Gov. Code, § 54954, subd. (e).
- ³⁶ Gov. Code, § 54956
- ³⁷ Gov. Code, § 54956.5
- ³⁸ Gov. Code, § 54955
- ³⁹ Gov. Code, § 54954.5.
- ⁴⁰ Gov. Code, § 61045.
- ⁴¹ Gov. Code, § 61043
- ⁴² Gov. Code, § 61043, subd. (b).
- ⁴³ Gov. Code, § 54954.5.
- ⁴⁴ Gov. Code, § 54953.
- ⁴⁵ Gov. Code, § 61045.
- ⁴⁶ Gov. Code, § 54953.5. Gov. Code, § 6250 *et seq.*
- ⁴⁷ Gov. Code, § 54957.6
- ⁴⁸ Gov. Code, § 54954.5
- ⁴⁹ Gov. Code, § 54954.

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⁵⁰ Ibid.

⁵¹ Gov. Code, § 61045, subd. (c).

⁵² Gov. Code, § 36937

⁵³ Gov. Code, § 36933

⁵⁴ Gov. Code, § 54955.

⁵⁵ Gov. Code, § 54954.2 (b)(3)

⁵⁶ Gov. Code, § 36934

⁵⁷ Gov. Code, § 87100 *et seq.*

⁵⁸ *City of Pasadena v. Paine* (1954) 126 Cal.App.2d 93.

⁵⁹ Gov. Code, § 54954.3.

⁶⁰ Gov. Code, § 54957.9.; Senate Bill 1100

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**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 10.5

SUBJECT: 2022 California Fire Code, 2022 California Building Code, and Local Ordinance 01-2023 (Young)

SUGGESTED ACTION: First reading of the 2022 California Fire Code, 2022 California Building Code, and Local ORDINANCE 01-2023.

DISCUSSION:

The purpose of this ordinance is to formally adopt the 2022 California Fire Code including Amendments, Errata, Appendix's, 2022 California Building Code Chapter 7A including related reference sections, and Local Ordinance 01-2023 as the bases for all Fire, Life & Safety items for the purpose of ratification by the County of San Luis Obispo Board of Supervisors.

The District has been operating on the 2019 California Fire Code including Local Ordinance 01-2020. It is the District's responsibility to adopt use of the California Fire Code every three (3) years, and as necessary throughout the code cycles. The District must include any Local Ordinances at the time of current Code adoption. The purpose of adopting Local Ordinances is to assure that the Fire, Life & Safety issues directly related to the Agency Having Jurisdiction (AHJ) are properly mitigated to the best of the AHJ's ability.

FISCAL IMPACT:

Staff time, legal review, and required posting fees.
Actual cost to be determined.

PREPARED BY: Scott Young

ORDINANCE NO. 01-2023
AN ORDINANCE OF THE BOARD OF DIRECTORS OF
THE SAN MIGUEL COMMUNITY SERVICES DISTRICT
ADOPTING AND AMENDING THE 2022 EDITION OF
THE CALIFORNIA FIRE CODE 2022 CALIFORNIA BUILDING CODE SECTION 7A
AND RELATED REFERENCE SECTIONS INCLUDING ARTICALS, APPENDICES,
ERRATA AND LOCAL ORDINANCES.

WHEREAS, the San Miguel Community Services District (“District”) Board of Directors (“Board”) finds that modifications need to be made to the District’s current Fire Code; and

WHEREAS, the District’s Fire Code was updated and adopted in 2020, and requires revisions as the law has changed over time.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the San Miguel Community Services District as follows:

Section 1. Purposes and Authority.

The Board of Directors of the San Miguel Community Services District (“District”) hereby adopts the 2022 Edition of the California Fire Code (“CFC”), which includes Articles, Appendices and Errata, with certain amendments and exceptions. The amendments and exceptions as outlined in Section 5 of this Code, are for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion. Each and all of the regulations, provisions, conditions, and terms of the “California Fire Code”, 2022 Edition, on file in the District Office, are hereby referred to and made a part hereof as if fully set out in this Ordinance, except as otherwise provided in this Ordinance.

Section 2. Repeal of Any Previously Adopted Ordinance

Ordinance No. 01-2020 , and or any previously adopted Ordinance adopted by the Board of Directors of the San Miguel Community Services District is hereby repealed in their entirety.

Section 3. Establishment and Duties of Bureau of Fire Prevention.

The California Fire Code shall be enforced by the San Miguel Community Services District’s Fire Department (“Fire Department”). The Bureau of Fire Prevention is hereby established and shall operate under the supervision of the District’s Fire Chief. The Fire Chief may assign such qualified members of the Department as inspectors as necessary.

Section 4. Amendments and Exceptions to the 2022 Edition of the California Fire Code.

Pursuant to Ordinance No.01-2023, the Board found that because of certain local climatic, geological and topographical conditions existing within the District, more stringent building standards relating to Fire, Life and Safety than those standards adopted by the State of California

Fire Marshal and contained in the California Building Standards Code are necessary for fire protection within the District. Ordinance 01-2022 , and the findings contained therein, are hereby incorporated by reference. The following amendments and exceptions to the 2023 California Fire Code, are therefore hereby made:

1) ESTABLISHMENTS OF LIMITS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED.

Storage of explosives and blasting agents are prohibited in the District boundaries. Chapter 56 of the 2022 California Fire Code provides the specific limitations.

2) ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF LIQUIFIED PETROLEUM GASES IS PROHIBITED.

The installation of any liquid petroleum gas tank over five hundred (500) gallons (1893 liters) water capacity is prohibited within the District boundaries.

3) ESTABLISHMENT OF LOCAL FIRE PREVENTION CODE ENFORCEMENT FOR STATE MANAGED TRAILER PARKS WITHIN JURISDICTIONAL BOUNDARIES

Per Health & Safety Code Section §1302 San Miguel Fire elects to assume the responsibility for local fire prevention code enforcement in parks within its jurisdictional boundaries.

4) ESTABLISHMENT OF TWO-STORY BUILDING HEIGHT LIMIT

Due to the current inability to perform immediate life rescue and perform rooftop fire operations above two stories in height all structures shall be limited to the following height restrictions.

