



SAN MIGUEL COMMUNITY SERVICES DISTRICT BOARD OF DIRECTOR & GROUNDWATER SUSTAINABILITY AGENCY

Rod Smiley, President Raynette Gregory, Vice-President
 Berkley Baker, Director Anthony Kalvans, Director Owen Davis, Director

REGULAR BOARD OF DIRECTORS & GROUNDWATER SUSTAINABILITY AGENCY MINUTES

**6:00 P.M. Opened Session
 SMCS D Boardroom 08-22-2024**

1. **Call to Order:**
 At: 6:01 PM
2. **Roll Call:** *Rod Smiley, Raynette Gregory, Anthony Kalvans, Owen Davis*
 ABSENT: *Berkley Baker*
3. **Approval of Regular Meeting Agenda:**
 Director Kalvans arrived at 6:07 P.M.

Motion By: Raynette Gregory

Second By: Rod Smiley

Motion: To Approve

Board Members	Ayes	Noes	Abstain	Absent
Raynette Gregory	X			
Rod Smiley	X			
Owen Davis	X			
Berkley Baker				X
Anthony Kalvans				X

4. **Pledge of Allegiance:**
 Lead by Director Smiley
5. **Public Comment and Communications for items not on the agenda:**
 Greg Grewal a Creston resident spoke about the Groundwater item needing to be in the GSA portion of the agenda.
6. **Special Presentations/Public Hearings/Other:**

1. **Public Hearing; Consider adoption of the Mitigated Negative Declaration prepared by SWCA for the Machado Wastewater Treatment Facility Upgrade and Recycled Water Distribution Project by RESOLUTION 2024-41.**

- Conduct a Public Hearing, in accordance with the requirements specified by Public Resources Code section 2100et. seq., for public comment or opposition to the proposed project.
- Discuss and consider RESOLUTION 2024-41 regarding the acceptance of the Mitigated Negative Declaration.
- Adopt RESOLUTION 2024-41 making all necessary findings to receive the report.

Director Smiley opened the Public Hearing related to the adoption of the Mitigated Negative Declaration (MND) for the Wastewater Facility upgrade and the Recycled Water Distributions. This item was presented by General Manager Kelly Dodds explaining that the District is obligated to comply with the California Environmental Quality Act of 1970 (CEQA). The District contracted with SWCA Environmental Consultants (SWCA) to have SWCA prepare a comprehensive analysis of the potential environmental impacts of the project and to guide the District in ensuring compliance with CEQA. An initial study was prepared for the proposed expansion and upgrade. The District had two parties present comments, County of San Luis Obispo, and Murray Powell a Templeton resident; both with no significant changes. The County of San Luis Obispo had a question regarding the water usage and asked that the District have a Native American present with the Archaeologist. The Initial Study determined that the project could have a significant effect on the environment, but there were revisions to the project to ensure that the significant effects identified are mitigated. Once a MND is prepared, CEQA requires that the lead agency hold a public hearing to receive comment on the proposed MND.

Board Comment: Director Davis wanted to know specifics on the Wastewater Treatment Facility upgrade and the Recycled water pipeline, and what the "project" was. General Manager Kelly Dodds explained that the recycled portion of the project is attached to the treatment facility, but recycled water is considered the "Project", and that the WWTF upgrade has been presented to the Board of Directors multiple times. The documents being proposed tonight are the environmental impact for the recycled water project and clarified the information in the environmental impact report.

Director Davis explained that he would like more clarification on where and what directions the pipes would be going, and thought that there should be more of a presentation to the Board. General Manager explained that all the information and maps are provided in the Board Packet through a "Link" to the environmental package on the District website, clarifying that the environmental report was around 1,500 pages and that Director Davis might have missed the link. General Manager gave a brief description of the recycled water line project.

Director Davis asked who was paying for the project, who we are selling the water to and what would be the cost of the recycled water. General Manager Kelly Dodds explained that the project is mostly grant funded, and California State law is that we can only charge what it cost to treat the water, and the cost would be negotiated.

Discussion ensued about the WWTF upgrade and the recycled water.

Director Davis asked if the General Manager knew what the treatment costs would be for the recycled water to be used in irrigation for the vineyards, and voiced that he wanted to know how much the vineyards where going to be paying.

General Manager Kelly Dodds explained that the treatment process that has been proposed for the WWTF upgrade has not changed. The District will be putting the cost to process recycled water to be paid by the end user. Discussion on the benefits and cost of the recycled water ensued.

Director Davis feels that the cost to the end user should be disclosed to the public, before the project gets started.

District General Counsel explained that there would be a negotiation with the contract for serving the water, and that it could compromise the negotiations if discussed in public.

Director Kalvans explained that the recycled water project has been along time coming, with years of sewer planning. This project is mostly grant funded through the Groundwater Sustainability Agency and voiced his supports of the recycled water line.

Director Smiley opened Public Comment

Public Comment: Greg Grewal a Creston resident spoke about not disclosing the end user cost and discussion that the Grant funds where to recharge the Paso Basin as a whole.

Director Smiley Closed the Public Hearing

Board Comment: Director Kalvans explained that the State does not care about political boundaries and is interested in geological boundaries. Use of groundwater does not just stop at the district boundaries and feels that it is important that the District works with other partners to stabilize the Basin.

Director Davis voiced that Director Kalvans did not make any sense, and explained that the discussion is not on purple pipe, but the discussion is on how much it is going to cost the District, in his opinion a lot of money, without even know what we can sell it for. Director Davis explained that he feels that the wastewater should go back into the Basin through the perk ponds, and is not in favor of the recycled pipeline.

