



BOARD OF DIRECTORS

Ashley Sangster, President
John Green, Director

Anthony Kalvans, Vice-President
Hector Palafox, Director
Raynette Gregory, Director

REGULAR MEETING AGENDA

May 28th, 2020

6:00 P.M. Closed Session 7:00 P.M. Opened Session @ 1150 Mission St.

IMPORTANT NOTICE REGARDING COVID-19 AND TELECONFERENCE MEETINGS:

Based on the mandates by the Governor in Executive Order 33-20 and the County Public Health Officer to shelter in place and the guidance from the CDC, to minimize the spread of the Corona Virus, please note the following changes to the District's ordinary meeting procedures:

- The District offices are not opened to the public at this time
- The Meeting will be conducted via teleconference
- All members of the public seeking to observe and comment to the local legislative body may do so by telephonically in the manner described below.

HOW TO SUBMIT PUBLIC COMMENT:

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: (*change during "shelter at home"*) please see notice.
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. 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 "Oral Communications." 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. Pledge of Allegiance:**
- III. Roll Call:** *Sangster* ___ *Kalvans* ___ *Green* ___ *Palafos* ___ *Gregory* ___
- IV. Approval of Regular Meeting Agenda:**

M_____ S_____ V_____

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

A. CLOSED SESSION AGENDA:

- 1. 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*
- 2. PUBLIC EMPLOYMENT**
Title: Director of Utilities
Pursuant to Government Code Section 54954.5
- 3. PUBLIC EMPLOYMENT**
Title: Board Clerk/Account Clerk Manager
Pursuant to Government Code Section 54954.5

4. CONFERENCE WITH DISTRICT GENERAL COUNSEL-ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:

VI. Call to Order for Regular Board Meeting/Report out of Closed Session 7:00 PM
Time: _____

- 1. Report out of closed session by District General Counsel Derwin

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" form and place in basket provided.

VIII. Special Presentations/Public Hearings/Other:

- 1. **PUBLIC HEARING:** Consider Adoption of Resolution No. 2020-16 Adopting the FY 2020-21 Operations and Maintenance Budget.

Recommendation: After Public Hearing; Approve Resolution 2020-16 Adopting the FY 2020-21 Operation and Maintenance Budget.

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

M _____ **S** _____ **V** _____

- 2. **PUBLIC HEARING:** Consider approving an Ordinance 01-2020 of the San Miguel Community Services District ("District") Board of Directors adopting and amending the 2019 edition of the California Fire Code including articles, appendices, amendments, and errata of California Building Code section 7A.

IX. Staff & Committee Reports – Receive & File:

Non-District Reports:

- | | | |
|--|--|-----------------|
| 1. San Luis Obispo County | | No Report/Email |
| 2. Camp Roberts—Army National Guard (CON Robert Horvath) | | Verbal or Email |
| 3. Community Service Organizations | | Verbal or Email |

District Staff & Committee Reports:

- | | | |
|-----------------------------|------------------|-----------------|
| 4. Interim General Manager | (Mr. Roberson) | Verbal |
| 5. District General Counsel | (Mr. White) | Verbal |
| 6. District Engineer | (Dr. Reely) | Report Attached |
| 7. Director of Utilities | (Mr. Dodds) | Report Attached |
| 8. 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. **Review and Approve Board Meeting Minutes**
 - a) 04-23-2020 Regular Board Meeting
- 2. **Review and approve RESOLUTION 2020-17 adopting the County of San Luis Obispo 2019 Multi-jurisdictional Hazard Mitigation Plan update (Young)**
- 3. **Review and approve RESOLUTION 2020-18 adopting the County of San Luis Obispo 2019 Public Improvement Standards and Drawings and modifications for San Miguel Community Service District (Dodds)**

XI. BOARD ACTION ITEMS:

- 1. **Review, Discuss, Receive and File the Enumeration of Financial Report for April 2020 (Freeman)**
 - 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

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

M _____ S _____ V _____

- 2. **First reading of proposed ORDINANCE 02-2020 SMCSO Solid Waste and Recycling Ordinance. (Roberson)**

Recommendation: First reading of proposed Ordinance 02-2020 SMCSO Garbage Ordinance

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

- 3. **Consider Adoption of ORDINANCE 01-2020 SMCSO Fire Code for ratification by the San Luis Obispo Board of Supervisors (Roberson/ Young)**

Recommendation: Adopt Ordinance 01-2020 SMCSO Fire Code

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

M _____ S _____ V _____

- 4. **Review and approve a RESOLUTION 2020-21 revising the Investment Policy for San Miguel CSD (Roberson)**

Recommendation: Approve Resolution 2020-21 revising the investment policy for San Miguel CSD

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

M _____ S _____ V _____

5. Review and approve RESOLUTION 2020-22 approving the proposal from Martinelli Landscape Construction Inc for the ongoing maintenance of landscaping along Mission Street and at the Gateway Signs. (Dodds)

Recommendation: Approve proposal from Martinelli Landscape Construction Inc. by Resolution 2020-22.

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

M_____ S_____ V_____

6. Review and approve RESOLUTION 2020-19 authorizing the Director of Utilities to negotiate the purchase of a light duty truck for the utilities department in an amount not to exceed \$35,000. (Dodds)

Recommendation: Approve resolution 2020-19 authorizing the Director of Utilities to negotiate the purchase of a light duty truck for the utilities department in an amount not to exceed \$35,000.

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

M_____ S_____ V_____

7. Review and approve RESOLUTION 2020-23 authorizing the Director of Utilities to negotiate the purchase of an equipment trailer for the utilities department in an amount not to exceed \$10,000. (Dodds)

Recommendation: Approve resolution 2020-23 authorizing the Director of Utilities to negotiate the purchase of an equipment trailer for the utilities department in an amount not to exceed \$10,000.

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

M_____ S_____ V_____

8. Review and Adoption of RESOLUTION NO. 2020-20 Authorizing the Abatement of Weeds Within the District Boundaries. (Young/ Roberson)

Recommendation: Staff requests that the Board hold a discussion to consider objections to the “Notice to Remove, Destroy, and/or Abate Vegetation, Rubbish and Debris”, overrule any objections and adopt Resolution No 2020-20 authorizing Fire Chief to have weed abatement work performed.

Public Comments: (Hear public comments)

M_____ S_____ V_____

9. Review and approve RESOLUTION 2020-24 authorizing a budget adjustment in the amount of \$10,500 for testing of existing non-district wells to determine prime locations for new District wells. (Dodds)

Recommendation: Approve resolution 2020-24 authorizing a budget adjustment of \$10,500 to (50-359).