- a) Maximum height of a habitable space from ground level to second floor level shall be no greater than 132 inches.
- b) Maximum height for a second floor opening to be utilized as an emergency egress shall be no greater than 176 inches from ground level.
- c) Maximum height from ground level to roof eaves shall be no greater than 216 inches from ground level.
- d) Floor Area Ratios (FAR) examples as stated within the 2016 San Miguel Community Plan page 3-17 Figure 3-H are acceptable examples of building construction FAR examples with the exception of FAR=.75 example 2 that does not conform to emergency services standards for immediate life rescue

5) LOCATION WHERE ABOVEGROUND TANKS ARE PROHIBITED

Storage of Class I and Class II liquids in aboveground tanks outside and/or inside of buildings are prohibited within the District boundaries.

a) Exception: Tanks for emergency power generators, which are integrated into the generator assembly, may be above ground. These installations must be reviewed and approved by Fire Chief prior to installation.

6) FIRE PROTECTION SYSTEM AND EQUIPMENT

The District Fire Chief or designee shall designate the type and number of fire appliances to be installed and maintained in and upon all buildings and premises within the District's jurisdiction other than in private dwellings. This shall be done according to the relative severity of probable fire, including the rapidity with which it may spread. All determinations shall be made based on the California Fire Code Section 9; however, the Fire Chief or his or her designee may determine that additional appliances may be deemed necessary due to a specific condition on the property such as access issues or a specific hazard. Such appliances shall be of a type suitable for the probable class of fire associated with such building or premises and shall have approval of the District Fire Chief. Portable fire extinguishers shall be in accordance with 2022 California Fire Code Chapter 9. The minimum fire extinguisher requirement shall be one (1) 2A10BC fire extinguisher for every seventy-five feet (75') of floor travel. Location of the fire extinguisher is to be determined by the Fire Chief.

7) AUTOMATIC FIRE EXTINGUISHING SYSTEMS.

In addition to the requirements of 2022 California Fire Code, Chapter 9 an automatic fire extinguishing system shall be installed in the occupancies and locations as set forth below:

- a) New Construction. An automatic fire extinguishing system shall be installed and maintained in all new buildings in "A," "B," "C," "E," "F," "H," "I," "M," "R", "S" and "U" (when "U" structure is attached to an "R") occupancies as defined by the California Uniform Building Code, regardless of type of construction or floor area, for which any Building Permit is issued after the effective date of this Ordinance.
- b) Modular homes and or mobile property use as a dwelling shall be equipped with automatic fire sprinklers.

Exception:

Detached Group B, C, M occupancies not exceeding five hundred (500) square feet and located at least ten (10) feet from adjacent buildings and five (5) feet from adjacent property lines;

Note: "U" occupancies converted to conditioned habitable space will be required to install an automatic fire extinguishing system.

- c) Existing Construction. Unless the 2022 California Fire Code is more restrictive, an automatic fire extinguishing system shall be installed in all existing buildings or structures where proposed or ongoing additions, seismic retrofit, alterations, or repairs are commenced over a three-year period, which meet one or more of the following:
 - i) Increases total floor area of structure by more than 25%,
 - ii) Have a total floor area exceeding two thousand five hundred (2,500) square feet,

- iii) When a second story or higher is added,
- iv) When occupancy change increases fire risk or hazard

EXCEPTIONS

- i) When a proposed addition is less than 25% of current total floor area of existing building in all occupancies
 - ii) In single family residences of less than 2,500 square feet the proposed addition can be 25% of current floor area.
- d) Regardless of additions, alterations, or repairs in existing sprinklered buildings, sprinkler coverages shall remain as per the 2022 California Fire Code and the National Fire Protection Association 13, 13R, or 13D standards, whichever are applied by the Fire Chief.
- e) Plans for Automatic Fire Extinguishing Systems. Plans for all automatic fire extinguishing systems shall be required to be reviewed and certified by a third-party Fire Protection Engineer (at the individual's cost) and submitted for approval by the District Fire Department prior to installation. Plans are subject to all plan check and inspection fees as per the current fee schedule. The automatic fire extinguishing system shall conform to the most current requirements of the California Fire Code, State Fire Marshal regulations and requirements of the National Fire Protection Association Codes and Standards (NFPA 13, 13R or 13D).
- f) All automatic fire extinguishing systems shall be supervised by a U.L. approved central, proprietary or remote station service or a local alarm that provides an audible signal at a constantly attended location.
- g) All mechanical equipment located in a concealed space shall have a 200-degree pilot head located at an elevation no more than 18 inches below the highest elevation of the concealed space above the unit and no further than 3 feet away from the unit. Any piping located above the building insulation level shall be insulated.

Exceptions:

Isolated specialty systems such as a paint spray booth or other small systems as approved by the Fire Chief, unless the entire occupancy is equipped with an automatic fire extinguishing system.

8) VENTILATING HOOD AND DUCT SYSTEMS

A type 1 ventilating hood and duct system shall be installed and maintained, in accordance with the California Fire Code Chapter 6, California Mechanical Code and National Fire Protection Association 96 for commercial-type food heating processing equipment that produces grease-laden vapors. Cooking facilities in existing occupancies shall be required to be in compliance of this section when building alterations, which require a building permit, occur.

a) **PROTECTION OF EXISTING NON-U.L. 300 LISTED FIRE PROTECTION SYSTEMS.**

A fire extinguisher listed and labeled for Class K fires shall be installed within thirty (30) feet of existing commercial deep fat frying equipment. An approved U.L. three hundred (300) listed fire-protection system shall be installed in an existing facility when one or more of the following is met:

- i) Change in cooking medium,
- ii) Change of ownership,
- iii) Any modification to system,
- iv) Any system that cannot be serviced due to unavailability of parts, or
- v) Any system that has lost its rating.

b) **NEW HOOD EXTINGUISHING SYSTEMS**

Prior to the installation of any new hood extinguishing system, the owner or contractor shall submit the plans of the proposed installation to the San Miguel Fire Department for approval. Plans are subject to a plan check and inspection fees as per the current fee schedule, which may be amended by the Board from time to time. Plans for all hood-extinguishing systems shall be required to be reviewed and certified by a Fire Protection Engineer prior to being submitted to the Fire Department. The information required to be included in the plans must include:

- i) Make and model of system;
- ii) Site location of system and type of chemical used;
- iii) Size of Hood;
- iv) Number, type, and location of appliances covered;
- v) Number, type, and location of nozzles;
- vi) Number and location of heat detectors;
- vii) Location and length of run piping and conduit;
- viii) Type, size, and location of gas shut-off valve;
- ix) Location of manual pull station including elevation of installation;
- x) Location of emergency exits;
- xi) Location of hood within the structure;
- xii) Manufactures specifications information for all items and devices being installed;
- xiii) Manufactures specifications for all appliances (except electric ovens); and
- xiv) Location of class “K” extinguisher if applicable.