Director Kalvans voiced that the problem with the using the perk ponds for recharge is that water goes into the Salinas River and North away from the area. Director Kalvans voiced his frustrations on discussing this repeatedly over the last fifteen years; and the lack of knowledge by other Directors on all the ways this recycled water project that San Miguel is doing will help stabilizing the Basin.

Motion By: Raynette Gregory

Second By: Anthony Kalvans

Motion: To Approve Resolution 2024-41

Board Members	Ayes	Noes	Abstain	Absent
Raynette Gregory	X			
Rod Smiley	X			
Anthony Kalvans	X			
Owen Davis		X		
Berkley Baker				X

7. Non- District Reports:

1. San Luis Obispo County Organizations

Verbal/Report

Sergeant McFarland, from the Sheriff's Office North Station gave report on calls for service for July 2024. North Station calls where down by -22% and San Miguel's calls where down by -19% in July 2024. Sergeant McFarland explained that North Station had responded to multiple reports of grass and structure fires in the general area of San Miguel in July.

Board Comment: None

Public Comment: None

2. Community Service Organizations

Verbal

Scott Young President of the San Miguel Firefighters Association (SMFA), explained that there is a scheduled Blood Drive for September 11, 2024. from 2:30 PM to 6 PM.

September 14, 2024 SMFA will be partnering with Paso Robles Firefighters for the "9/11 Memorial Stair Climb" at the Paso Robles Event Center. All are welcome with all proceeds going to the Alisa Ann Ruch Burn Foundation's Champ Camp.

Director Smiley voiced that he had spoken with the Chairman of the Pioneer Day Committee and had some ideas for a better turn-out for the San Miguel Sagebrush Day's Parade.

Director Kalvans explained that the San Miguel's Lion's Club will be hosting the annual "Old-Timers BBQ" and that it will be on Sunday, August 25th at the San Miguel Park.

Board Comment: None

Public Comment: None

3. Camp Roberts—Army National Guard

Verbal

None

Board Comment: None

Public Comment: None

8. Staff & Committee Reports - Receive & File:

1. General Manager

Receive report

General Manager Kelly Dodds, explained that the District had three Board Seats available for the November 5th election and did have three community member's apply. Community members Ashley Sangster, Brendin Beatty, and John Green and explained that there will not be an election and all three will be appointed.

Board Comment: None

Public Comment: None

2. District Counsel

Receive verbal report

District General Counsel Pritchard, had nothing to report.

Board Comment: None

Public Comment: None

3. District Utilities

Receive and file

General Manager Kelly Dodds submitted report as written and asked for any questions.

Board Comment: Director Gregory asked about the Household Hazardous Waste Facility (HHWF). General Manager Kelly Dodds explained that the District is working with Integrated Waste Management Authority (IWMA), and should have more information soon. It was explained that San Miguel would be the only non-landfill area in North County to have a HHWF. Staff will bring back information on a timeline per request.

Director Gregory asked about the proposed San Miguel Community Clean up dates. General Manager Kelly Dodds explained that there is a potential date set September 20th-

21st and will be held at the Senior Center. General Manager Kelly Dodds explained that tires, and hazardous waste are not accepted at this event.

Director Kalvan asked how the San Miguel Mattress Recycling, and E-Waste was going. General Manager Kelly Dodds explained that the E-waste is slow, but mattresses are steady and are picked up to be recycled every four months from Bye-Bye Mattress.

Director Davis spoke about what he calls "Honey Hut Trucks" revenue and asked why the District would want to be part of hosting a Household Hazardous Waste Facility (HHWF). Director Davis voiced that he does not want San Miguel to be a dumping site for everyone else in the County, and feels that we are being forced into it.

General Manager Kelly Dodds gave examples of why a HHWF would make San Miguel a better, cleaner town, and explained again that the District does not accept what Director Davis calls "Honey Hut Trucks" also called portable toilet waste. General Manager clarified that the District does not accept that kind of material and only accepts Residential Septic Waste, and explained that portable toilet material is not accepted because it has so many chemicals in it that will destroy the biology of the Wastewater Plant, and that he would not risk that. The District does accept septage waste on a limited basis.

Discussion ensued on Septage Waste revenue and recycling.

Director Davis explained that the General Manager has said in the past that no other Wastewater Facility in the County takes septage, and asked then why does San Miguel have to take it; voicing his opinion that there must be something wrong with taking it.

General Manager explained that the only other place he is aware of that take septage is Santa Maria, or Lost Hills.

Director Davis feels that they can take it there then, and that it becomes the Districts problem if the General Manager is receiving sewer material for everywhere in San Luis County. The General Manager explained the requirements of taking septage, and that all of the septage companies are required to log where it is coming from and to do testing on the contents.

Director Gregory voiced that we could probably increase the cost to the companies and they would still bring it, and voiced that she is in favor of taking septage and having a HHWF recycling program. Director Gregory explained that it only helps the community.

Director Kalvans explained that accepting septage is a revenue stream and reminded other directors that a large part of the San Miguel Community is still on septic, and since not all of our community has converted over to sewer then this can only benefit the people in the community.

Public Comment: None

4. Fire Chief Report

Receive and File

Fire Chief Scott Young submitted report as written and asked for any questions.

Board Comment: None

Public Comment: None

9. Consent Calendar:

Public Comment: Greg Grewal a Creston resident spoke about the grant funds, and feels that the funds should be used for a more constructive and beneficial project for the area. Mr. Grewal spoke about the vineyard that would be receiving the recycled water, and provided comments on how that would effect the Paso Water Basin.

Murray Powell a Templeton resident spoke about Consent Item 9.5, and the layout of the Agenda and Board Packet.

Board Comment: Director Davis asked to pull consent items 9.3, 9.5, 9.6, and 9.8 for

discussion.

