



BOARD OF DIRECTORS

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

REGULAR MEETING AGENDA 6:00 P.M. Closed Session 7:00 P.M. Opened Session SMCSD Boardroom 1-27-2022

IMPORTANT NOTICE REGARDING COVID-19 AND TELECONFERENCE MEETINGS:

please note the following changes to the District's ordinary meeting procedures:

- The District offices are not opened to the public at this time, please call 805-467-3388
- The Meeting will be conducted with social distancing observed.
- All members of the public seeking to observe and comment to the local legislative body may do so in person or telephonically/email in the manner described below.

HOW TO SUBMIT PUBLIC COMMENT IF NOT ATTENDING MEETING:

Written / Read Aloud: Please email your comments to tamara.parent@sanmiguelcsd.org (Board Clerk), write "Public Comment" in the subject line. In the body of the email, include the agenda item number and title, as well as your comments. If you would like your comment to be read aloud at the meeting (keep to three minutes) prominently write "Read Aloud at Meeting" at the top of your email. All comments received before 4:00 PM the day of the meeting will be included as agenda supplement on the District's website under relevant meeting date and will be provided to the Board of Directors.

Voice Mail: Leave a message on the District phone line at 805-467-3388 after 4:30pm before 4:30pm District Staff will take down message. Voice "Public Comment" at beginning of message and include agenda item number and title. All comments received before 4:00 PM the day of the meeting will be included as agenda supplement on the District's website under relevant meeting date and will be provided to the Board of Directors.

PUBLIC RECORD

Public records that relate to any item on the open session agenda for a meeting are available for public inspection. Those records that are distributed after the agenda posting deadline for the meeting are available for public inspection at the same time, they are distributed to all of the members of the Board. The documents may also be obtained by calling the District Board Clerk.

Please see: www.sanmiguelcsd.org

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. Assisted listening devices are available for the hearing impaired.

Public Comment: please see notice. 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. Please complete a “Request to Speak” form located at the podium in the boardroom in order to address the Board of Directors on any agenda item. If you wish to speak on an item not on the agenda, you may do so under item VII “Public Comment and Communications for items not on the agenda”. Any member of the public may address the Board of Directors on items on the Consent Calendar. Please complete a “Request to Speak” form as noted above and mark which item number you wish to address.

Meeting Schedule: Regular Board of Director meetings are generally held in the SMCSO Boardroom on the fourth Thursday of each month at 7:00 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 Counter/ San Miguel CSD office located at 1150 Mission St., San Miguel, 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 at the counter/ San Miguel CSD office at 1150 Mission St., San Miguel, during normal business hours.

- I. **Call to Order: 6:00 PM**
- II. **Roll Call:** *Gregory*___ *Kalvans*___ *Roney*___ *Palafox*___ *Lara*___
- III. **Approval of Regular Meeting Agenda:**

M_____ S_____ V_____

IV. **ADJOURN TO CLOSED SESSION:** Public Comment for items on closed session agenda
Time:_____

A. CLOSED SESSION AGENDA:

- 1. **CONFERENCE WITH DISTRICT GENERAL COUNSEL-ANTICIPATED LITIGATION**
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 WO update
- 2. **CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:1
- 3. **PUBLIC EMPLOYMENT**
Title: Assistant Fire Chief; Pursuant to Government Code Section 54954.5

V. **Call to Order for Regular Board Meeting/Pledge of Allegiance:**

VI. **Report out of Closed Session**
Time:_____

- 1. Report out of closed session by District General Counsel (WhiteBrenner, LLP)

VII. 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 complete a "Request to Speak" and "Sign in".

VIII. Special Presentations/Public Hearings/Other: None

IX. Staff & Committee Reports – Receive & File:

Non-District Reports:

- | | | |
|----|--------------------------------------|---------------|
| 1. | San Luis Obispo County Organizations | Verbal/Report |
| 2. | Camp Roberts—Army National Guard | Verbal |
| 3. | Community Service Organizations | Verbal |

District Staff & Committee Reports:

- | | | | |
|----|--------------------------|------------------|-----------------|
| 4. | Interim General Manager | (Mr. Roberson) | Verbal |
| 5. | District General Counsel | (Mr. White) | Verbal |
| 6. | District Utilities | (Mr. Dodds) | Report Attached |
| 7. | Fire Chief | (Chief Roberson) | Report Attached |

X. CONSENT CALENDAR:

The items listed below are scheduled for consideration as a group and one vote. Any Director or a member of the public 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. Take Public Comment on all items as a group.

1. Approve Draft Board Meeting Minutes

- A. 11-18-2021 Special Board Meeting Minutes Draft
- B. 12-16-2021 Special Board Meeting Minutes Draft
- C. 01-06-2022 Special Board Meeting Minutes Draft

2. Approve a correction to Change Order No.1 to the Base Contract with Ellison Environmental, Inc. dba Fluid Resource Management (Contractor) for the Pre-Engineered Package Membrane Bioreactor Municipal Wastewater Treatment System as part of the Machado Wastewater Treatment Facility Upgrade & Expansion Project and authorizing the Interim General Manager to execute the Change Order No.1 Resolution 2021-34.

Correction consists of revision of the Total from \$1,375,279.82 to \$1,535,781.47 to correctly reflect all lines originally listed on the change order approved at the October 2021 Board Meeting. (Dodds)

3. Receive and File June 2021 to November 2021 Enumeration of Financial Reports (Hido)

- a) June 2021
- b) July 2021
- c) August 2021
- d) September 2021
- e) October 2021
- f) November 2021

XI. BOARD ACTION ITEMS:

- 1. Review, Discuss and Receive the Enumeration of Financial Reports for December 2021 (Hido)**
 - A. Claims Detail Report
 - B. Statement of Revenue Budget vs Actuals
 - C. Rev Budget vs Actual Summary
 - D. Statement of Expenditures Budget vs Actual
 - E. Cash Report
 - F. Investment Portfolio Report
 - G. Q4 Investment Portfolio Report

Public Comments: (Hear public comments prior to Board Action) M____ S____ V____

- 2. Review and approve RESOLUTION 2022-01 approving budget adjustments to the Fiscal year 2021-22 approved budget. (Dodds/Roberson)**

Recommendation: Approve Resolution 2022-01 authorizing proposed Midyear Budget adjustments to the approved FY 2021-22 budget

Public Comments: (Hear public comments prior to Board Action) M____ S____ V____

- 3. Review and Approve RESOLUTION 2022-02 amending Section 13.5 of the District Personnel Guidelines and Policies relating to Cellular Telephone and Other Electronic Device Usage at the District. (Roberson/Dervin)**

Recommendation: Adopt Resolution 2022-02 amending Section 13.5 of the District Personnel Guidelines and Policies relating to Cellular Telephone and Other Electronic Device Usage at the District

Public Comments: (Hear public comments prior to Board Action) M____ S____ V____

- 4. Review and approve RESOLUTION 2022-03 authorizing the Director of Utilities to contract with San Luis Powerhouse in an amount not to exceed \$15,722.34 for the purchase of a replacement generator and authorize the Director of Utilities to purchase material and contract services in an amount not to exceed \$12,000 to install the replacement generator at the Mission Gardens Lift Station. (Dodds)**

Recommendation: Approve RESOLUTION 2022-03 authorizing the Director of Utilities to purchase and install a replacement generator and authorize a corresponding transfer and budget adjustment in an amount equal to \$27,722.34 from Wastewater Operational Reserve to Mission Gardens Lift Station Projects (40-580).

Public Comments: (Hear public comments prior to Board Action) M____ S____ V____

- 5. Review and Approve RESOLUTION 2022-04 authorizing the Director of Utilities to contract with Water Systems Consulting (WSC) for engineering and technical support to prepare, submit and negotiate terms in relation to the required Notice of Intent (NOI), to Discharge in an amount of \$50,000. Including a budget adjustment to Waste Discharge fees/ permits (40-705). (Dodds)**

Recommendation: Approve RESOLUTION 2022-04 authorizing the Director of Utilities to contract with Water Systems Consulting (WSC) to complete the required Notice of Intent (NOI) to Discharge in an amount of \$50,000. Including a budget adjustment to Waste Discharge fees/ permits (40-705).

Public Comments: (Hear public comments prior to Board Action) M____S____V____

6. Continued discussion on the Fire Department Temporary Housing unit (Young)

Recommendation: Discuss the status and next steps for the Fire Department Temporary Housing unit

Public Comments: (Hear public comments)

7. Amend Assistant Fire Chief Employment Agreement to Comport with CalPERS Rules Requirements for Public Safety Retirement by RESOLUTION 2022-05. (Roberson/White)

Recommendation: Review and amend the Employment Agreement for Scott Young as the Assistant Fire Chief to Comport with CalPERS Rules Requirements, and Authorize the Interim General Manager to Execute the Amended Agreement

Public Comments: (Hear public comments prior to Board Action) M____S____V____

8. Discussion on status of Machado Wastewater Treatment Facility expansion and aeration upgrade project (Dodds)

Recommendation: Discuss the status and next steps of the Machado Wastewater Treatment Facility expansion and aeration upgrade projects.

Public Comments: (Hear public comments)

XII. 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.

XIII. ADJOURNMENT TO NEXT REGULAR MEETING

ATTEST:

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

I, Rob Roberson, General Manager of San Miguel Community Services District, hereby certify that I caused the posting of this agenda at the SMCSO office on January 2, 2022

Date: January 2, 2022

Rob Roberson, Fire Chief/Interim General Manager
Raynette Gregory, SMCSO Board President 2022
Tamara Parent, Board Clerk/Accounts Manager