Plans are required prior to modification of an existing system. A description of the modified plans shall be submitted prior to the commencement of any modifications or alterations to the system to the Fire Department for approval. Plans are subject to a plan check and inspection fees as per the current fee schedule.

Upon completion of installation of a new hood extinguishing system, a system test is required. The test shall be what is commonly referred to as a “Balloon Test”, or what is recommended by the system manufacturer if a “Balloon Test” is not feasible. In any case, the test shall check the operation of the manual pull station, if installed, the mechanical pneumatic or electric energy shut-off valve, and the piping, distribution and nozzle system.

9) FIRE RETARDANT ROOFING MATERIALS REQUIRED

Because of local climatic conditions, it is necessary that roof coverings for all new buildings and for any re-roofing of existing buildings within the District be no less than Class A per 2022 California Building Code Chapter 7A Section 705A , 2022 California Building Code Chapter 15

10) FIRE APPARATUS ACCESS ROADS - GRADE.

The District shall conform with 2022 California Fire Code Chapter 5 Section 503.2.1 through 503.2.8 and Appendix “D”; however, portions of these sections shall be revised to read as follows:

The standard grade for all roads, streets and driveways shall not exceed twelve percent (12%). The District Fire Chief or his/her designee may approve grades between twelve percent (12%) and twenty percent (20%) with a “non-skid” asphalt or concrete surface, which shall not exceed 500 feet in length.”

11) FIRE DEPARTMENT ACCESS ROADS

When required, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof. All signage shall include the California Vehicle Section and San Luis Obispo County Roads signage standards allowing for enforcement.

- a) Traffic Calming Devices shall be prohibited unless approved by the Fire Code Official as per 2022 California Fire Code 503.4.1.

12) KEY BOXES.

When access to or within a structure or an area is unduly difficult because of secured openings, or where immediate access is necessary for lifesaving or firefighting purposes, the District Fire Chief is authorized to require a key box (“Knox Box”) to be installed in an accessible location. This box is to contain the keys necessary to gain access for lifesaving or firefighting purposes.

13) FIRE HYDRANTS.

The requirements of 2022 California Fire Code Chapters 1, 5, and 9 as well as Appendix C & CC shall apply to fire hydrants. The type of hydrant to be used shall be determined and installed pursuant to District water standards for installation of a fire hydrant.

- a) All fire hydrants are to be identified in the roadway by “blue” reflective markers with a minimum dimension of three (3) inches (“Botz Dot”). [UFC/CFC 901.4.3]
- b) Curb faces shall be painted safety red 3 feet from center of fire hydrants in each direction.

- c) Public Hydrants. All barrels are to be safety yellow in color. The tops and nozzle caps shall be painted with the following capacity-indicating color scheme to provide simplicity and consistency with colors used in signal work for safety, danger, and intermediate condition.
- Class AA-Light Blue - Rated capacity of 1500 gallons per minute (gpm) or greater
 - Class A-Green - Rated capacity of 1000-1499 gpm
 - Class B-Orange - Rated capacity of 500-999 gpm
 - Class C-Red - Rated capacity of less than 500 gpm
- Colors to be “Safety” colors
- d) Classifications. The classification and marking of hydrants provided herein anticipate determination based on individual flow test. Where a group of hydrants may be used at time of fire, some special marking designating group flow capacity may be desirable.
- e) Private Hydrants/on-site fire supply systems. On-site private hydrants and fire supply systems shall meet standards set forth in the San Miguel Fire Department’s and San Miguel Community Services District’s Standards, Specifications and Drawings, unless otherwise approved by Fire Chief. All barrels, tops and nozzle caps shall be painted safety red in color. All underground piping supplying fire sprinkler systems shall be minimum class two hundred (200) piping.
- f) Clear space around hydrants and fire protection equipment. A minimum three (3) foot clear space shall be maintained around the circumference of any fire hydrant, fire department connection or fire protection control valve, or any other fire protection system component

14) PREMISE IDENTIFICATION.

Approved numbers or addresses shall be placed on all new and existing buildings or premises in such a manner and position as to be plainly visible and legible from the street or road fronting the property. Numbers shall be at least four (4) inches in height for residential applications and at least six (6) inches in height for commercial and multifamily applications. Each unit of a commercial or multifamily complex must be independently addressed. Numbers and letters shall contrast with their background and be reflective or illuminated. In some cases, addresses may be required to be placed at the street and on individual structures.

15) BUILDING OR PROPERTY DAMAGED BY FIRE

An owner, occupant or other person, having under his/her control any property or materials on property damaged by fire, when access by the public is possible, shall secure the property by boarding up all openings, fencing, barricading or other appropriate measures as directed by the Fire Chief or the Fire Prevention Officer within forty- eight (48) hours after the incident.

Within thirty (30) days after written notice to do so has been served, all debris and/or

materials shall be removed from the property or proof furnished that contractual arrangements have been made for demolition, replacement or repair of all fire damaged structures remaining on the property involved in the fire.

16) WILDLAND URBAN INTERFACE

When determined by the Fire Chief or designated Fire Prevention Officer, structures built in potentially high-risk fire areas shall comply with 2022 California Fire Code Chapter 49 and 2022 California Building Code Chapter 7A either in full or in part as deemed appropriate.

- a) All modular homes and or mobile structures used as a dwelling shall be constructed post 2011 and shall conform with all Wildland Urban Interface requirements as per 2022 California Fire Code Chapter 49, and 2022 California Building Code Chapter 7A either in full or in part as deemed appropriate.
- b) Any modular home and or mobile structure constructed prior to 2011 to be utilized as a dwelling shall not be permitted for installation and or placed within the District boundaries.

