

VII.	Public Comment and Communications for items not on the Agenda: Board Clerk- An anonymous comment (delivered by email) was submitted but will not read into record, it will be available to public by request Owen Davis (San Miguel Resident)- Questions about office turnover, bilingual office personnel Counsel- Questions may be answered after all public comment	<i>Video part 1/5 time: 01:40</i>
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VIII.-XI. Special Presentations/Public Hearings/Other:

NONE

X.	Consent Calendar:
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NONE

XI.	Board Action Items:	<i>Video part 1/5 time: 05:46</i>
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1.	Discuss and adopt Resolution 2021-21 nominating and electing a President of the Board of Directors
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RECOMMENDATION: Adopt Resolution 2021-21 nominating and electing a President of the Board of Directors. Item Presented by District Counsel White.

Board Comment:

AS- On what grounds?

Counsel- the Board does not need “grounds”, none are specified

Board Clerk- read aloud Staff Report for adopting Resolution 2021-21, and Board's options for accepting or rejecting said resolution

WR- Voiced that it is Distasteful to do this, but because conduct of the current president was advised by the attorneys’ that actions be discontinued- were not, costing the district money, would like to vote on a new president

Public Comments:

Video part 1/5 time: 13:35

Owen Davis (San Miguel Resident)- Finds Board actions ironic, he know who’s behind it. Why is the Board wanting to remove President Sangster with only 4 months left? He is the only Board Member who looks out for community not themselves, been to a lot of meetings. Board members need to look out for us, need to understand where they are getting money, new hire asked him to say please. Mr. Davis makes threat to bring out information on Director Gregory.

Liliana Rojas (San Miguel Resident)- As a Firefighter and was former employee of District for 3 years, left on good terms, last month of employment the CSD was the worst when GM was out with personal injury, AS was asked to step in and he created hostile environment wanting to take GM position. He was unconcerned with what was going on & was bringing out negativity in office toward her personally, as the only Spanish speaker in office she stayed to help the community, but chose to leave because of the hostile environment.

Daniele Boatwright (San Miguel Resident)- Manager of the Elkhorn Bar, spoke on her personal opinion of President Sangster based on experience between him and her staff, a local for 7 years and business manager, she has worked side by side with GM Roberson at community charity functions, she finds it discouraging to see a person torn down by people with personal vendettas and gains under a disguise of concern for water prices. She doesn’t want a CSD president who has been 86'd (not allowed in the towns bar) for misconduct with herself and her staff, and for reasons unable to say what had happened to one of her bartenders, but believes this strongly reflects Director Sangster's poor character.

Roberson (GM)- Voiced that this decision is based on the way previous meetings have been conducted, continuously allowing people to speak out of turn and rudely, not acknowledging Robert's Rules of Order, recognizing other people in the group, acknowledging people not at podium, not giving staff courtesies, Board Members requested this be put on the agenda.

Board Comment:

AS- Voiced that latitude was given because few people attend meetings, maybe some uncomfortable conversations, but has spent 4 years in this community giving his time & effort, loves this community, may be abrasive

RG- Voiced that the problem is at the smaller meetings the rude public comments are made against staff members and President Sangster snickers at them, unprofessional and the Board cannot allow that, it's unprofessional and the videos tell all.

WR- Personal opinion is that the President Sangster has dishonored his position, dishonored the Board members, allowed past meetings to be a circus, including AS personal involvement

AS- disagrees and believes meetings have evolved on their own, current staff member have lashed out at someone publicly speaking

AK- Thanks to community for coming, lived here his entire life, seen these divisions time and time again, meetings have been unprofessional. Director Kalvans voiced that for mending would like to move forward and formally motion to remove AS and nominate RG as president. She has been business owner of this community, helped events and commerce.

Motion by: Director Kalvans

Second by: Director Palafox

Motion: to remove Sangster as President and nominates Gregory as New President

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

Break for short recess to move positions

Video part 2/5 time 07:00- 08:38

Video part 2/5 time: 08:40

2. Review, Discuss, Receive and File the Enumeration of Financial Report for June 2021 (Hido)

- A. Claims Detail Report
 - a. Claim Detail Report JUNE 2021
 - b. Claim Detail Report MARCH 2021
- B. Statement of Revenue Budget vs Actuals
- C. Revenue Budget vs Actual Summary
- D. Statement of Expenditures Budget vs Actual
- E. Cash Report

Item Presented by Financial Officer Hido; started presentation with an introduction: Mrs. Hido has worked in accounting for 10 years with various software and industries, learning the Black Mountain software is not an issue. Current status: all June entries are entered, all 2021 Bank Reconciliations are completed, CPA has approved all so far. June will be brought back for filing with year-end financial reports after the audit is completed. The monthly recurring bills and annual bills have been entered. She is in the process of entering the missing descriptions and cleaning up descriptions of past entries, US Bank bill missing descriptions for period 7, 9, 12, 1, & 2. Audit: we are currently waiting for reports and checks from the county, is ready for the audit with Kramer Associates and Moss Levy.