Public Comment on items 9.1, 9.2, 9.4, 9.7, 9.9, and 9.10: None

Motion By: Raynette Gregory

Second By: Anthony Kalvans

Motion: To Approve Consent Item 9.1, 9.2, 9.4, 9.7, 9.9, and 9.10

Board Members	Ayes	Noes	Abstain	Absent
Raynette Gregory	X			
Rod Smiley	X			
Anthony Kalvans	X			
Owen Davis	X			
Berkley Baker				X

1. 6-27-2024 Draft San Miguel CSD Board of Directors meeting minutes

Receive and file

2. 7-25-2024 Draft San Miguel CSD Board of Directors meeting minutes

Receive and file

3. Amend the District’s Conflict of Interest Code by RESOLUTION 2024-33

Review and approve an amendment to the current policy and adopt RESOLUTION 2024-33. 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. Discussion on Item #9.3 Conflict of Interest Code was presented by General Manager Kelly Dodds, and explained that the only change to the Districts Conflict of Interest Code is a title change from Board Clerk/Accounts Manager to Board Clerk/Executive Assistant. Director Kalvans explained that it is required by law that the District has to do a review of the Conflict of Interest code.

Davis asked for clarification on the changes that are in the Conflict of Interest code. General Manager explained that the Conflict of Interest Code is reviewed semi-annually and is required to be sent to the San Luis Obispo County for approval and basically it is about who fills out the FPPC 700 Form, and that there was only one change.

Public Comment: Grewal spoke about a conflict of interest within the Paso Basin Cooperative Committee Board.

Motion By: Anthony Kalvans

Second By: Raynette Gregory

Motion: To Approve Consent Item 9.3, by Resolution 2024-33

Board Members	Ayes	Noes	Abstain	Absent
Raynette Gregory	X			
Rod Smiley	X			
Anthony Kalvans	X			
Owen Davis		X		
Berkley Baker				X

4. Designation of equipment as surplus by RESOLUTION 2024-37

Approve RESOLUTION 2024-37 designating listed property as surplus and authorize the Fire Chief to dispose of that property in accordance with the District's Surplus Equipment policy.

5. REQUEST FOR BIDS -- San Miguel Recycled Water Pipeline Project.

Authorize the General Manager to release a Request for Bids for the San Miguel Recycled Water Pipeline project.

Discussion on item #9.5 Bids Recycled Water Pipeline Project was presented by General Manager Kelly Dodds explained that the item is to authorize the release of plans and specifications to receive competitive bids for the Recycled Water Pipeline Project from San Miguel Machado Wastewater Plant to Vino Farms.

Board Comment: Director Davis explained that he feels that before the Bids are released the Board should know what the contractors would be bidding on and would like to see exactly where this pipeline would be going. General Manager Kelly Dodds asked if Director Davis was able to review the items in the Board Packet, and explained that there is a "Link" that takes you to all the plan specifications. It was explained that everything for all three Bid packets were put in links to "Plan Room" site and just the environmental for one project is over fifteen-hundred pages.

General Manager gave a brief description on the project specifications.

Public Comment: Greg Grewal a Creston resident voiced that he was in favor of bidding out this project. Mr. Grewal spoke about Vino Farms/Gallo and how much they make in a year.

Murray Powell a Templeton resident voiced that he was in favor of the bid packet, and would have liked to have a map of the site plan at the meeting. Mr. Powell explained that he has discussed this project with the General Manger in the past about this project.

Board Comment: Director Kalvans discussed the loss of the San Miguel Ranch project and how that has effected the San Miguel Community.

After Director Davis motion to postpone for more information, and the motion failed. General Manager Kelly Dodds explained that he would be glad to review the project with Director Davis, and offered to set a time to meet.

Motion By: Anthony Kalvans

Second By: Raynette Gregory

Motion: To Authorize Consent Item 9.5

Board Members	Ayes	Noes	Abstain	Absent
Raynette Gregory	X			
Rod Smiley	X			
Anthony Kalvans	X			
Owen Davis		X		
Berkley Baker				X

Motion By: Owen Davis

Second By:

Motion: To Postpone Consent Item 9.5, for more information

Board Members	Ayes	Noes	Abstain	Absent
Berkley Baker				X

6. REQUEST FOR BIDS -- San Miguel Alley (#6020) Waterline Relocation Project

Authorize the General Manager to release a 'Request for Bid' for the San Miguel Alley (#6020) Waterline relocation project.

Discussion on Item #9.6 Bids San Miguel Alley (#6020) Waterline Relocation Project was presented by General Manager Kelly Dodds updating the Board that this project was approved many years ago, and the District was awarded a grant for \$300,000 by the Integrated Regional Water Management (IRWM) for the replacement of the water line in the San Miguel Alley #6020 at Mission Street and L Street, from San Luis Obispo Road to 10th Street. This would be replacing a water line and all the services in the construction portion of the alley. The plans and specs are provided in links.

Board Comment: None

Public Comment: None

Board Comment: After vote on Item 9.6 Director Kalvans voiced that he could not understand why any Director would vote against repairing the Districts infrastructure.

Motion By: Raynette Gregory

Second By: Anthony Kalvans

Motion: To Authorize Consent Item 9.6

Board Members	Ayes	Noes	Abstain	Absent
Raynette Gregory	X			
Rod Smiley	X			
Anthony Kalvans	X			
Owen Davis		X		
Berkley Baker				X

7. REQUEST FOR RFP - Mission Gardens Lift Station Flood Mitigation

Authorize the General Manager to release a Request for Proposals (RFP) for the Mission Gardens Lift Station Flood Mitigation

8. Revise Water, Wastewater, Streetlighting and Solid Waste Will Serve application by RESOLUTION 2024-34

Review and approve RESOLUTION 2024-34 adopting revisions to District's Utility Will Serve application for Water, Wastewater, Lighting, and Solid Waste

Discussion on Item #9.8 Revision of Water, Wastewater, Street-lighting and Solid Waste Will Serve Application was presented by General Manager Kelly Dodds explaining that this is a routine item to update the Districts Utility Will Serve Application, no cost changes were proposed. Changes are only formatting, clarifying requirements, and simplifying the application.