17) ITEMS REQUIRING PLAN SUBMITTAL AND OR INSPECTIONS

- a) Plot Plans for any proposed housing tracts, multifamily housing project, commercial or educational facility.
- b) Fire Sprinkler Plans for any single-family dwelling, multifamily housing projects, commercial or educational facility.
- c) Any modifications to an existing fire sprinkler system.
- d) Any new fire sprinkler system installation.
- e) Any new fire alarm systems being installed, or any existing fire alarm system being modified.
- f) Any new commercial ventilation hood system being installed or modified.
- g) New commercial or residential photovoltaic systems.

All items requiring submittal or inspections are subject to fees as set forth in the current Fee Schedule.

18) SALE AND USE OF "SAFE AND SANE" FIREWORKS

2019 California Fire Code chapter 56 are hereby modified in the following respect: the possession, storage for purposes of sale at retail and use only, sale at retail and use of "Safe and Sane" fireworks within the District is permitted in accordance with the rules and regulations set forth in the following:

- a) **REGULATIONS AND RULES PERTAINING TO THE RETAIL SALE AND USE OF "SAFE AND SANE" FIREWORKS.**

The possession, storage for purposes of sale at retail and use only, sale at retail and use of "Safe and Sane" fireworks within the District is allowed subject to the following rules and regulations:

i) Definition of “Safe and Sane” Fireworks

“Safe and Sane” fireworks shall mean those fireworks defined as “Safe and Sane” in California health and Safety Code Section 12529 and classified by the State Fire Marshall as “Safe and Sane” in accordance with Section 12562 of the Health and Safety code.

ii) Application

No permits for sale of “Safe and Sane” fireworks will be issued to any person, firm, or corporation except those non-profit associations or corporations organized primarily for veteran, patriotic, welfare, civic betterment, or charitable purposes. Proof of nonprofit status shall be required by producing copies of documents of incorporation as registered with the Secretary of the State of California.

All permits for the sale of “Safe and Sane” fireworks for for-profit organizations’ or individuals’ applications will be rejected. Only non-profit organizations located within the District boundaries are eligible for these permits. Previous permittees shall have first right of refusal. Any organization whose charter or by-laws requires their funds to enhance the community they serve and desiring to sell at retail “Safe and Sane” fireworks within the District must first make written application for a permit to the Fire Chief.

Applications for permits shall be made in writing and submitted to the District up to 60 days once the annual fireworks resolution has been approved by the Board. If the 60-day period falls on a Saturday or Sunday, then the filing period will be extended to the next business day. A maximum of three (3) permits will be issued annually. The District retains the right to maintain a list of additional applicants should a permittee fail to perform. Applicants shall be advised of status no later than ten (10) business days after the application period.

iii) License as a Prerequisite

The Fire Chief shall not accept an application for a permit from any person who does not possess, and present at the time of application, evidence of a valid license to perform those acts specified on the application for a permit, as such license is defined in Health and Safety Code Section 12517. The applicant must be at least 21 years of age or older.

iv) Investigation and Report

The Fire Chief shall undertake an investigation and prepare a report of his/her findings and determination concerning the issuance of each permit, together with the reasons thereof.

v) Grant or Denial of Permit

The Fire Chief may grant or deny the permit, subject to such reasonable conditions, if any, as he/she shall prescribe. Such conditions shall include, but not be limited to:

- 1) The permittee shall deposit a clean-up fee in an amount set by resolution of the

District Board of Directors which may be refunded in whole or in part, as determined by the District, if the sale location, San Miguel park and other areas as determined by the Fire Chief at which “Safe and Sane” fireworks are used, are free of used and spent fireworks, and related materials by July 5, as determined by the District;

- 2) The permittee must provide each purchaser of “Safe and Sane” fireworks with a copy of the restrictions and safety guidelines for the use of “Safe and Sane” fireworks in the District and sign a receipt of acknowledgement agreeing to said provisions. Each purchaser also agrees that she/he is eighteen (18) years of age or older and such fireworks will not be used by anyone less than 18 years of age without adult supervision.
- 3) Notwithstanding any other provision of law, the permittee shall furnish to the Fire Chief a policy of public liability and property damage insurance, with no deductible, with limits and terms set by resolution of the Board. The District and its officers, directors, and employees shall be named as additional insured under such public liability policy. A certificate of insurance shall be presented consistent with the above prior to sale and shall provide that the insurer will not cancel the coverage without fifteen (15) days prior written notice to the Fire Chief.
- 4) There shall be a nonrefundable permit fee set by resolution of the Board to cover the District’s reasonable costs in administering and enforcing the provisions of this section of the ordinance.

vi) Designation of Location for Sale of “Safe and Sane” Fireworks.

Any permit issued under subparagraph (e) above shall designate the location at which the permittee may sell at retail “Safe and Sane” fireworks.

vii) Duration of Permit.

The term of the permit shall coincide with the valid period of the license. This provision shall not prohibit the revocation of the permit by the Fire Chief for just cause where a fire nuisance exists or where personal injury may occur.

viii) Salespersons

No person under the age of eighteen (18) shall sell or handle for sale, any “Safe and Sane” fireworks.

ix) Location of Use of “Safe and Sane” Fireworks.

“Safe and Sane” fireworks may be used within the District’s boundaries, and may only be discharged when the following conditions are met:

- 1) There is a fifty (50) foot radius clear of all combustible materials.
- 2) There is an adequate water supply provided, consisting of a least a 5/8” garden hose with an adjustable pressure nozzle charged.

x) Violations.

