



**BOARD OF DIRECTORS**

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

**REGULAR MEETING MINUTES 7:00 P.M. Opened Session  
 601 12<sup>th</sup> Street 10-27-2022**

1. **Call to Order:**  
7:00 P.M.
2. **Roll Call:** *Raynette Gregory, Anthony Kalvans (7:03), Hector Palafox, Ward Roney*
3. **Approval of Regular Meeting Agenda:**

**Motion By:**            Ward Roney  
**Second By:**         Raynette Gregory  
**Motion:**                To Approve

Board Members	Ayes	Noes	Abstain	Absent
Anthony Kalvans	X			
Ward Roney	X			
Hector Palafox	X			
Raynette Gregory	X			

4. **Call to Order for Regular Board Meeting/Pledge of Allegiance:**  
7:01 P.M. Pledge of Allegiance lead by Director Roney
5. **Public Comment and Communications for items not on the agenda:** Public Comment: None
6. **Special Presentations/Public Hearings/Other:**
  1. **Presentation from Bartle Wells and Associates (BWA) regarding the current rate study process.**  
 Receive presentation and ask questions regarding the rate study process.  
 Item Presented by Erik Helgelson from Bartle Wells & Assc. presented his Power Point on the process of Prop 218.  
 See PowerPoint at [www.sanmiguelcsd.org](http://www.sanmiguelcsd.org) 10-27-2022 Board Meeting  
  
 Board Comment: Director Kalvans asked about different rate structures. Discussion on small condominiums and large parcels ensued.

Mr. Helgelson spoke about the goal in set the rates and complying with Prop 218. Director Kalvans voiced that he would like to look at the incoming rate structure and the best way for conservation.

Director Kalvans talked about fixed capital cost; and infrastructure repairs, with it not being a burden for the community.

Mr. Helgelson explained to Director Kalvans that connection fees would be where to start and once it is connected it is part of the water system. Discussion on lift station fees and different zones for sewer ensued.

Director Kalvans asked about when preliminary findings would be brought forward, and discussion on single connections, condominium style homes ensued.

Mr. Helgelson addressed the difference between fixed and variable water rates and explained that the sewer is not metered. Discussion between Director Kalvans and Mr. Helgelson about meter size and lot size ensued.

Director Gregory asked about the timeline for the rate process and how the Prop 218 requirements would be implemented.

Mr. Helgelson explained that he is collecting information and getting feedback and his estimate is the beginning of spring of next year. Discussion on capital projects and grants ensued.

Director Palafox asked about commercial rates and the two-tiered rate structure. Mr. Helgelson explained that one of the tiers is fixed and explained the option to have all volumetric rate. Discussion ensued.

Public Comment: Owen Davis, San Miguel Resident voiced that the comment that the first tier "don't cost" was wrong, and if someone does not use any water it is still a \$160.00 bill a month. Mr. Davis explained that he has done his own research and the cost in the presentation for Paso Robles is wrong, and Cambria has high monthly rates. Mr. Davis explained his thoughts on inflation and cost cutting and voiced that the rates are too high in San Miguel.

Ashley Sangster, San Miguel Resident voiced that Mr. White said that the rates cannot make the District a profit, and explained that if you say there is 1 million in infrastructure needs, then you can justify the increase. Mr. Sangster commented that San Miguel is different than other places being compared.

Laverne Buckman, San Miguel Resident voiced that she is concerned with this rate study and voiced that she finds it interesting that SMCS D gets a lot of low-income grants and explained that renters cannot sustain these costs increases.

Board Comment: Director Gregory thanked the public for coming and asked them to invite their neighbors to future meetings, and that their input is welcomed.

## **7. Non- District Reports:**

### **1. San Luis Obispo County Organizations**

Verbal/Report

Deputy Norris gave a verbal report on the activities for September 2022 for calls for service. San Miguel is down 8%, from last year.