Board Comment: None

Public Comment: None

Motion By: Raynette Gregory

Second By: Rod Smiley

Motion: To Approve Consent Item 9.8 by Resolution 2024-34

Board Members	Ayes	Noes	Abstain	Absent
Raynette Gregory	X			
Rod Smiley	X			
Anthony Kalvans	X			
Owen Davis	X			
Berkley Baker				X

9. Approval of RESOLUTION 2024-35 adopting the 2022 County of San Luis Obispo Public improvement standards and drawings with specific additions and modifications, and specific District standards for public improvement standards within District Boundaries.

Approve RESOLUTION 2024-35 adopting the 2022 County of San Luis Obispo Public improvement standards and drawings with specific additions and modifications, and specific District standards for public improvement standards within District Boundaries.

10. Machado WWTF Construction grant/ loan authorized applicant for Division of Financial Assistance by RESOLUTION 2024-36

Approve Resolution 2024-36 authorizing the General Manager to sign and submit applications for grants and loans, on behalf of the District, for the purposes of securing funding for the Machado Wastewater Treatment Facility Expansion/ Upgrade.

10. Board Action Items:

1. Monthly Financial Reports for July 2024 (Review only)

Review the DRAFT July 2024 Financial Reports.

Item was presented by Financial Officer Michelle Hido, July Financials are pages 162-208. It was explained that the District is still in the process of closing the 2023-24 Fiscal Year, and that the District has had their first appointment with the Auditors and the second one is scheduled for September. Mrs. Hido pointed out that on page 192 of the Board Packet is where the Directors can see the income for "Wastewater Receiving" that was discussed earlier by Director Davis, asking about the revenue from the Septage truck deliveries, and that there is a line item for Wastewater Receiving in every financial packet.

Board Comment: None

Public Comment: None

2. Approve RESOLUTION 2024-38 authorizing a rate increase for construction hydrant meter usage. (Approve by 3/5 vote)

Approve Resolution 2024-38 approving a rate increase from \$5.55 to \$5.75 per HCF for construction hydrant meter usage effective September 16th 2024.

Item was presented by General Manager Kelly Dodds explaining that this item is to update the Hydrant Construction water usage to mirror the non-residential increase from \$5.55 to \$5.75

Board Comment: Director Davis asked if the majority of water used with District Hydrants are from contractors, and does the District provide the meters? General Manager

clarified that hydrant meters are for contractors and that the District rents out the meter. It was explained that the District is increasing the usage price to match what the rest of the community is paying for water.

Public Comment: None

Motion By: Raynette Gregory

Second By: Anthony Kalvans

Motion: To Approve Resolution 2024-38

Board Members	Ayes	Noes	Abstain	Absent
Raynette Gregory	X			
Rod Smiley	X			
Anthony Kalvans	X			
Owen Davis	X			
Berkley Baker				X

3. San Lawrence Terrace (SLT) Well control repair authorization and budget adjustment RESOLUTION 2024-40 (Approve by 3/5 vote)

Review and approve RESOLUTION 2024-40 authorizing the General Manager to negotiate and contract for San Lawrence Terrace (SLT) well control repairs and authorize a budget adjustment to the Fiscal year 2024-25 operational budget for the Water fund, object 518. Item presented by General Manager Kelly Dodds explaining that this is to authorize the General Manager to negotiate a contract for the San Lawrence Terrace (SLT) Well control repair from a "soft start" to a Variable Frequency Drive (VFD). General Manager Kelly Dodds updated the Board that the long-term plans for this Well will require the installation of a VFD which will enable the Well to run at a variable flow to meet the needs of the District. The item will also authorize a budget adjustment increase to the to Water Project SLT Well in the amount of \$22,167.

Board Comment: Director Kalvans voiced that he is frustrated with this Well and that it has had issue after issue.

Director Davis explained that he feels that the VFD system is a good system to convert to, and expressed that the District is always having problems with the pressure on the Terrace, and provided comments. General Manager discussed how the pump is being used for a pressure increase on the Terrace, and provided comments on the system.

Discussion ensued on the pressure at the Terrace, how the VFD works, and the future of the SLT Well.

Public Comment: None

Motion By: Rod Smiley

Second By: Raynette Gregory

Motion: To Approve Resolution 2024-40

Board Members	Ayes	Noes	Abstain	Absent
Raynette Gregory	X			
Rod Smiley	X			
Anthony Kalvans	X			

Owen Davis	X			
Berkley Baker				X

4. Water Well #4 waste discharge relocation authorization, budget adjustment and transfer from Water Capital reserve by RESOLUTION 2024-39 (Approve by 3/5 vote)

Review and approve RESOLUTION 2024-39 authorizing the General Manager to relocate Well #4 waste discharge from the storm drain system to the sanitary sewer and approve related budget adjustment and transfer.