In addition to any other violations provided by law, the following shall constitute violations related to the possession, storage, sale and use of “Safe and Sane” fireworks within the District:

- 1) It is unlawful for any person to sell or offer for sale “Safe and Sane” fireworks at any time outside the period established by resolution of the District Board of Directors.
- 2) It is unlawful for any person to discharge fireworks at any time outside the period established by the District Board of Directors.
- 3) It is unlawful for any person to store any “Safe and Sane” fireworks without having in his/her possession a valid permit as required by this Ordinance.
- 4) It is unlawful for any person to store or possess any “Safe and Sane” fireworks for which a license is required, and which has been revoked or surrendered or any license, which has not been renewed, and such storage or possession is held beyond the period provided for in Section 12604 of the Health and Safety Code.
- 5) It is unlawful for any person to store, sell, or discharge any “Safe and Sane” fireworks in or within one hundred (100) feet of a location where gasoline or any other class 1 flammable liquids are stored or dispensed.
- 6) It is unlawful for any person to place, throw, discharge or ignite, or fire “Safe and Sane” fireworks at any person or group of persons where there is a likelihood of injury to any such person.
- 7) It is unlawful for any person to sell or transfer any “Safe and Sane” fireworks to a consumer or user thereof other than at a fixed place of business of a retailer for which a license and permit has been issued.
- 8) It is unlawful for any person to allow or permit a fire nuisance, as defined in Section 12510 of the Health and Safety Code, to exist on any premises where any “Safe and Sane” fireworks are sold or stored.
- 9) It is unlawful for any person to conduct a public display without possessing a valid permit for this purpose.
- 10) It is unlawful for any person to advertise to sell “Safe and Sane” fireworks without a valid license and permit.
- 11) It is unlawful for any person to sell, give or deliver any “Safe and Sane” fireworks to a person who is under 18 years of age.
- 12) It is unlawful for any person to perform any act, or transact or attempt to transact any business, with an expired license or an expired permit where a license or permit is required for the performance of such act or transaction.

xi) Penalties.

Except as provided in Section 12702 of the Health and Safety Code, any person who violates any provision of Section 4 of this Ordinance, or any regulations issued pursuant thereto, is guilty of misdemeanor, and upon conviction shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) and no more than One Thousand Dollars (\$1,000.00), and/or by imprisonment in the San Luis Obispo County Jail not exceeding one year.

In addition to all other penalties, the Fire Chief may deny an application to sell “Safe and Sane” fireworks if the applicant violated any provision of Section 4 of this Ordinance, or any regulations issued pursuant thereto, in a prior year.

xii) Signage

Any approved retail location that sells “Safe and Sane” Fireworks will be required to post a banner which shall read, “This booth is sponsored by (name of organization) located in (City or District organization is headquartered).” The banner shall be made of a minimum of 12” wide, white vinyl-type material with 6” solid black-block letters (lettering to have a professional appearance). The banner design shall be approved by the Fire Chief prior to granting permission to sell “Safe and Sane” Fireworks. The banner shall be posted above the retail area of the booth and shall be posted during the hours of retail operation.

17) Open Burning within District Bounders

Open Burning as defined in 2019 CFC Section 202 is prohibited within the District Boundaries. The open burning of green waste, dimensional lumber, or garbage shall be prohibited within the District Boundaries.

Exemptions:

- i) Properties 10 acres or larger outside of the Urban Reserve Line, but within the District Boundaries, zoned Agricultural may be approved for Open Agricultural or Backyard Burning on a case-by-case basis, provided that a proper Air Pollution Control District, Agricultural Burning or Backyard Burning Permit has been obtained and all rules applicable to Open Burning of Agricultural Products are followed.

Section 5. Inconsistency.

To the extent that the terms and provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior District ordinance, resolution, rule or regulation governing the same subject, the terms of this Ordinance shall prevail with respect to the subject matter thereof and such inconsistent or conflicting provisions of prior ordinances, resolutions, rules or regulations are hereby repealed.

Section 6. Severability.

If any provision of this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. Th Board declares that it would have adopted this ordinance, and each and every section, subsection, sentence, clause, or phrase no declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 7. Posting.

The District Clerk shall post a copy of this Ordinance in three public places in the District within ten (10) days after its adoption. Within fifteen (15) days after its passage, this ordinance or summary thereof shall be published at least once in a newspaper of general circulation published and circulated within the San Miguel Community Services District.

Section 8. Effective Date.

This Ordinance shall take effect thirty (30) days after its adoption.

This Ordinance was introduced at a regular meeting of the Board of Directors of the San Miguel Community Services District, held on the 23rd day of February 2023, and given its first reading at said meeting. Said Ordinance was given a second reading and adopted at a meeting of the Board of Directors held on the 23rd day of March, 2023, and after such reading, Director _____, who moved its adoption, seconded by Director _____, and said ordinance was thereupon adopted by the following vote:

Ayes:

Noes:

Abstain:

Absent:

San Miguel Community Services District



**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 10.6

SUBJECT: Fire Department Temporary Housing Unit (Young)

SUGGESTED ACTION: Continue discussion on the process required to provide a Temporary Fire Department Staffing Housing Unit including space for a Sheriff's Beat Station

DISCUSSION:

The Minor Use Permit has been approved with notes. However the notes have not been received at this time.

Construction drawings were submitted to the County of San Luis Obispo on November 29, 2022 and in invoice for the fees was generated.

On November 30, Chief Young received a call from County of Planning and Building Supervisor Michael Stoker stating that the project as submitted would be reclassified and the previously submitted permit application and invoice for fees would be withdrawn and a new application with a modified fee invoice would be submitted by the County Staff.

On December 1, 2022 an email was received from the County of San Luis Obispo Planning and Building Department Staff with a new permit number of CBLD2022-00021 and invoice number of INV2022-20755 reflecting the current assessed fees.

Chief Young paid the invoice for the assessed fees via credit card upon receipt of the invoice.

Later the same day a second email from the County of San Luis Obispo Planning and Building Department Staff was received containing an additional invoice numbered INV2022-20766 containing "some fees that were missed on the first installment invoice".

Once again Chief Young paid the requested fees via credit card.

The construction plans are currently in review.

The project was presented to the San Miguel Advisory Council on 1/25, 2023 and approved.

No updates have been received as of February 15, 2023.

FISCAL IMPACT:

Minor Use Permit fees in the amount of \$8,128.13 were paid on October 5, 2022.

Additional construction permit fees were paid on December 1, 2022 in the amount of \$3,583.40.

Total County fees paid to date are \$11,711.53.

The District is waiting on reimbursement of the fees from the County for up to \$5,000.00.

Upon final approval and reimbursement a transfer from the escrow account shall be made to cover the outstanding balance.