Board Comment: Director Kalvans asked about the railroad crossing malfunction and discussion ensued about cameras, and the blue system for high crime areas.

Public Comment: none

### **2. Camp Roberts—Army National Guard**

Verbal

None

**3. Community Service Organizations**

Verbal

Shelly Anderson representative for the San Miguel Firefighters Association (SMFA) gave a verbal report on the items the SMFA is working on. Ms. Anderson explained that they have been preparing for trunk or treat at the Paso Robles Army recruiting station. The SMFA has also repaired and placed the old school bell back in the park, and completed the Mission Street trash pickup and will start collecting toys for the San Miguel Santa visit on December 17, 2022

Board Comment: Director Gregory asked about the Clean-up, and it was explained that the SMFA picks up trash on Mission St. as part of the “Adopt a Road” a county program.

Director Kalvans thanked the SMFA.

Public Comment: Owen Davis, San Miguel resident and US Veteran, voiced that he would like to make sure that the Flags are up for Veteran’s Day.

**8. Staff & Committee Reports - Receive & File:**

**1. General Manager**

Receive Verbal report

General Manager Kelly Dodds updated the Board of Directors that the County of San Luis will be having a voter drop box at the 1150 Mission Street, and that there are collection boxes for “Season of Hope” at the station also. Mr. Dodds explained that on Saturday October 29, 2022, from 7am -12 noon, the SMCS D will be having a Community Clean-up sponsored by Caltrans to San Miguel residents. The Financial Department will be cutting checks on the 2nd and 4th Thursday of the month and asked the Directors to please try and be available for signatures. On November 8th -10th the Utilities Department will be performing “Smoke Testing” on the Sewer system, and to not be alarmed if you see smoke coming from the utility access holes in town, notices will be posted for all residences that might be affected by the test. Discussion ensued on what kind of information the Smoke test will be collecting and why.

Board Comment: Director Kalvans asked what kind of donations are needed, and would like a press release on Community Clean-up day.

Public Comment: none

**2. District Counsel**

Receive Verbal report

District General Counsel Doug White, nothing to report

Board Comment: None

Public Comment: None

**3. District Utilities**

Receive and File

General Manager Kelly Dodds, submitted report as written

Board Comment: none

Public Comment: none

**4. Fire Chief**

Receive and File

Retired Chief Roberson submitted report as written, as Interim Fire Chief Scott Young was absent.

Board Comment: None

Public Comment: Owen Davis, San Miguel Resident asked if Rob Roberson is not the General Manager or Fire Chief why he was doing the Fire Chief Report.

Robin Johnson, San Miguel Resident spoke about the Railroad crossing malfunction.

Board Comment: Director Kalvans and Director Gregory discussed the Railroad crossing malfunction, Director Gregory explained that she contacted Interim Fire Chief Scott Young, and he contacted the Emergency Command Center. District Counsel White explained that railroads are not in the District’s jurisdiction.

**9. Consent Calendar:**

Board Comment: None

Public Comment: None

**Motion By:** Hector Palafox

**Second By:** Anthony Kalvans

**Motion:** To Approve

Board Members	Ayes	Noes	Abstain	Absent
Anthony Kalvans	X			
Ward Roney	X			
Hector Palafox	X			
Raynette Gregory	X			

**1. Department of Forestry & Fire Protection Federal Excess Personal Property (FEPP) Cooperative Agreement Number 993403**

Approve Resolution 2022-57 approving the San Miguel Fire Department entering into California Department of Forestry and Fire Protection, Federal Excess Property (FEPP) Cooperative Agreement Number 993403.

**2. 8-25-2022 Draft Regular Board Meeting Minutes**

Receive and File

**10. Board Action Items:**

**1. Fire Chief Employment Agreement by RESOLUTION 2022-54 between the San Miguel Community Services District and Scott Young**

Appoint Scott Young as the District Fire Chief and Approve the Fire Chief Employment

Agreement between the San Miguel Community Services District and Scott Young

Presented by District General Counsel White, explaining that this is an employment agreement for Fire Chief, and will be moving Interim Fire Chief Scott Young into a permanent position since the retirement of Robert Roberson. District Counsel White gave a brief overview of the employment contract.