Board Comment:

- AK- more info is always good, time & costs
- RG- very helpful but does not think necessary to go back
- WR- more information is better

AS- Asked for the total spending for Railpro on 10th and 11th street waterline replacement? After looking at financials June 22k March 14k, AS asked when did they come on board?

WR- asked if that was requirement to work next to the railroad

KD-voiced yes, it was a requirement and would look into total paid to Railpros

Public Comments:

Owen Davis (SM District Resident): Since talking about spending the people’s money, do we have a clerk here? Why are we paying a vendor \$4k to do work that should be done in-house?

RR- response: chose to use stenographer because time was exceeding board clerk time and minutes take a lot of time. Looked into to see if a stenographer would be cost-effective but are not using anymore, still looking for someone to do the minutes, minutes currently done in-house

SY- we no longer use the stenographer because she quit. She was found in front office crying from the rude and racist comments made by the public during the meeting, she was only here for a couple months

Motion by: Director Gregory

Second by: Director Kalvans

Motion: To receive and file "Claims Detail" a & b

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

Video part 2/5 time: 22:05

3. Review and Approve RESOLUTION 2021-22 approving Fire Chief Job Description

Recommendation: Approve Resolution 2021-22 Fire Chief Job Description

Counsel White presented; voiced that follow-up to discuss discrepancies from last meeting, go over job description and Item 4 & 5, we have made changes to be consistent with what was asked for by the Board.

AS- it was never settled upon what probationary period would be, nine or six months?

Board Clerk- Erin said would leave the decision on time period up to the Board of Directors

Counsel White- Current interim GM thinks the period should be 12 months because that is standard, there is no real clarity, the Fire Chief recommendation is 12 months

Public Comments:

Owen Davis- voiced information about GM position and it was explained that item was next

Liliana Rojas- Current Fire Chief is under in, benefits, pay, not sure what original amounts were but the Fire Chief probably deserves what everyone else in that field gets- is he requesting that? LR voiced No, because he is not that kind of person, thinks he deserves what he is requesting, public safety is important to make sure someone goes to every call, he calls the County and get things done, nobody else would do the job for what he is doing it for, nobody would jump to that position- they’d run away from it, what he is requesting is nothing to what he deserves.

WR: motions for approval with 12-month probationary period

Motion by: Director Roney

Second by: Director Kalvans

Motion: To approve Resolution 2021-22 approving Fire Chief Job Description with amendment to 12-month probation period.

Board Members	Ayes	Noes	Abstain	Recuse	Absent
A. Sangster	X				

A. Kalvans	X				
H. Palafox	X				
R. Gregory	X				
W. Roney	X				

4. **Review and Approve RESOLUTION 2021-23 approving General Manager Job Description**

Recommendation: Approve Resolution 2021-23 General Manager Job Description

Counsel White- General Manager job description, few more changes, duties related to personal supervisor pg.2, board members felt portion should be based on District Policies, GM is in charge of employee personnel, exceptions being General Counsel and GM all other employees are supervised by General Manager and ratified by the Board.

Board Clerk- no redline- highlighted version for clarification

Public Comments:

Owen Davis- Doesn't have anything against Rob, but feels the District needs a full-time general manager, he is supposed to be here and is never here. District Counsel explained that this item was on the Job Description for the District General Manager position not specifically Rob Roberson

Motion by: Director Kalvans

Second by: Director Gregory

Motion: To approve Resolution 2021-23 General Manager Job Description

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

Video part 3/5 time: 02:10

5. **Review and approve contract by RESOLUTION 2021-19 with Rob Roberson as Interim General Manager/ Fire Chief (Dervin)**

Recommendation: Approve contract with Rob Roberson as Interim General Manager/ Fire Chief

Counsel White presented item- specific to R. Roberson, 2-year contract by mutual agreement is one year creating structure for second year, few changes referencing effective date 6-1-2021 and finance section 5.1

Public Comments:

Owen Davis (San Miguel Resident)- Would like to see the contract for general manager, hasn't seen anything on the website, voiced that he felt that the district needed a full-time General Manager