PREPARED BY: Scott Young

**Board of Directors
Staff Report**

February 23, 2023

AGENDA ITEM: 10.7

SUBJECT: Fire Department Code Enforcement Violation (Young)

SUGGESTED ACTION: Proceed with the correctional measures to resolve the Code Enforcement Notice of Violation for the existing conditions at the San Miguel Fire Station.

DISCUSSION:

Plan check corrections were made and the plans were resubmitted to the County on November 9, 2022. A demolition permit ASB-DEMO2022-00001 was issued on December 6, 2022.

Office staff has been relocated to accommodate the reduction in office space available within the Fire Department.

Contractors began work on 1/13/2023.

All demolition was completed on January 18th, 2023 .

San Luis Obispo Building Department inspected the demolition on January 24, 2023 and approved the project to proceed with drywall replacement / installation.

Baldwin Electric has completed interior electrical terminations and relocation of required items.

Five (5) drywall contractors have been contacted but none have shown up to provide an estimate to perform the repairs.

Components for the server rack relocation have been delivered and work shall be scheduled as soon as possible.

FISCAL IMPACT:

Plan check fees in the amount of \$1,327.49 were paid on September 22, 2022. Of that amount \$1,296.58 were refunded as a result of a fee waiver request approval. Current cost for permit fees is \$30.99 for credit card convenience fees. Additional cost are detailed within the District Financial Reports.

PREPARED BY: Scott Young



Construction Permit

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING & BUILDING

976 OSOS STREET ROOM 300 SAN LUIS OBISPO, CA 93408 (805) 781-5600/711-TTY/TRS

Property Owner: SAN MIGUEL FIRE DISTRICT (923)

Permit: Commercial Demolition ASB Essential Services

Permit #: ASB-CDEMO2022-00001

Applied: 09/20/2022

Project #: N/A

Issued: 12/06/2022

Valuation: \$8,070.00

Expires: 03/06/2023

PROJECT DESCRIPTION

DEMOLITION OF UNPERMITTED FIRST (799 SF) AND SECOND FLOOR (815 SF) ADDITION (CODE2022-00043)

PROJECT DETAILS

Project Address:

1150 MISSION ST, SAN MIGUEL 93451

Community: San Miguel

Assessor's Parcel Number: 021-221-012

Lot Size: 0.15 acres

Height Allowed: N/A

Height Proposed: N/A

Soil Percolation: N/A

Soil Expansive: N/A

Inspection Area: Inspection Zone 5

Setbacks:

Front N/A

Left N/A

Rear N/A

Right N/A

Occupancy Class:

Type of Construction: N/A

APPLICABLE CODES

County Building and Construction Ordinance - Title 19

County Land Use Ordinance - Title 22

2019 California Code of Regulations Title 24

County Coastal Zone Land Use Ordinance - Title 23

County Fire Code Ordinance - Title 16

ASB-CDEMO2022-00001

1



Construction Permit

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING & BUILDING

976 OSOS STREET ROOM 300 SAN LUIS OBISPO, CA 93408 (805) 781-5600/711-TTY/TRS

CONTACTS

Authorized Agent

NELSON BERNAL
2121 PINE STREET A
PASO ROBLES, CA 93446
805-237-3746

Applicant

NELSON BERNAL
2121 PINE STREET A
PASO ROBLES, CA 93446
805-237-3746

Primary Owner

SAN MIGUEL FIRE DISTRICT (923)
PO BOX 180
SAN MIGUEL, CA 93451-0180

ZZZ-Accounting

WAIVER - PUBLIC BENEFIT

SPECIAL REQUIREMENTS

Legend - Description of Letter Code in Condition Title

C = Due at or before the plan correction return I = Due at or before permit issuance S = Required at or before foundation inspection
R = Required at or before framing inspection F = Required before final inspection

Prior to Corrections

Status

BLD-Consent of Owner-C

MET

Written consent of the land owner or proof of ownership is required prior to issuance of permit.

Note: A copy of the property owner's driver's license, form notarization, or other acceptable verification is required to be presented when the permit application is submitted to verify the property owner's signature.

Agent is verified - 8/29/2022

Prior to Issuance

Status

BLD-CWMP-Recycling Review-I

MET

A Construction Waste Management Plan will need to be submitted for your project, 75% of your construction waste will need to be recycled at an IWMA approved facility or provide the detailed Form for recycling.

BLD-Owner/Builder Verification-I

MET

Owner must read the Owner/Builder Notice, complete and submit the Owner/Builder Verification Form PRIOR to permit being issued - UNLESS the permit is being issued to a licensed contractor.

Prior to Foundation

Status

BLD-Misc. Hold-Foundation-S

NOT MET

Prior to Foundation please do the following:

See conditions on cover sheet of the plans



Construction Permit

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING & BUILDING

976 OSOS STREET ROOM 300 SAN LUIS OBISPO, CA 93408 (805) 781-5600/711-TTY/TRS

Prior to Final

Status

BLD-CWMP Recycle Compliance-F

NOT MET

PRIOR to the final building inspection, the permittee must provide documentation to show compliance with the 75% recycling requirement. To avoid delaying Final Approval, submit ORIGINAL waste handling and recycling receipts at least 7 working days prior to requesting a Final Inspection. Questions may be directed to Michael Byrd at (805) 781-1537. Failure to provide all receipts or to achieve the 75% recycling requirement will prevent the finaling of your project. You can email the receipts to pl_building-recyclingreceipts@co.slo.ca.us. Please be aware they will need to be readable, clear, and preferably in PDF format, otherwise a printed copy will be needed. Printed copies may be mailed or hand delivered to 976 Osos St., RM 300, San Luis Obispo, CA 93408. Permit number must be included, or receipts will be discarded.

BLD-Misc. Hold-Final-F

NOT MET

Prior to final please do the following:

Provide final report from structural engineer



Construction Permit

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING & BUILDING

976 OSOS STREET ROOM 300 SAN LUIS OBISPO, CA 93408 (805) 781-5600/711-TTY/TRS

STORMWATER NOTICE TO PROPERTY OWNERS

Construction activity resulting in a land disturbance of one acre or more, or less than one acre but part of a larger common plan of development, must obtain the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) and prepare a Stormwater Pollution Prevention Plan (SWPPP). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation.