Item was presented by General Manager Kelly Dodds explained to the Board that this Well was constructed in 1994. At the time of Well 4's construction, the San Miguel water system (including all the wells) were under the ownership of the County of San Luis Obispo. Well #4 was constructed with a pump-to-waste line which discharged to the County storm drain system leading to the Salinas River. The storm water regulations have changed significantly over the previous 30 years and the current discharge method is no longer allowed. The County visited San Miguel on July 10th 2024 to survey the storm water system to determine if a connection did exist and the degree of discharge. On August 9th 2024 the District received a Notice to Cease-Illicit Connection and Un-Permitted Discharge. The County is requesting that the District relocate the discharge from the storm drain and connect it to the sanitary sewer system. Connection to the sanitary sewer will require installation of a new manhole at the entrance to the driveway for the Well site, as well as modifications within the Well site to prevent cross contamination and to relocate the above ground Well piping to accommodate those changes. Initial estimates for the proposed manhole work is \$22,520. The additional cost for the work within the Well site is estimated to be \$5,000 to \$10,000 dollars depending on the difficulty of the actual changes needed. While the work within the Well site will predominately be performed by District labor and projected expenses mainly consisting of material cost. It was explained that the work to install a new manhole in Bonita Place would have to be performed by a contractor. The request before the Board is to approve the presented resolution authorizing the General Manager to contract or perform work as necessary to make the required changes to the Well #4 discharge and remove the Well discharge from the County Storm Drain System, approving a budget adjustment to the FY 2024-25 budget for Water Fund in the amount of \$32,000 and authorizing a transfer from Water Capital Reserve to Water Operational Cash in the amount actually expended up to a maximum of \$32,000.

Board Comment: Director Kalvans asked if the County had to do a drain study, and some how still missed this. General Manager explained that there has been a lot of changes by the State of California in storm-water regulations.

Director Davis asked if he was correct that Well #4 waste discharge is currently going into the storm pipe and that it goes to the river. General Manager explained that he was correct. Director Davis also wanted clarification on why the District would not want to pump into the river, providing comments. General Manager explained that water can no longer be pumped into the river due to storm-water regulations, and explained that the County of San Luis Obispo is responsible for Storm Water.

Director Davis expressed his opinion that he would like the District to get a Storm Water Permit, and take the storm water system away from the County of San Luis Obispo. Discussion ensued on becoming a storm water discharger.

Public Comment: None

After Motion from Director Davis, failed for lack of second, Director Smiley allowed more Board Comments.

Board Comment: Director Gregory asked what the cost would be to become a storm water discharger. General Manager Kelly Dodds explained that if the District were to get a permit for discharge to the storm water system, the District would need to get a National Pollutant Discharge Elimination System (NPDES) Permit. For the District to get a NPDES Permit, it would have to go through the County of San Luis Obispo and the State of California, and explained that his best guess would be that the permit would be around \$10k a year, depending on the amount of discharge there actually was. There will also be a cost to the District for any required testing as part of the permit conditions.

Motion By: Owen Davis

Second By:

Motion: To Authorize the General Manager to get a permit to become a storm water discharger from the County of San Luis Obispo and State of California

Board Members	Ayes	Noes	Abstain	Absent
Berkley Baker				X

Motion By: Raynette Gregory

Second By: Rod Smiley

Motion: To Approve Resolution 2024-39

Board Members	Ayes	Noes	Abstain	Absent
Raynette Gregory	X			
Rod Smiley	X			
Anthony Kalvans	X			
Owen Davis		X		
Berkley Baker				X

5. Review and accept Sanitary Sewer Lining and Manhole Rehabilitation condition assessment report.

Discuss and adopt the Technical Memorandum, 'Sanitary Sewer Lining and Manhole Rehabilitation Condition Assessment Report' as prepared by WSC

Item was presented by General Manager Kelly Dodds, who explained that in 2018 the District applied for grant funding to assess the sewer mains and manholes throughout the District. In June 2023 the Sanitary Sewer Lining and Manhole Rehabilitation project grant agreement was completed in the amount of \$366,530. This planning grant funded the videoing and inspection of 87 sewer main sections and 79 manholes. The Grant also funded the preparation of 90% construction plans and application for construction funding. The General Manager Kelly Dodds explained that all the Manholes and Sewer Mains were inspected and graded according to the National Association of Sewer Service Companies (NASSCO's) pipeline assessment certification program (PACP) and assigned a condition score to the defect on a 1 to 5 basis. 87 sewer mains were inspected, of which 31 were assigned a LOF (Likelihood of Failure) score of 4 or more and 79 manholes were inspected, of which 16 were assigned a LOF (Likelihood of Failure) score of 3 or more. The next phase of this project will be to prepare a Preliminary Engineering Report (PER).

The PER is necessary to apply for construction funding, it will contain; background of the project, information on the system, grouping and priority of the projects cost opinions and a Risk Assessment. It identifies the consequences of failure and gives an understanding of the impact a failure would be on the main sections or manholes. The Board is being asked to only review and accept the presented report by consensus.

Board Comment: Director Gregory asked about page 236 of the Board Packet (Figure 4-1 Map of sewer main) and asked for clarification on the scores and color associated with that score, and explained that it looked like the highest priority is in the oldest part of town.

General Manager Kelly Dodds clarified the scale and explained that the purple (6 highest priority) sewer line located near the Mission has been settling and moving. Discussion ensued and the high priorities and how they would be addressed.

Director Gregory asked if any of the work could be done by District employees? General Manager Kelly Dodds explained that the District does not have the equipment or the training for District employees to line manholes, and discussed the things that the District employees could do.

Director Kalvans explained that historically water and sewer lines were put close together, and wanted to know if that had been resolved. General Manager Kelly Dodds explained that generally the water line is on top of the sewer line; but in the alleys they are very close together. Discussion ensued on the "San Miguel Alley (#6020 Waterline Relocation") ensued.

Director Kalvans asked how many situations there were with both a failing sewer line and a failing water line within the District. General Manager Kelly Dodds provided comments and explained that during the inspection they did not see any water intrusion at the joints.

Public Comment: None

Consensus of the Board is to accept the Sanitary Sewer Lining and Manhole Rehabilitation Condition Assessment report.