Board Clerk- Voiced that it has been available for over a week and that everyone here is looking at it on the website

Joseph Kohler- (San Miguel Resident) Witnessed firsthand the charisma, honesty, and leadership of Chief Roberson, goes above and beyond for his community, excellent work ethic, profession and works tirelessly around the clock for CSD & Fire dept., great friend, and tremendous leader

Liliana Rojas- (San Miguel Resident) former employee of CSD, current firefighter, started with the SMFD 10 years ago and voiced that she could work at any dept. she wanted to but likes staying here knowing this town is being taken care of and that she's helping to care for this community, last ten years been here and see three GM's, the time working under Rob he has been trying to get everything back in order, nobody would do it for the amount he is asking, all the spending has been needed for structural reasons but not spending money on the GM, people would run away from this job.

Aron Kardashian- (SM Garbage) Voiced that he has been here for 32 years and has seen a lot of GM’s come in and out, last 5 years this Board been exceptional, lot of trials with solid waste and recycling. Both staff and General Manager that are currently here are on point for requests, to get contracts done, and new regulations coming out constantly, constantly looking out for better of community, appreciate Board and CSD Staff

Jose Ventura- (San Miguel Resident) Voiced that he has been with SMFD for 3 years, great experience, thanks Rob and Scott for bringing him on, part of this community and values the Spanish part of the community

Brendin Beatty- (San Miguel Resident) work for SMFD for 2 years, first moved here got to experience of being a Firefighter, saw the recruitment sign and Rob/Scott treated him as an equal, seen all the work that Rob has done for community and station-probably doesn’t get time to sleep, outstanding guy, glad to have met him and come back day after day and feels the love.

Board Clerk- Read aloud comment from Manuel Plasencia: owner of Manny’s pizza, would like to support decision to support Rob’s contract, would be true loss to not approve

Board Clerk- Read aloud comment from Mr. Sinclair- San Miguel resident and homeowner since 2015, family long-time residents, would like to show support for contract, time volunteering on SMFD; Rob was supportive teacher and mentor, would be very big loss if BOD does not approve contract

Staff comment: Assistant Chief Scott Young- privilege of being Assistant Fire Chief and Fire Prevention Officer, Mr. Young Voiced that he has been involved with SMFD/CSD for 16 years, Rob has been apart for as long, gone through several General Managers here, multiple past General Managers were Fire Chiefs. Outside the Community full-time GM’s did not serve community, failed and spent countless dollars, need to live here in this community, proud to be apart of it, town can not afford a full-time General Manager, better financial shape under GM/Fire Chief, even when Rob is not here he is always available and only a phone call away

AK- Have known Rob since in first grade, been in this community a very long time, has been through many GMs, to hire a full-time would double how much community is paying & Rob is doing a great job.

Motion by: Director Kalvans

Second by: Director Gregory

Motion: To approve Resolution 2021-19 contract with Rob Roberson as GM/Fire Chief

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

Video part 3/5 time: 20:00

- Review and approve Resolution 2021-24 authorizing the Director of Utilities to contract with Viborg Sand and Gravel to repair pavement on 12th street in an amount not to exceed \$23,853 and authorize a budget adjustment from Water Capital Reserve to Water Capital Outlay (50-500) in an equal amount. (Dodds)**

Recommendation: Approve Resolution 2021-24 authorizing the Director of Utilities to contract with Viborg Sand and Gravel in an amount not to exceed \$23,853 and authorize a budget adjustment in an equal amount.

Item presented by Director of Utilities Kelly Dodds- August 10th catastrophic failure of waterline alley 12th street, notified immediately, extensive damage to roadway, KD met with county inspector, only two companies provided quotes for repair, requesting Viborg perform repair work, unplanned costs for \$23,853 from Capital outlay.

Board Comment:

RW- Do we have several companies we can call on?

KD- Yes, around 5 normally but only 2 came out right away & 2 from Atascadero that declined.

RG- Voiced that paving contractors can be cheaper but only these two were available.

RR- Voiced that Kelly and all the Utility Crew were out there, came out night of incident ready to work, started at 7am next day and were done at noon, without this staff the bill would have been astronomical, all utility trucks/excavators were necessary to minimize out-sourcing, could have been catastrophic cost but saved money being in-house, and wanted to thank the Utility Department.