The Construction General Permit for Stormwater requires property owners, to be responsible for managing stormwater runoff from your site during and after construction. To ensure that construction does not result in stormwater pollution, the owner and their representative in charge of construction are required to utilize Best Management Practices to minimize or eliminate pollutants in stormwater discharge. Construction Best Management Practices are structural controls and practices that primarily emphasize pollution prevention and erosion and sediment control.

This is brought to your attention to ensure that you are aware of the need to implement Best Management Practices for the duration of your construction project and in accordance with post-construction stormwater requirements. Failure to do so may result in the suspension of building permits, a stop-work order, or enforcement action by County Code Enforcement or the Regional Water Quality Control Board.

For additional information on the construction General Permit for Stormwater, please review the Frequently Asked Questions:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

You may also contact the following County or Regional Water Quality Control Board Staff:

County: Anthony Schuetze (805) 781-5602 or aschuetze@co.slo.ca.us

County: Elizabeth Szwabowski (805) 781-5725 or eszwabowski@co.slo.ca.us

Water Board: David Innis (805) 549-3150 or david.innis@waterboards.ca.gov



Construction Permit

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING & BUILDING

976 OSOS STREET ROOM 300 SAN LUIS OBISPO, CA 93408 (805) 781-5600/711-TTY/TRS

LEGAL DECLARATIONS

APPLICANT IS (check one) _____ OWNER _____ CONTRACTOR

OWNER-BUILDER DECLARATION (if applicant is owner of the property or owner's authorized agent, he/she must certify one of the following statements to be true):

_____, I, as owner of the property, or my employees with wages as their sole compensation, will do the work and the structure _____ is not offered nor intended for sale.

_____, I, as owner of the property, am exclusively contracting with licensed contractors to construct this project.

WORKER COMPENSATION DECLARATION (every applicant owner must certify one of the following statements to be true):

_____, I hereby affirm that I have a current certificate of consent to insure or a certificate of workers compensation insurance and that I will maintain this certificate until completion of this project.

_____, I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Worker's Compensation Laws of California.

_____, OWNER ACKNOWLEDGES SPECIAL REQUIREMENTS.

NOTICE TO APPLICANT: If, after making any of the foregoing declarations, you become subject to any Labor Code or License Law provision, you must comply with such provisions or this permit shall be deemed revoked.

APPLICANT AGREEMENT: I certify that I have read this permit form and state that the information on it and on the permit application is correct. I agree to comply with all County ordinances and state laws relating to building construction and with all special requirements identified on the permit, and I hereby authorize representatives of the County to enter upon the above-mentioned property for inspection purposes. Every permit issued shall become invalid as follows:

- 1) Permits for buildings with a floor area of 1000 square feet or greater shall remain valid for a time period of three years from the date of issuance.
- 2) Permits for buildings with a floor area of less than 1,000 square feet or for other miscellaneous work shall remain valid for a time period of one year from date of issuance.
- 3) Permits for work that was started and/or completed prior to issuance of the permit (also known as "as-built") shall be valid for a time period of 180 days from the date of issuance.

In order to received this permit you may have paid Public Utility Fees, Road Fees, and/or Air Quality Mitigation Fees in the amounts shown on your Statement of Fees and Project Hold Conditions. Pursuant to the Mitigation Fee Act (California Government Code Section 66000 et seq.), the issuance of this permit begins a 90-day period for protesting such fees.

Signed: _____

Date: _____

Print Name: _____

Person signing here is:

_____ Actual Applicant

_____ Authorized Employee/Partner Applicant

_____ Authorized Agent per Consent of Landowner Form

***** PLEASE CALL USA 1-800-227-2600 UNDERGROUND SERVICE ALERT BEFORE DIGGING *****



Construction Permit

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING & BUILDING

976 OSOS STREET ROOM 300 SAN LUIS OBISPO, CA 93408 (805) 781-5600/711-TTY/TRS

Simplified Recycling Plan Excerpt from the Construction Permit Application

WASTE MANAGEMENT

You need to review the Requirements for Managing Project Waste information on the back of this form and then check the box that fits your project. You must check one of the boxes prior to permit issuance. Note: IWMA Integrated Waste Management Authority.

Are you planning to:

_____ A) use an IWMA-certified construction and demolition waste recycling facility? or

_____ B) use other recycling and disposal facilities?

If B) is checked, you must fill out Sections 1 & 2 of a Detailed Recycling Plan form and have it approved prior to the permit being issued. For a copy of the Detailed Recycling Plan form, refer to our website at <http://www.sloplanning.org> or contact Building Division at (805) 781-5628.

LEGAL DECLARATION

I, the owner of record of this property, or authorized agent, have accurately completed this form and declare that all statements herein are true. I acknowledge the responsibility for recycling my project's waste and the penalty for non-compliance. I agree to comply with the requirements of the State Green Code and SLO County's Green Ordinance.

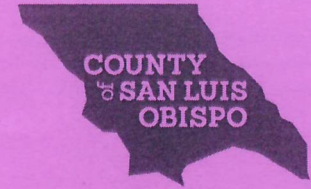
Property Owner/Agent: _____
Date: _____

Seven days prior to Final Inspection you must submit receipts from all of the recycling and landfill facilities that received waste from your project. Final Inspection approval will be delayed until the receipts are submitted and approved. Anticipate when you will need Final Inspection approval.

Inspection Schedule	
Day(s) of the Week	Area Inspected
Monday, Wednesday, Friday	Oak Shores/Interlake Road
Tuesday, Thursday	Running Deer/Chimney Rock
Wednesday	California Valley/Cuyama
Monday through Friday	All areas other than the exceptions listed above

We have three ways to schedule a building inspection, and all are available 24 hours per day, 7 days a week!