6. Censure of Director Owen Davis regarding conduct on May 23rd 2024 (Approve by 3/5 vote)

Review and approve RESOLUTION 2024-42 censuring Director Davis for his conduct at the May 23rd 2024 Board meeting.

Director Smiley asked District Counsel to address this item.

District General Counsel Pritchard explained that at the May 23rd Board Meeting, during the water rate action item Director Owen Davis attempted to influence Director Anthony Kalvans' vote on an item before the Board, during a roll call vote, by stating to Director Anthony Kalvans' "you've got an election coming up" right after Director Anthony Kalvans was called to vote and before his vote had been cast.

On June 27, 2024, President Smiley requested a resolution of censure against Director Davis for his engagement in political activity on the dais in an attempt to influence the vote of another director to be placed on a future agenda. President Smiley's request was seconded by Director Gregory.

District General Counsel explained that the District did not currently have a Board Policy on official reprimand, therefore, the Resolution of Censure is limited to a public admonishment of Director Davis' behavior and allows the Board to inform the public that such behavior is not condoned by the Board and is considered a violation of the District Board Members' Handbook. The Resolution of Censure before the Board is mostly to express the Board's discontent with Director Davis's actions.

Board Comment: Director Gregory voiced that she would like to have policy changed in the Board Handbook, to have an official reprimand policy. Director Gregory voiced that this is repeatedly happening.

Director Smiley voiced that he is in favor of having an official policy and hopes to have something put on a future agenda.

Director Davis voiced that as far as he was concerned it is called "Freedom of Speech", and that he did not insult anybody. Director Davis explained that he was just reminding Director Kalvans that there was an election coming up, but did not call anyone names. Director Davis also explained that Director Kalvans is always commenting that he has never voted for a rate increase, and that it was always someone else that raised the rates; voicing he has freedom of speech to say what he wants.

Public Comment: Greg Grewal a Creston resident spoke about expressing different opinions, and explained his experience with the San Luis Obispo County Board of Supervisors "Civility Code" voicing his frustrations.

Board Comment: Director Kalvans spoke about the ongoing harassment he's experienced from Director Davis. Director Kalvans gave a list of examples and explained that he is extremely concerned for his personal safety. Director Kalvans read a statement aloud, and voiced that he would not be running in the upcoming election, but instead would be retiring at the end of his term as a Board member.

Director Davis stated that everything Director Kalvans said in his statement about Director Davis harassing Director Kalvans was a lie.

Director Kalvans voiced that he is submitting all of the proof of Director Davis's Harassment and a statement for the official record.

Director Davis explained that there was no proof and spoke about some of the examples Director Kalvans stated. Director Davis discussed his incident with (previous) Director Ward Roney, explaining that when Mr. Roney walked out he belittled Mr. Davis by saying the he was a "dirty little man". At that time, Mr. Davis a citizen was upset and explained that he bent down and said to Mr. Roney "you want to see how little I am".

Director Smiley explained that the information for the Censure was correct and that there is video, and feels that it was an attempt to intimidate a fellow Director, and that it will not be tolerated.

Motion By: Anthony Kalvans

Second By: Rod Smiley

Motion: To Approve Resolution 2024-42

Board Members	Ayes	Noes	Abstain	Absent
Raynette Gregory	X			
Rod Smiley	X			
Anthony Kalvans	X			
Owen Davis		X		
Berkley Baker				X

Adjourn to the San Miguel Community Services District Groundwater Sustainability Agency (GSA):

At 8:15 P.M

11. GSA Board Action Items:

1. Strategy for Implementation of the Paso Basin Groundwater Sustainability Plan (GSP)

(Discussion only, direction may be provided to Legal or General Manager for future action)

Discuss requirements and options for implementing the Paso Basin Groundwater Sustainability Plan.

Item was presented by District Legal Counsel Pritchard explaining that this item is for discussion only. At the last San Miguel Groundwater Sustainability Agency (SMGSA) meeting the Board had a discussion regarding the future implementation of the Groundwater Sustainability Plan (GSP) for the Paso Basin. The SMGSA Board was encouraged to review the GSP. Counsel explained that they wanted to continue the discussion to gauge if this SMGSA Board would like to continue cooperating with the other Groundwater Sustainability Agencies and how far does this SMGSA Board wants to extend that cooperation.

District General Counsel also explained that as discussed previously the Memorandum of Agreement (MOA) with the Paso Basin Cooperative Committee (PBCC) was meant to be temporary and has exceeded it's usefulness. It was explained that the most cooperative way to move forward is with a Joint Powers Authority (JPA) with the other GSA's, or the SMGSA could also choose to implement it's portion of the GSP responsibilities on it's own. The GSP is for the basin as a whole and it makes sense to continue to cooperate so that the SMGSA does not have to create it's own GSP, and explained that it would be difficult to separate out certain things in the plan. The staff report lays out the initial question; does the SMGSA want to continue coordination of the Paso Basin Groundwater Sustainability Plan, and if so what effort do you want to put into a JPA? District Counsel wanted to know if a JPA was established; how many Board Members should it have, should it be based on GSA's or acreage, and if they should be elected officials or District staff.

Board Comment: Director Kalvans voiced that he feels that the PBCC has outlived it's usefulness, and that there are some valid issues that have been brought up by Counsel. Director Kalvans would like to know why the Upper Salinas-Las Tables Resource Conservation District has not been involved and that he would like to see them involved with the JPA since they are supposed to be conservation experts over the Paso Basin.

General Manager Kelly Dodds explained that the Salinas-Las Tables Resource Conservation District does not do the same thing that the PBCC but would look at bring them into the conversation, going forward if a JPA is formed.

Discussion ensued about decisions that need to be made to move forward.

District Counsel Pritchard explained that this Board needs to decide if they want to move forward with a JPA, and what that would look like for San Miguel's District groundwater sustainability. If the SMGSA does want to be on it's own it will need to update the GSP periodically and/or could choose to cooperate under that plan with the other agencies. It was explained that the other agencies are discussing pooling resources in order to maintain funding. And feels that the whole purpose of their discussion was that they want to gain funding through a JPA, so that each of the other GSA's is not bearing the costs directly out of their own funds but shares the costs. It was explained that it would be the "Groundwater Extractor" that would be bearing the cost of the GSP. It was asked if the SMGSA wanted to continue approving funding on a project by project basis, basically how they have been doing so far, or do they want more of a structure where it is more of a foreseeable cost, and does SMGSA want a seat at the table.

Director Smiley asked about the cost benefit, and asked if the SMGSA was to go alone, would it cost more then being part of a JPA? General Manager Kelly Dodds explained that at this point it is unknown what the actual cost to the District would be. At some level the District is still responsible for participating in an annual report for the GSP. Discussion

ensued on what the District would be responsible for in the GSP and the costs associated. Director Gregory explained that in her opinion the problem would be that the District is paying a percentage of what projects are approved, and the cost depends on what projects get approved.

It was discussed that some of the projects that get approved will not benefit the SMGSA area and Director Gregory also asked what the SMGSA boundaries were, and it was explained that the SMGSA boundaries are the same as the District boundaries.

Director Gregory asked if there was any way that the SMGSA could get swallowed up by another GSA? General Manager Kelly Dodds explained that if this SMGSA was to become part of another GSA; both SMGSA and the other GSA would have to agree to relinquish its area, and accept that area through the LAFCo process.

Director Gregory asked what the cost associated with managing our own GSA/GSP would be and would like to know of other costs and what the responsibilities are for the SMGSA portion of the GSP.

General Manager Kelly Dodds explained that there are two cost avenues; one being the actual management of the SMGSA, and number two what the District needs to do for the annual report. Those costs are projected to be minimal, with this year's projected cost; as part of the PBCC being around \$18k. It was discussed that if the SMGSA was on their own it would be an estimate of \$30k to \$40k a year, but that does not include the five-year review report or any projects.

Discussion on other projects, and what is required as we move toward sustainability of the Paso Basin ensued.

Director Gregory voiced that she is in favor of one board member per GSA, elected and not based on population or acres within the GSA.

District General Counsel Pritchard explained that District staff is looking for general direction, asking the Board if staff should continue bringing the potential of a JPA up for discussion. The unknowns are because most of the GSP requirements are triggered when issues arise within the basin, those are not currently happening. Discussion ensued on the triggers within the GSP.

Director Kalvans voiced his concern with spill over; giving an example that Estrella and River Road has a depletion in groundwater going on that was spilling over into the District and how does that effect the District. General Manager Kelly Dodds explained that the SMGSA is really only responsible for things that are going on inside the District GSA area, unless we do something that effects areas outside the SMGSA boundaries. It was clarified that part of what the JPA would do is carrying on the monitoring efforts that the PBCC is trying to get set-up now, and their other efforts.

Director Kalvans voiced that staff is saying that the JPA should be comprised of elected officials, but wondered what it would be if it was based on a technocratic government structure taking away that political conflict. Comments on elected official being representatives of the people that elected them and staff members having the pressure of keeping their jobs, was discussed.

Public Comments: Greg Grewal a Creston resident gave his opinion about the political conflicts that are happening right now in the PBCC, and how Supervisor Gibson kicked the two elected official off the PBCC Board for political reasons. Mr. Grewal also discussed the allocation of Nacimiento water, State water and how San Luis Obispo Board of Supervisor is meeting with the other GSA's in private.

Murray Powell a Templeton resident spoke about the cost, and the violations that are going on within the MOA. Mr. Powell also spoke about how there is no approved budget and that Supervisor Gibson manipulated the budget to get it approved at the County level, and that

there should not be any funds spent because there is not budget.

Counsel Comment: Counsel Pritchard clarified that the PBCC budget did have some issues but that there is an approved PBCC budget, and explained that it just doesn't have the three line items that were removed by the San Luis Obispo County Board of Supervisors for unknown reasons. All of the GSA's approved the budget but there is some question over the three items that the County Board of Supervisors removed.

Director Smiley asked if the SMGSA approved the budget that counsel was speaking about? District General Counsel explained that, yes this SMGSA approved the budget, then the three items were removed. The funds for those three items can not be spent, due to their removal before the Budget was passed

Counsel encouraged the SMGSA to read Chapter 3 of the GSP, explaining that it lays out the triggers for when you are required to do certain things and what the responsibility is of the GSA's.

General Manager Kelly Dodds explained that the SMGSA's cost this year was our 3% (around 18k).

District Counsel spoke about the MILR Program and discussion ensued.

General Manager stated that the District staff would still move forward and bring back information to the board.

Director Smiley voiced he would like to see the Board made up of elected officials.

Director Kalvans agreed and explained that he would like to see some legal mechanisms and safeguards to the agreement.

Director Davis voiced that he had not learned anything nor gotten any answers during this conversation, and feels that there will be some answers after the September meeting with the presentation by Mr. Powell and Mr. Grewal.

Murray Powell a Templeton resident gave documentation to Board Clerk for disbursement to the San Miguel GSA Board members.

Consensus of the Board is elected to have an official on the Board and one vote per GSA.