Board Comment: Director Roney and Director Gregory explained that the Board of Directors have looked over the contact details multiple times.

Public Comment: Ashley Sangster, San Miguel Resident voiced that Interim Chief Young is the appropriate person for the job but feels that the Directors are doing a great disservice to the community with in their “contracting” by using the San Francisco CPI, and that it is an automatic increase without a performance review. Mr. Sangster voiced that public employment never has a severance package, and the four of you Directors are screwing the community with this contract.

Owen Davis, San Miguel Resident voiced that he fully agrees with Mr. Sangster and that the four Directors are doing a horrible job. Mr. Davis voiced that the vacancy should have already been filled with one of the new Directors and feels that the Water and Sewer rates will be raised because of this large contract.

Robert Roberson, San Miguel Resident and Retired SMCS D Fire Chief explained that the rate study and water and sewer rate have nothing to do with Fire Department pay, period.

District Counsel White explained that between the retirement of General Manager/Fire Chief position there is a cost savings, and that Fire Chiefs and any non-labor position usually has a severance package for public employees and six-months is on the low side. Mr. White explained that yes, San Miguel is unique, but it is important to remember that these positions are competing within the State of California, and that there is a shortage of emergency personnel. Four percent is an average for cost of living, and that this contract is average in the industry.

Director Kalvans voiced that he feels that Mr. Young is the right person for this position, and that if the public does not understand that the Fire Department salaries do not come form Water and Sewer rates, then they have not been paying attention. Mr. Kalvans voiced that he is looking forward to the future of the Fire Department.

**Motion By:** Hector Palafox

**Second By:** Anthony Kalvans

**Motion:** To Approve

Board Members	Ayes	Noes	Abstain	Absent
Anthony Kalvans	X			
Ward Roney	X			
Hector Palafox	X			
Raynette Gregory	X			

**2. Financial Reports - September 2022**

Review, Discuss and Receive the Enumeration of Financial Reports for September 2022. Presented by Financial Officer Michelle Hido, updated the Board of Directors on the September 2022 Financial reports and reminded the Board that they are just receiving the information until after the Audit, because there will be journal entries that will affect the reports. Mrs. Hido explained that once the Audit is complete, she will bring back these Financials to officially file.

Board Comment: Director Gregory asked when the Audit would be ready to present? Mrs. Hido explained that they are working through the process and could be in December but did not have a definite date.

Public Comment: None

**3. Water and Wastewater Masterplan CIP update**

Review and approve RESOLUTION 2022-58 authorizing the General Manger to contract with Water Systems Consulting (WSC) to update the Water and Wastewater Capital Improvement Plan Projects and the costs in the masterplan at a cost not to exceed \$12,280 as well as approving the corresponding budget adjustments.

Item presented by General Manager Kelly Dodds, explaining that this item was brought forward previously in August to update the Water and Wastewater Masterplans. Since the District did not get a response from that RFP, the District Engineer (WSC) was requested to provide a cost to update the Capital Project costs and descriptions to be included in the rate study.

Board Comment: Director Kalvans asked that the Mission Street Water and Sewer connections be looked at as part of CIP. Mr. Kalvans advised that the Resolution is incorrect and need to be revised to read Object 546 Fund 40- \$6,140 and Fund 50-\$6,140. General Manager Kelly Dodds agreed and will have resolution amended.

Director Kalvans discussed the Desal Water Project, Discussion ensued.