Public Comments:

None

Motion by: Director Sangster

Second by: Director Roney

Motion: To approve Resolution 2021-24 as written

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

Video part 3/5 time: 26:55

- Review and approve RESOLUTION 2021-20 authorizing the Director of Utilities to contract with Aqua Engineering for materials and labor to install a Variable Frequency Drive at Well 4 at a cost not to exceed \$12,114.04 and authorize a budget adjustment in the same amount from Water Capital Reserve to Water projects Well 4 (50-517) in an equal amount. (Dodds)**

Recommendation: Approve Resolution 2021-20 authorizing the Director of Utilities to contract with Aqua Engineering for materials and labor to install a Variable Frequency Drive at Well 4 at a cost not to exceed \$12,114.04 and authorize a budget adjustment in the same amount from Water Capital Reserve to Water Projects Well 4 (50-517) in an equal amount. (Dodds)

Item presented by Director of Utilities Kelly Dodds; Over the last 2 years, Well 4 has had numerous failures during hot weather due to larger power demand, has contacted and worked with PG&E numerous times to no avail, all info within PG&E rule; Phase 7 for power variance, demand on the grid is exacerbating regular current balance, Well site & WWTF only phase; 3 power users so the unbalance only affects the district and not the residential customers, the VFD (variable frequency drive) will prevent failure for the well and also accommodate future needs, proposal is for all materials & labor to be incorporated into existing electrical and SCADA equipment, all proposers have extensive knowledge of these installations, Aqua Engineering, Alpha Electric, Baldwin Electric.

Board Comment:

WR- What is service life of device?

KD- depending on service, about 20-25 years

RG- how well known is the VFD, and how come not told sooner, how long this has been problem?

KD-very tried and true, talked out of it by PG&E, know off & on 2.5 years, power-failure issue encouraged in summer

AS- PG&E can't stabilize the power?

KD- PG&E says it is within their allowed parameters

RG- Mentioned it will take 3 days- part of facility 3 phase?

KD- 3 days coming into facility, depending on measurements, to allow wells to run & fail, if we can get PG&E to pay for it they would have to go back to our well site and possibly back farther on report history, back to N street- which very hesitant to do.

AS- Voiced that he wanted to make sure Aqua engineering has SMCSO terms & conditions

KD- willing to pay for our expenditures, if we ask for anything beside, they are flexible

Public Comments:

None

Motion by: Director Sangster

Second by: Director Gregory

Motion: To Approve Resolution 2021-20 as written

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

Video part 4/5 Time: 03:10

8. Discuss and Adopt Resolution 2021-25 Accepting a Notice of Contract Termination from Monsoon

Recommendation: Adopt Resolution 2021-25 accepting a Notice of Contract Termination from Monsoon Consultants for District engineering services and WWTF contract.

KD- Monsoon consultants currently acting as our engineer, due to pandemic/economic conditions will be shutting down practice, notice of termination in May, accept resolution to accept notice of termination

Public Comments:

None

Board Comment:

None

Motion by: Director Kalvans

Second by: Director Gregory

Motion: To Approve Resolution 2021-25 as written

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

9. Discuss options for District Engineering services (Dodds)

Recommendation: Provide direction to Staff

Item presented by Director of Utilities Kelly Dodds- Discuss Monsoon Consultants letter, how board would like to move forward, 4 main options just for info, last calendar year spent \$46k, \$23k for additional project work. Option A) approve agreement with GSI-, B) issue RFQ for district engineering services-would likely have to outsource, C) solicit for engineer to work directly as contract employee-more dedicated service, D) solicit other agencies for shared engineering services- may be least expensive but less desired service. Recommend to approve contract with GSI.

Board Comment:

WR- How long would we be without engineer?

KD- next two items to approve interim contract for BR to work with GSI, until Sept. 1st if not approve, likelihood of getting RFP out and back would take at least 60 days

WR- Would it be in our advantage, continuity with our same engineer?

AS- If known in May why coming to board in August? Previous contract was range of fees, most expensive \$145/hr., current contract says \$215 per hour, asking \$70 more per hour but it says no fiscal impact

KD- voiced that there is no particular fiscal amount in this report as is only discussion, correct the cost is quite bit higher but other staff has lower rate

AS- contract stipulates \$215 per hour billed, 30% increase, is there reason we can't engage them in project by project basis- might be acceptable, taking this agreement out till 2024-25 monsoon consultants would have been doing the job anyways

KD- suggestion is to make interim contract with GSI and immediately send out RFP for interim engineer, we would be without a district engineer for a couple months, somebody has to fill the job, there are a lot of engineers in SLO county and Monterey county

RR- Voiced that he has had discussions, great concern in which direction BR would go, working close to preserve work already done, its been in discussion and a lot of work, did not know and ignore/put off, working to try to preserve progress without having to re-do

AS- respect for current District Engineer

AS- asked about insurance, what is term of duration, Discussion ensued

KD- minimum 3 months or could ask for month by month, conversations with BR about GSI interested in writing proposals for ongoing services, month to month

RG- Agreed that the District needs District Engineer

WR- voiced that he appreciated AS suggestions.

AK- Voiced that he agreed with Dr. Reely has been a great asset to San Miguel, worry about cost of trying to bring on board someone new, what would it take to grow our own District Engineer, how many years out would it be?

KD- Voiced that it would be a full-time engineer, maybe someone retired 100k a year, someone in prime 200k a year, have to add benefits, would be ideal but too expensive and hard to find, general direction is to discuss next 2 items and approve contract with GSI

Public Comments:

None

Video part 4/5 time 22:40

10. Discuss and Adopt Resolution 2021-26 Approving an Agreement for District Engineering Services with GSI Water Solutions Inc. for the Machado Wastewater Treatment Facility Project

Recommendation: Discuss and adopt Resolution 2021-26 approving an agreement with GSI Water Solutions, Inc. for District engineering services related to the Machado Wastewater Treatment Facility (WWTF)

Item presented by Director of Utilities Kelly Dodds- one of two items continuing service with GSI re: Machado Wastewater treatment plant upgrade, assuming they provide interim services, we could request as a time/material monthly contract, 87k for full contract, that engineer will take over services, their proposal to provide all services and all engineering which is still in our original allotment, GSI does not do construction drawings, if board interested in time/material monthly basis will propose that to them.

Board Comment:

AS- The total amount billed at two-hundred-fifteen dollars per hour? What would have we spent with Monsoon for the same work? Most of products

KD- Yes, hourly cost and labor units. Monsoon shows 300 hours so \$43k at \$145/hr., this particular proposal billed at Blaine’s rate however lot of work proposing is work he would have done not including construction drawings \$125/hr. addition to this, about a \$44 thousand difference, pretty significant, recommend for services provided already listed until we can secure a permanent District Engineer.

AS- voiced that he would like to do a not to exceed at the rate now, we would be switching engineers middle of project, leverage opportunities to reduce amount not to exceed in between 145/hr. and 215/hr.

WR- worst they can say is no

RG- Voiced that if we were to change and get another engineer for the WW Treatment Plant project, how much of learning curve, and are we wasting time?

KD- The District Engineer worked closely, can bring up to speed in about a month/ slightly painful but not impossible, probably get through everything and get on board, biggest concern delay working with other agencies and USDA to get funding and regulatory approval, can definitely talk to GSI to willing to meet the bill/bring them back

Public Comments:

Owen Davis- leaving and comment unrelated to Agenda item

Motion by: Director Sangster
Second by: Director Roney
Motion: To table items 10 & 11

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

Video part 4/5 time 33:18

11. Discuss and Adopt Resolution 2021-27 Approving an Agreement for Interim District Engineering Services with GSI Water Solutions Inc. (Dodds/ Dervin)

Recommendation: Discuss and adopt Resolution 2021-27 approving an agreement with GSI Water Solutions, Inc. for interim District engineering services and WWTF contract

Item Tabled

Video part 4/5 time 33:18

12. Review and approve a contract with MCD Services for On Call Drafting and Design Services (Dodds)

Recommendation: Authorize the Director of Utilities to contract with MCD Services for On Call Drafting and Design Services.

KD- Asking for on-call time and materials contract with NSPE for drafting & design service utilities for other projects but main focus wastewater treatment plant construction drawings, under monsoon consultants they charged \$125/hr. for simple services, on call as type needed service, construction drawings

Board Comment:

WR- Looking over the information and agrees

Public Comments:

None

Motion by: Director Sangster
Second by: Director Palafox
Motion: To approve contract with MCD for services for On Call Drafting & Design

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

XII. BOARD COMMENT: *Video part 5/5 time: 02:50*

AK- email the IWMA board, deadline Sept. 15th
 Board Clerk- will have discussions on IWMA on next agenda will need consensus
 RG- Understand false information running around community about myself and my business, if anyone has questions or concerns direct them at me, is causing slander and mischaracterization, childish, unprofessional, please direct questions/concerns to me.
 AK- Thanks to the public for attending the meeting
 RR- GSA meeting on 26th closed session 6:30 open at 7, Board Training on Sept. 2nd at 9am, Kallie Johnson case postponed till Sept 16th for restitution.

XIII. ADJOURNMENT TO NEXT REGULAR MEETING 8:45:00 PM *Video part 5/5 time: 06:55*