- Schedule by voicemail:
805-788-6602
- Schedule by email:
pl_inspections@co.slo.ca.us
- Schedule on our website. Login required:
<https://energov.sloplanning.org/>



HOW TO SCHEDULE A BUILDING INSPECTION

805-788-6602

pl_inspections@co.slo.ca.us

<https://energov.sloplanning.org/>

ASB-CDEMO2022-00001

SAN MIGUEL FIRE DISTRICT (923) / 021-221-012
Essential Services
1150 MISSION ST, SAN MIGUEL 93451
DEMOLITION OF UNPERMITTED FIRST (799 SF)
AND SECOND FLOOR (815 SF) ADDITION
(CODE2022-00043)

County of San Luis Obispo
Department of Planning and Building
976 OSOS STREET, ROOM 300
SAN LUIS OBISPO, CA 93408
805-781-5600 | TTY/TRS 7-1-1
www.sloplanning.org
planning@co.slo.ca.us

Building Inspection Staff

Building Division Supervisor

George Schriefer 805-461-6202

South County

Todd Adams 805-781-5476
Temo Flores 805-781-5626
John Robles 805-781-4974

North County

Juan Wade 805-461-6260
Keith Ybaben 805-461-6200

Building Division Manager

Michael Stoker 805-781-1543

Chief Building Official

Cheryl Journey 805-781-1314

Other Agency Numbers – Call Prior to Building Final

Development Review 805-788-2009
County Fire 805-543-4244
Public Works 805-781-5252
Recycling 805-781-1537

When possible, your inspector will try to accommodate your request for a morning or afternoon inspection.

If the road or driveway to your building site is gated, be sure to leave the gate unlocked on the day of inspection or provide a gate code or lock combination.

To schedule an inspection, you will need:

- Permit number.
- Site address.
- Type of inspection you are requesting.
- Inspection date you are requesting.
- Contact information (name and phone number).
- Any additional information if applicable (gate code, etc.).

Inspection Record Card – Commercial

COUNTY OF SAN LUIS OBISPO
 PLANNING & BUILDING DEPT.
 976 OSOS ST., ROOM 200
 SAN LUIS OBISPO, CA 93408
 805-781-5600
www.sloplanning.org

Please call 805-788-6602 or email pl_inspections@co.slo.ca.us one business day before an inspection. The approved plans and inspection card MUST be in an obvious place on site the day of inspection.
SITE ID OR ADDRESS MUST BE POSTED IN CONSPICUOUS PLACE.
 You may call your inspector between 7:00 – 8:00 a.m. any business day with questions.

PLACE LABEL HERE

ASB-CDEMO2022-00001

SAN MIGUEL FIRE DISTRICT (923) / 021-221-012
 Essential Services
 1150 MISSION ST, SAN MIGUEL 93451
 DEMOLITION OF UNPERMITTED FIRST (799 SF)
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PLEASE COMPLETE ANY SPECIAL REQUIREMENTS LISTED ON THE PERMIT PRIOR TO REQUESTING INSPECTIONS. PARTIAL APPROVALS RECORDED ON REVERSE SIDE.

EROSION CONTROL MEASURES MUST BE IN PLACE FOR THE DURATION OF PROJECT

FOUNDATIONS: THESE MUST BE APPROVED BEFORE CONCRETE IS PLACED			
Footings	1500	PregROUT/Shotcrete	1900
Setbacks	1500	Footing (Fence/Ret. Wall)	2100
Ufer Ground	1500	Waterproofing	2100
Concrete Slab	1500	Gravity Wall Tieback	2100
Pier Footings	1500	Wall Drains	2100
Stem Walls	1500	Electrical Tag/Temporary Power	2600
SUB-FLOOR AND UNDER SLAB INSPECTIONS:			
Under-floor Mechanical	2550	Under-slab Electrical	2700
Under-floor Plumbing	2550	Under-slab Mechanical	2700
Joist and Girders	2550	Under-slab Plumbing	2700
Hold-down Anchors	2550	Radiant Floor Heating	2050
Cripple Wall Shear	2550		
*** OSHA APPROVED LADDER MUST BE PROVIDED***			
FRAMING INSPECTIONS: SEE SPECIAL INSPECTION REQUIREMENTS		SUB TRADE INSPECTIONS: THESE MUST BE APPROVED BEFORE INSULATING	
Lateral Shear	2150	Rough Framing	2350
Roof Framing	2150	Rough Electrical	2350
Roof Nailing	2150	Rough Plumbing	2350
Epoxy Bolts (max 6)	2150	Rough Mechanical	2350
Metal Building Frame	1750	Fire Damper/Stopping	2350
Concrete Tilt Up Panels	1100	Roof Drains	2350
LATH / INSULATION / DRYWALL INSPECTIONS: THESE MUST BE APPROVED BEFORE COVERED			
Stucco Lath	2500	Drywall	1250
Insulation – Wall	1550	Fire Caulking	1250
Insulation – Ceiling	1550	Interior Gas Test	1600
Insulation – Roof Deck	1550	Suspended Ceiling Grid (T-Bar)	2350
Insulation – Floor	1550		
OUTDOOR UTILITY INSPECTIONS: THESE MUST BE APPROVED PRIOR TO BACKFILL			
Sewer Line	2800	U/G Gas Line	2450

PARTIAL APPROVAL STATEMENT

Inspections recorded on this side are supplemental inspection to those listed on the front of the card.
APPROVAL of each category will be recorded on the front side only.

SITE ID OR ADDRESS MUST BE POSTED IN A CONSPICUOUS PLACE.

You may call your inspector between 7:00 – 8:00 a.m. any business day with questions.

**COUNTY OF SAN LUIS OBISPO
PLANNING & BUILDING DEPT.
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SAN LUIS OBISPO, CA 93408
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FOUNDATIONS: (Date, Initial, Description)	
SUB-FLOOR AND UNDER SLAB INSPECTIONS: (Date, Initial, Description)	
FRAMING INSPECTIONS: (Date, Initial, Description)	SUB TRADE INSPECTIONS: (Date, Initial, Description)
Concrete Tilt Up Panels By Panel # (1100):	
LATH / INSULATION / DRYWALL INSPECTIONS: (Date, Initial, Description)	
	Type I/II Hood (2650):
OUTDOOR UTILITY INSPECTIONS: (Date, Initial, Description)	

IMPORTANT NOTICE:

SITE I.D.

Please stake out the corners of your proposed structure/structures with bright colored stakes to assist the building inspector in identifying placement.

Failure to do so may cause future delays in your project.

NAME _____

APPLICATION NO. _____

ASB-CDEMO2022-00001

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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING