

SAN MIGUEL COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
DECEMBER 17, 2020 REGULAR MEETING MINUTES

MEETING HELD AT DISTRICT OFFICES
1150 MISSION STREET
SAN MIGUEL, CA 93451

- I. Call to Order:** 7:01 p.m. Regular Board Meeting Called to Order by Director Sangster.
- II. Pledge of Allegiance:** led by Director Kalvans after closed session.
- III. Roll Call:** Directors Present: Sangster, Gregory, and Kalvans
Directors Absent: Palafox
- IV. Adoption of Regular Meeting:**
Board Clerk asked to have the Pledge of Allegiance after the closed session.
- Motion by Director Sangster to adopt Special Meeting agenda
- Seconded by Director Kalvans. Motion was approved by Vote 3 AYES and 0 NOES and 1 ABSENT and 0 ABSTAINED.
- V. ADJOURN TO CLOSED SESSION:** at 6:35 P.M.
- A. CLOSED SESSION AGENDA:**
- 1. CONFERENCE WITH DISTRICT GENERAL COUNSEL – Existing Litigation**
Pursuant to Government Code Section (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. 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:** 7:05 P.M.
Report out of closed session by District General Counsel Dervin and Direction was given to staff.
- VII. Public Comment and Communications for items not on the Agenda:** None

VIII. Special Presentations/Public Hearings/Other:

1. Presentation of Certificate of Appreciation for Public Service to John Green, Retiring Board of Director, by Resolution 2020-44 San Miguel Community Services District. Resolution of Board of Directors of San Miguel Community Services District recognizing and honoring John Green for his 25 years of dedicated service and commitment to the Community Services District of San Miguel.

Motion by Director Kalvans to approve the Resolution 2020-44. Seconded by Director Sangster.

Motion was approved by a Vote of 3 AYES and 0 NOES and 1 Absent. Resolution Adopted December 17, 2020

2. Swearing in & Oath of Office:

Administering the Oath of Office to newly elected Board members: Anthony Kalvans, Raynette Gregory, Ward Roney. (3)

3. Election of Board Officers and Board Appointments for 2021:

A. Nominate and Elect Board of Director Officers:

A.1. President – Ashley Sangster

A.2 Vice-President – Anthony Kalvans

District Board Rules and Bylaws allow for President and Vice-President to be elected annually.

Anthony Kalvans nominates Ashley Sangster as President. Raynette Gregory seconds the nomination. Ashley Sangster accepts nomination.

Motion was approved by Vote of 4 AYES 0 NOES 1 ABSENT

Ashley Sangster nominates Anthony Kalvans as Vice-President. Raynette Gregory seconds the nomination. Anthony Kalvans accepts the nomination as Vice-President.

Motion was approved by Vote of 4 AYES 0 NOES 1 ABSENT

IX. STAFF & COMMITTEE REPORTS:

1. **San Luis Obispo County:** None

Public Comment: None

Board Comment: None

2. **Camp Roberts:** None

Public Comment: None

Board Comment: None

3. **Community Service Organizations: San Miguel Firefighters Association.** Report by Michelle Hido, Treasurer for the San Miguel Firefighters Association. Mrs. Hido updated the Board of Directors that it has been a good year even with Covid cancelling plans. They were able to get a dumpster at the treatment plant. Not able to have any fundraising for the schools due to Covid. Were able to obtain a bell for the Fire Station and a Sparky costume. The Fire Prevention Week at Lillian Larson and Pleasant Valley Schools went well. A grant was obtained for the dog park. Fruit boxes were handed out and vintage equipment has been insured. Doing their first cleanup of Mission Street on Saturday before the parade. There will Christmas Parade on December 19th and the Grinch will hand out Christmas stockings after. 1st Christmas Lights Competition with 360 homes in San Miguel decorated their homes with Christmas lights. Getting 1940 vehicle repaired and it will be in the parade. Supervisor John Peschong will be in the parade.

Board Comment: Director Sangster asked where people can find the map of the lights people have put up in San Miguel? Mrs. Hido explained that she has it up on the Facebook page for the Firefighter's Association and the Neighborhood Watch and that she could forward it to anyone who would want it. She also explained that if you type in San Miguel Christmas Lights 2020 on Google Maps you would see it. Director Sangster commented that he would like to thank the Fire Fighters Association for the job they did on the building and that it really reflects well on the Fire Fighters and the Community. Assistant Fire Chief Scott Young clarified that the vintage equipment they have is being insured through the Association's policy and has been removed from the District policy because they felt that was appropriate. Director Kalvans asked if the vehicles were on the roster of vehicles. Assistant Fire Chief Young advised that the insurance was quite costly, and they were able to insure all their equipment for about what one piece of equipment and removed all of the burden from the District. The water tank does not exist on the 40 anymore. The 37 pump is frozen. Director Kalvans thanked the Firefighter's Association for all of their hard work on all of the projects they have been doing.

Public Comment: None.

4. **Interim General Manager:** Interim General Manager/Fire Chief Rob Roberson. We are still under our Covid restrictions. The office is still locked, and residents are still paying bills through the drop box, phone calls or direct pay or they can pay online. Some people are coming into the office and we are working with them as safely as possible. There has been discussion about paying through a kiosk where it would be multi-language and accessed 24-hours and more convenient. Gave a Covid -19 Report. Future meetings may be on Teams or on Zoom. Not all accounts were reconciled in time to make the Agenda, but they will be on the Agenda in January as well with January's Report. Also had a situation where the computer drive is not communicating with the router and so the Financial Officer could not communicate freely. District IT is working on getting everything reinstated and as soon as it was repaired the wind took out the cable which provides the internet service. The 10th and 11th Street Water Project is underway. Budget adjustments will also be brought to the Board in January for July through December. The next Strategic Planning Meeting is on January 7th when we will review and discuss the goals that were provided by the Board members and have an open discussion about some of the directions the Board of Directors want to see. Our Director of Utilities Kelly Dodds has now moved from the Fire Station to the Treatment Facility Office trailer that has been

established and we are setting up communication links now. The bills for the District, eleven accounts with the District are 60 days past due and Board Clerk/Accounts Manager Tamara has been getting in contact with them and getting more people to pay online. With the second lockdown, local businesses have expressed their stress. The Account Clerk position in the front office received two applications, so far. The deadline to submit an application is December 31st. The Operator position had two interviews and one offer was extended and we are waiting for a response. Opportunity to purchase two pieces of property that were on the County tax roll that were delinquent in payment. We signed the documents and committed to the properties. One on Mission Street for \$2,300 and one on L Street for \$8,000. Those properties are in the process of being turned over to us. Mr. Roberson Interim General Manager/Fire Chief asked Assistant Fire Chief Young to discuss the Office of Emergency Service (“OES”) Reimbursements for the fires they have been on and the amounts.

Assistant Fire Chief/Fire Prevention Officer Scott Young: We were out on assignments on four (4) fires. One was a rollover team assignment. One was the 21 day North Complex fire and the reimbursable on that was \$123,123.18. The Pond fire was a 4-day local assignment and the reimbursable on that was \$14,566.34. The Stagecoach fire was the Pond fire which rolled into the Stagecoach fire which was an 8-day assignment in Isabella and that was \$32,680.13 in reimbursement. The Silverado assignment was a 3-day assignment down in Orange County that was the most recent we had, and we have received no OES paperwork for that yet. That is still pending so our total reimbursable pending to the Department is \$170,369.65 with a deposit payment for the Stagecoach fire of \$32,680.13. We will have an outstanding balance with OES of \$137,689.52 plus whatever the Silverado fire reimbursement would be. That should be close to the \$12,000 range. The Silverado fire did take a different type of engine. It took a Type 1 engine, so the reimbursement is higher for a Type 1 engine. Everyone performed very well, and we received good reviews from the strike team leaders.

Interim General Manager/Fire Chief Rob Roberson made comment about the OES and how it cannot be audited and how the reimbursement comes in versus for the firefighters for the payroll. The money comes in for equipment for repairs and general maintenance as well as for coverage for anyone absent. The remaining funds go into Operational Reserves for engine payment, etc.

Board Comment: Director Raynette Gregory has a question about the hospitalization due to Covid and the capacity. Interim General Manager/Fire Chief Rob Roberson stated that the ICU bed is 53 or 54 and we are currently at 7 in uses. San Luis Obispo County Board of Supervisor Debbie Arnold submitted a request that we are pulled out of the Los Angeles County numbers.

Public Comment: None.

5. **District General Counsel:** Presented by District General Counsel Erin Dervin. Nothing to report at this time.

Board Comment: None.

Public Comment: None.

6. **District Engineer:** Dr. Reely was not present. Director of Utilities Kelly Dodds advised that if anyone had any questions, he could provide an answer to them or relay them to Dr. Reely.

Board Comment: None

Public Comment: None

7. **Director of Utilities:** Presented by Director of Utilities Kelly Dodds. Operators interviewed. The 10th and 11th Street waterline project are about 50% done. There is still a hang up with the railroad. They are waiting on one person to come back from vacation to mark some lines in the street and then send an email so they can start working. The other two lines across the railroad on 11th and 10th that tie into the existing lines which will probably be done in the first week of the New Year and we will probably still be waiting for the railroad. We had unforeseen conditions in the ground they found once they opened it up that had to be addressed which was a minor cost to the Change Order. Unsure what the cost was to the Contract at this point. Initially meant to have the item on this Agenda to discuss further but it will be on January's Agenda.

Director Sangster asked when the Operator would start should they accept the offer? Mr. Dodds advised that he would, imagine two weeks after they accept the offer. though he was not sure when the person would provide a response. They are waiting to hire a Treatment Operator.

Board Comments: None

Public Comments: None

8. **Fire Chief:** Presented by Chief Rob Roberson. For the month of November, we had number of 27 calls and for 296 calls for the year. In the Fire Report I have been attaching a Financial Update, but I was not able to acquire information for November because of the situation with the computer with the meeting being early and it will be included in next month's report. Please disregard the Fuel Report as it is incomplete.

Board Comments: Director Kalvans discussed how it was his understanding that the two top fire leaders of the County retired. Fire Chief Rob Roberson advised that Chief Scott Jalbert, the County Chief for San Luis Obispo and the County Fire Chief for CAL FIRE Unit retired on December 12, 2020. There is a new Chief in his place, but he has not had an opportunity meet him yet. A couple of key players in the captains ranks, the San Luis Obispo Communications Director John Aguilera also retired around that same time. Fire Chief Rob Roberson advised that the new Fire Chief will be brought up to speed through the Fire Chiefs Association.

Public Comments: None.

X. **CONSENT CALENDAR:**

1. **Discuss, Review and Approve Resolution No 2020-45 establishing calendar year 2021 Regular Board of Director Meeting Dates**

Recommendation: Hold meetings on 4th Thursday of every month. Exhibit A was reviewed.

Public Comment: None

Director Sangster made motion to approve Resolution 2020-45. Director Kalvans seconds the motion.

Motion was approved by a Vote of 4 AYES 0 NOES 1 ABSENT

XI. BOARD ACTION ITEMS:

- 1. Review, Discuss, Receive and File the Enumeration of Financial Report for November 2020.** Claims Detail Report Presented by Interim General Manager/Fire Chief Rob Roberson. Mr. Roberson advises that not all reports have been reconciled due to computer issues. They will be January's Agenda.

Board Comment: Director Kalvans mentioned that there was no staff report in the board packet. Fire Chief Roberson stated that when he asked for the claims detail the staff report was not pulled up and he did not see that either. Director Sangster asked if the item should be titled "Review, Discuss, Receive and File the Claims Detail Report". Discussion ensued.

Public Comment: None

Director Sangster made motion to table the item. Director Kalvans seconds the motion.

