



**BOARD OF DIRECTORS**

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

**THURSDAY, AUGUST 25<sup>TH</sup>, 2022**  
**6:00 P.M. Closed Session 7:00 P.M. Opened Session**  
**BOARD OF DIRECTORS REGULAR MEETING AGENDA**

**SMCSD Boardroom - 1150 Mission St.**  
**San Miguel, CA 93451**

**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 72 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 (3) 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 VII “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](http://www.sanmiguelcsd.org). All correspondence is distributed to each Board of 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 generally held in the SMCSD Boardroom on the fourth Thursday of each month at 7:00 P.M. Agendas are also posted at: [www.sanmiguelcsd.org](http://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 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. PUBLIC EMPLOYMENT**

Title: Fire Chief; Public Employee Appointment Section GC 54957:5

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

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

**3. CONFERENCE WITH DISTRICT GENERAL COUNSEL – Existing Litigation** Pursuant to

Government Code Section 54956.9 (d)(1) Case: *Steinbeck v. City of Paso Robles, Santa Clara County Superior Court Case No. 1-14-CV-265039* and Case: *Eidemiller v. City of Paso Robles, Santa Clara County Superior Court Case No. 1-14-CV-269212*

**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 sign in with name and address at podium.

**VIII. Special Presentations/Public Hearings/Other:**

1. **PUBLIC HEARING:** Conduct Public Hearing to Consider Adoption of the Mitigated Negative Declaration Prepared by Dudek Environmental Consultants for the Machado Wastewater Treatment Facility Upgrade and Expansion by RESOLUTION 2022-45
2. **PUBLIC HEARING:** Conduct Public Hearing on Renewable Energy Assessment for Machado WWTF and Forefront Power Solar Project; Review and Consider RESOLUTION 2022-46 Authorizing General Manager or his designee to execute an Energy Services Agreement with ForeFront Power

**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.

**1. Approve Draft Board Meeting Minutes**

- A. 4-28-2022 Regular Board Meeting Minutes Draft
- B. 5-26-2022 Regular Board Meeting Minutes Draft
- C. 6-23-2022 Regular Board Meeting Minutes Draft
- D. 7-7-2022 Special Board Meeting Minutes Draft

- 2. Approve RESOLUTION 2022-42 approving participation in the Desalination Executable Solution and Logistics (DESAL) plan.**
- 3. Authorize release of Request for Qualification/ Proposal for the Water and Wastewater Masterplan update.**
- 4. Reapprove revised RESOLUTION 2022-31 to include language to clarify budget adjustments and transfers between the funds. (Resolution was originally passed May 26, 2022).**

**Public Comments on all Consent Items:** (Hear public comments prior to Board Action) M\_\_\_S\_\_\_V\_\_

**XI. BOARD ACTION ITEMS:**

**1. Review, Discuss and Receive the Enumeration of Financial Reports for June 2022 (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 June
- G. Investment Portfolio Report Q2

**Public Comments:** (Hear public comments prior to Board Action) M\_\_\_\_S\_\_\_\_V\_\_\_\_\_

**2. Review, Discuss and Receive the Enumeration of Financial Reports for July 2022 (Hido)**

- H. Claims Detail Report
- I. Statement of Revenue Budget vs Actuals
- J. Rev Budget vs Actual Summary
- K. Statement of Expenditures Budget vs Actual
- L. Cash Report
- M. Investment Portfolio Report July

**Public Comments:** (Hear public comments prior to Board Action) M\_\_\_\_S\_\_\_\_V\_\_\_\_\_

**3. Review and Adopt RESOLUTION 2022-38 Amending the District’s Conflict of Interest Code (Parent)**

**Recommendation:** Review and approve amendment to the current policy and adopt RESOLUTION 2022-38. As a follow up action, staff will submit proof of the Conflict-of-Interest Code review and the updated Designated Positions List to the San Luis Obispo Board of Supervisors.