Public Comment: None

**Motion By:** Ward Roney

**Second By:** Anthony Kalvans

**Motion:** To Approve as Amended Resolution needs to read 40- \$6,140 50-\$6,140

Board Members	Ayes	Noes	Abstain	Absent
Anthony Kalvans	X			
Ward Roney	X			
Hector Palafox	X			
Raynette Gregory	X			

**4. Addition of Fire Safety Category with CalPERS for Fire Department personnel.** Review and approve Resolution of Intention 2022-55 to approve an amendment to contract between CalPERS and SMCS D.

General Manager Kelly Dodds expressed that over the last year the District has been working with Calpers to make a “Safety” category. This Safety category would be for the Fire Department

only, and at this time the only position that qualifies is the Fire Chief. Mr. Dodds explained that this is the first step in the process, and asked for any questions.

Board Comment: None

Public Comment: None

**Motion By:** Anthony Kalvans

**Second By:** Hector Palafox

**Motion:** To Approve

Board Members	Ayes	Noes	Abstain	Absent
Anthony Kalvans	X			
Ward Roney	X			
Hector Palafox	X			
Raynette Gregory	X			

**5. San Miguel Community Services District 2022 Strategic Plan**

Review and adopt the 2022 Strategic plan by RESOLUTION 2022-56

Item presented by General Manager Kelly Dodds and explained that over the last year the District has been working with BHI, to produce a Strategic Plan. The process has included Staff, Directors, and the Public. This plan is a guidebook for the future and is a living document, once approved will not be able to be changed unless brought back to the Board of Directors.

Board Comment: Director Palafox asked about the District Management and the General Manager message. Board Clerk explained that the retired General Manager worked on the plan for the last year, and it is just a timeline issue.

Director Gregory asked that we add an “e” to her name on the 2nd page.

Director Kalvans would like if approved to have a press release and thought that the plan would have a light/landscaping plan included.

Public Comment: None

**Motion By:** Anthony Kalvans

**Second By:** Hector Palafox

**Motion:** To Approve

Board Members	Ayes	Noes	Abstain	Absent
Anthony Kalvans	X			
Ward Roney	X			
Hector Palafox	X			
Raynette Gregory	X			

**6. Discussion on the Board Handbook.**

Discuss Board Handbook changes and provide any additional changes or language to staff for inclusion in the handbook revision.

Item presented by General Manager Kelly Dodds, explaining that 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. Over the last several months, several Board Members have requested to have items revised in, or added, to the Handbook. Discussion and consensus on the listed items ensued.

Board Comment: Each item was discussed by each Director with Legal Counsel participation.  
Public Comment: Owen Davis, San Miguel Resident voiced that he has read the Board Handbook, and voiced that it should be only a two year term for each director, then you are up for election. Mr. Davis expressed that he feels that none of the Directors have read the Board Handbook.

Shelly Anderson, San Miguel resident asked how the Directors can protect themselves, from people that run to be a Director with ill intent, and can a person that runs for the Board be vetted? Ms. Anderson also asked how can a Director be removed from the Board.

District General Counsel gave a quick response to Ms. Anderson's questions. Discussion ensued about civil liability of Directors for harassment, and this also goes for the public harassment of Directors.

*Consensus of the Board is to work with the District's Legal Counsel and bring back a red line version of the changes.*

**11. Board Comment:** None

**12. Adjourn to Closed Session/Closed Session Agenda:**

Public Comment on Closed Session Agenda: None

Adjournment to closed session: 10:10 PM

**1. CONFERENCE WITH LABOR NEGOTIATORS**

**Agency designated representative: Kelly Dodds, General Manager / Douglas L. White, General Counsel**

**Represented Employee union: San Miguel Employee Association (SMEA)**

**2. CONFERENCE WITH LABOR NEGOTIATORS**

**Agency designated representative: Douglas L. White, General Counsel**

**Unrepresented Employee: General Manager**

**3. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

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

**13. Report out of Closed Session:**

Direction was given to staff

**14. Adjournment to Next Regular Meeting:**

11:23 PM