Motion was approved by a Vote of 4 AYES 0 NOES 1 ABSENT

- 2. Discuss the potential sale of real property and authorize the General Manager and Director of Utilities to negotiate with the interested party.**

Recommendation: Authorize the General Manager and Director of Utilities to negotiate the potential sale of real property. Presented by Director of Utilities Kelly Dodds. Property between Mission Street Alley and 13th Street. The property is approximately 25 ft. x 33 ft. and is currently vacant. At one time it had a well and well equipment. The party who bought the adjacent property wants to purchase or somehow acquire this property to make his plans for his property more cohesive. At the advice of his attorney the Board would need to authorize someone to negotiate with the party. Just looking to bring information back to the Board after Closed Session.

Board Comments: Director Kalvans stated that he would vote no coupled with the size of the property and the fact that it would never be used for a well station. Director of Utilities Kelly Dodds advised that he did not see that the property would have any usefulness to the District in any form as storage space, a well, a well pump station, or anything. It is not in a location where it could be used for anything. Director Kalvans discussed his concern that many people buy vacant lots in the area and flip the property; and that if a tree was planted on the property how much the City could receive in taxes. Director of Utilities Kelly Dodds interjected that the potential party does want to develop, and that the property would be landlocked. There are trees already on the property and if the community was to create a space for a park it would take more than \$368 in property tax that the city would receive every year to maintain the park. Director of Utilities Kelly

Dodds does not see that this particular piece of property would be beneficial in that way. Interim General Manager/Fire Chief Rob Roberson stated that one thing to look at is the well site and now there is an interested party who is interested hopefully to develop the property. If we do not allow the interested party to purchase the property, then they would not be interested in developing the property with the rest then we are preventing development in that area. Director Kalvans would like to have a clause in the contract that states the interested party must develop the property within a set number of years because he does not want to see another vacant lot be flipped. Board Clerk Tamara Parent advised that the matter had to be brought up at the General Meeting so that it could be discussed during Closed Session. Director Sangster agreed that he does not want to hinder development and hold on to a property that is essentially worth nothing. Director Gregory brought up that the development is in jeopardy. Yes, the property is purchased and yes it gets flipped but sometimes the property gets flipped because of regulation and accessibility to utilities. Not the fault of developers is they cannot make development work. Director Sangster adds that development is also hinged upon how committed the interested party is to develop the three-lot property. Needs to be some idea of the assurances. Director Gregory is in agreement with the Director of Utilities and the Interim General Manager to negotiate with the interested party. She does not feel the need to get the attorney involved in the negotiations. Fire Chief Rob Roberson discussed that it would be an advantage to sell it because a smaller lot has no vital purpose to the community, and it would be holding the interested party up from land that he has purchased around it. Assistant Fire Chief Young stated that the project could be stalled when the interested party has funding and wants to develop property in town, in a prime location at no cost to the District, which would enhance the community and we cannot move forward because of community resistance. Director Kalvans requested that a one paragraph clause be written in the contract that states the interested party develop the property within 15 years. Mr. Dodds advises that the interested party has purchased numerous parcels with the intent to develop and they are only asking for permission to discuss with the interested party to see what it is worth, what it is worth to the District, and would it be feasible to either side. Conditions would come back to the Board. If the Board wanted a condition that the property be developed in 15 years, that is something we are asking for authorization to discuss with the interested party. Director Roney agreed with Director Gregory and he does not see any advantage to delaying and negotiating with the interested party any further. Director Kalvans requested that Director Sangster attend the meeting with the interested party. Attorney Erin Dervin did not see that it would be a problem as long as Director Sangster stayed within the normal realm of topics and checked with the Board's general guidance in mind. Director Sangster stated that he is happy to participate if the Board chooses. Director Gregory inquired as to the number of units the interested party wants to develop. Director of Utilities Kelly Dodds advised that the interested party intends to develop the property into commercial, as far as the number of units, the interested party does not have a drawn-out plan. Director Gregory asked if the problem with the natural gas was an issue. Director of Utilities Kelly Dodds stated that the interested party was leaning more towards an office or retail space, not a restaurant. The one Director Kalvans referred to was a restaurant with commercial space above and they had gotten all the way through planning when they discovered there was no natural gas. They were not willing to reconcile the gas problem and was not willing to go through with the planning.

Public Comment: None

Consensus of the Board

Motion by Director Roney to leaving negotiations of potential sale of real property with the General Manager and Director of Utilities. Director Gregory seconds the motion.

Motion passed 3 AYES 1 NOES 1 ABSENT

- 3. Continued discussion on the Fire Department Temporary Housing Unit.** Presented by Assistant Fire Chief Scott Young. The background has not changed. The idea is to get a double wide module home on the four lots that would be used for the firework sales. Assistant Fire Chief Scott Young met with the owner. There are four lots and an easement that runs around the back on October 13th. He was very receptive to the thought and gave us an offer of about \$400 per month for the four lots. That totals \$4,800 annually for one annual payment. Mr. Keller did forward a draft Lease to me and I am proofing it and massaging the terms a little bit. Some of the entities were not listed properly and I wanted to make sure that the easement that runs along the east side of the railroad tracks and the fire station and to our lot to the north is included. There may be five parcels. Director Sangster stated that we are going to count the parcels and the easement. Assistant Fire Chief Young stated that right now Mr. Keller has the four lots and that easement as well. The terms are as we discussed previously \$400 per month at \$4,800 annually with two extensions and the three years. He did have a slight increase in cost after the three years. Assistant Fire Chief Young did not have the numbers in front of him because he was not prepared to present that to the Board at this time, but he will have it next month once he reviews documents, forward it for proof and then have it in next month's staff report. Basically, at this point he is looking for a consensus that this sounds reasonable at \$400 per month and proceed with putting together a package to price out the building and get a turnkey product for the building. Assistant Fire Chief Scott Young has had a discussion with the Director of Utilities that everything will be on a temporary basis and once we are no longer leasing the property everything would be put back to the way it was. The lease would be a two-year lease and May/June would be a good commencement day. The unit is a pretty simple unit. Director Kalvans wanted to ask about trees on the lots. Assistant Fire Chief Young stated that there are trees on the lots, they are not being maintained and they are falling on Pastor Mike's vehicle as he is bringing fruit boxes to us. The trees need to be maintained. The trees belong to the County and we would leave the property in better condition. We would put some road base down to keep the Sheriff's vehicles out of the mud.

Board Comments: None

Public Comments: None

Information item only

Board Consensus is to allow Assistant Fire Chief Scott Young to continue with Fire Department Temporary Housing Unit.

IX. BOARD COMMENT:

Director Roney stated that he was honored and thankful to be in attendance. Director Sangster appreciated Director Roney being on the Board. Director Kalvans stated that he and Director Sangster had a Zoom meeting with county counsel regarding Code Enforcement issues and health and safety in the community. On December 8th, the County had a meeting and two items pertained to the community. The road impact fee was expanded to include the entire San Miguel area and outside the CSD boundaries. The county has approved putting two traffic signal stop signs in the community. One at River Road and one at Mission. That is part of our capital plan for roads. The cost will be 1.3 million per intersection. there is no start date. Is there anything that the Board members can come up with for economic funding? There was discussion regarding stop signs vs. stop lights. Director Kalvans asked Assistant Fire Chief Scott Young about a weather station. Mr. Young stated that he would look into it again to have a weather station. Director Kalvans also discussed our Gateway signs are dark at night once the sun goes down. The north gateway sign has a cobra head light next to it and was wondering what could be done to have a dual head light directly in front of it. Director of Utilities Kelly Dodd stated that would be a conversation to have with CalTrans. If it is something that the Board wants to pursue then he could go down that path. Director Kalvans said that it would be nice to light the Gateway paths and that all the other Gateway signs have lights. Director Sangster mentioned having solar lights.

Public Comment: None.

X. ADJOURNMENT TO NEXT MEETING: Adjournment at Approximately 8:45 p.m.