**Public Comments:** (Hear public comments prior to Board Action) M\_\_\_\_S\_\_\_\_V\_\_\_\_

**4. Discussion on Status of Fire Department Code Enforcement Violation (Young/Roberson)**

**Recommendation:** Discuss the status and next steps of the Fire Department Code Enforcement Violation

**Public Comments:** (Hear public comments)

**5. Discussion of Status of 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)

**6. Review and approve RESOLUTION 2022-43 authorizing the Director of Utilities to contract with Wallace Group to provide engineering, design and project management services for the Machado Wastewater Treatment Facility upgrade in an amount not to exceed \$798,128 and authorize a budget adjustment to the Wastewater Department with corresponding transfers from Capital Reserves. (Object 587 – Project 20001). (Dodds)**

**Recommendation:** Approve RESOLUTION 2022-43 authorizing the Director of Utilities to contract with Wallace Group for engineering, design and project management services for the Machado Wastewater Treatment Facility upgrade and corresponding budget adjustment and transfer

**Public Comments:** (Hear public comments prior to Board Action) M\_\_\_\_S\_\_\_\_V\_\_\_\_

**7. Discuss and approve RESOLUTION 2022-39 changing the District Board of Directors meeting location from 1150 Mission Street San Miguel to 601 12<sup>th</sup> Street San Miguel. (Dodds)**

**Recommendation:** Approve RESOLUTION 2022-39 temporarily changing the District Board of Directors meeting location from 1150 Mission Street San Miguel to 601 12<sup>th</sup> Street San Miguel

**Public Comments:** (Hear public comments prior to Board Action) M\_\_\_\_S\_\_\_\_V\_\_\_\_

**8. Review and approve RESOLUTION 2022-40 amending Chapter 11: Order of Business, of the San Miguel Community Service District Board Members’ Handbook. (Dodds)**

**Recommendation:** Approve RESOLUTION 2022-40 amending Chapter 11: Order of Business, of the San Miguel Community Service District Board Members’ Handbook

**Public Comments:** (Hear public comments prior to Board Action) M\_\_\_\_S\_\_\_\_V\_\_\_\_

9. **Review and approve RESOLUTION 2022-41 authorizing the Director of Utilities to enter into contracts to install a temporary modular office at the Machado WWTF and to relocate Administrative and Utility Office Staff to the Machado WWTF with corresponding Budget Adjustments.** (Dodds)

**Recommendation:** Approve RESOLUTION 2022-41 authorizing the Director of Utilities to enter into contracts to relocate the Administrative and Utility Personnel to temporary modular offices at the Machado WWTF with corresponding Budget Adjustments.

**Public Comments:** (Hear public comments prior to Board Action) M\_\_\_\_ S\_\_\_\_ V\_\_\_\_

10. **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)

11. **Review and approve RESOLUTION 2022-44 authorizing the Director of Utilities to act as the authorized representative and accept a grant award from the Mattress Recycling Council (MRC) in an amount of \$10,000 and to purchase a forklift in an amount not to exceed \$25,000. Project 22011** (Dodds)

**Recommendation:** Approve RESOLUTION 2022-44 authorizing the Director of Utilities to act as the authorized representative and accept a grant award from the MRC in an amount of \$10,000 and to purchase a forklift in an amount not to exceed \$25,000. Project 22011.

**Public Comments:** (Hear public comments prior to Board Action) M\_\_\_\_ S\_\_\_\_ V\_\_\_\_

12. **General Manager Employment Agreement between the San Miguel Community Service District and Kelly Dodds by RESOLUTION 2022-47** (White)

**Recommendation:** Appoint Kelly Dodds as the District General Manager and approve the General Manager Employment Agreement between the San Miguel Community Service District and Kelly Dodds.

**Public Comments:** (Hear public comments prior to Board Action) M\_\_\_\_ S\_\_\_\_ V\_\_\_\_

## 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, Tamara Parent, Board Clerk of San Miguel Community Services District, hereby certify that I caused the posting of this agenda at the SMCS D office on August 22, 2022 @10 am

Date: August 22, 2022

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