Reconvene to the San Miguel Community Services District Board of Directors:

At 9:04

12. Board Comment:

Director Smiley voiced that he would like to have the San Miguel CSD Board Handbook amended to include Censure for members that violate adopted practices and procedures pertaining to Board Meetings, Committee Meetings, Board Powers and Responsibilities included the expected behavior, decorum, ethical duties and other matters. He voiced that he would like to have something with teeth, more than just a reprimand, and language that can be voted on. Seconded by Director Kalvans and added that it should cover the Trainings for District Board Members who do not do their required trainings. Director Gregory and Director Smiley accepted the add on.

Director Smiley would like to add the harassment documentation that Director Kalvans referenced during item 10.6 to the meeting minutes, after redacting any personal information.

Director Davis asked to have page numbers on the Agendas before the day of the meetings. It was explained that it can be sent with the board packet. General Manager Kelly Dodds explained that our program will not add the page numbers, and that would be done by staff. Seconded by Director Kalvans

13. Adjourn to Closed Session/Closed Session Agenda:

Public Comment: None

At 9:10

1. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, § 54957(b)(1)) Title: Fire Chief**

Discussion

2. **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***

Discussion

14. **Report out of Closed Session:**

The San Miguel Community Services District Board of Directors acted to waive privilege, for the cost associated with the Steinbeck v. City of Paso Robles and Eidemiller v. City of Paso Robles cases.

15. **Adjournment to Next Regular Meeting:**

At: 9:45

8-22-2024 Anthony Kalvans Statement

My fellow colleagues:

I am a lifelong resident of this town, I went to our local elementary school, and have been a proud member of the local lion's club for over 21 years. As a person who has spent their youth here, I have a unique experience that has led me to form a different political viewpoint than others in the room. Also, as many of you know, I am an Asian American, with immigrant roots, and I am the only Asian American to have ever served as an elected official for this community.

I can say wholeheartedly that I am extremely concerned about the actions of Director Davis. Director Davis has consistently sought to threaten the safety of myself, my family and others he has disagreed with. The first threat I ever received from him was in September of 2021 (**present screenshot**). In March of 2022, He showed his true colors when I watched Ward Roney, a veteran and first responder, have a medical crisis, the meeting be stopped, our fire chief be asked to perform aid, and the ambulance be called to the meeting. Director Davis callously watched Mr. Roney be at the edge of death and then proceeded to file a complaint against Mr. Roney (**present video and letter if available, SMCS D General Board Meeting 3-24-22 Part 3 of 7 Timestamp: 11:50 minute mark**).

Director Davis' actions have caused the sheriff to be at meetings, and Director Davis' continued behavior has culminated with the May 2024 threat that this board is reviewing tonight. Director Davis along with his associates have sought to silence my voice, even at the meeting last month, Director Davis complained about me talking about critical policy issues, a core part of my elected duty. He has viewed my own life with disdain and showed no remorse after the November 2023 board meeting in which he was called out for inciting hatred, threats, and abuse against those who disagreed with. (**present video link and his response, SMCS D General Board Meeting 11-16-23 Part 1 of 3 Timestamp: 1:48**). His grievances towards myself include complaining about board authorized requests to spend legal time to lower property taxes, legal research to restore youth sports to the community, which would have benefited underprivileged Latino youth, and a rate reform which resulted in a \$2.34 increase to my utility bill (**present water bills**). It is tragic that he views my life as worth less than a candy bar. He has never once backed any of my efforts to increase transparency and instead sought to slander my reputation and told lies about my employment. Spoiler alert, Here is my work badge. (**present work badge**)

My family has discussed this issue at length and believed that if I was to run again my life would have been in jeopardy. I wholeheartedly believe that my civil rights to participate in the electoral process have been violated. Perhaps that is why there will be no election for the CSD Board in November.

I hereby ask that the board move to censure Director Davis and consider any other actions deemed necessary. Director Davis here is your \$2 that you highly prize so much over the life of another human.

November Meeting

<https://www.youtube.com/watch?v=toSzbe5GODk&t=104s>

March Meeting

<https://youtu.be/A9SDciSe-qA?list=PLL5arQpQB3MpjuPcFqN5ZJ4P6GsHVMwEu&t=710>

(If Needed)

August 19 2021 Meeting

SMCSD General Board Meeting 8-19-21 Part 1 of 5, Timestamp: 18:02

<https://youtu.be/rcWiSBWQKqo?list=PLL5arQpQB3MrIM88DOCT8eLtqrkyDkID0&t=1082>

Continued:

SMCSD General Board Meeting 8-19-21 Part 2 of 5

https://www.youtube.com/watch?v=wuFJFwp_Vw&list=PLL5arQpQB3MrIM88DOCT8eLtqrkyDkID0&index=2

San Miguel Ca neighbors

St Joined [> Invite](#)

Write a reply...

Berni Dupre
Now folks here will see some of what goes on..thanks...Crystal...

like Reply 1

Crystal Wilson Admin
Berni Dupre you're welcome.

like Reply 1

Write a reply...

Owen Davis
Dead kalvans

Like Reply 1

Owen Davis
Rigged out of control meeting

Like Reply 1

Write a reply...

Write- 411 jishwet...

About

This page is to inform and discuss anything pertaining to San Miguel. Please be kind! No name calling please! Everyone has different opinions, ... See More

A Private

Only members can see wire's in the group and what they post.

O Visible

Anyone can find this group.

Q San Miguel, California

St General



Anthony Kalvans

To: Kelly Dodds; Christina M. Pritchard + 2

Tue 2/20/2024 8:00 AM [View more](#)



Dear Staff and President Smiley:

I just wanted to report that around 8:20am on Friday February 16 I was getting gas at the San Paso Truck Stop. Mr. Davis pulled into the gas station and pulled up to the pumps closest to the semi-trucks. He noticed my car, backed his truck out of the spot and pulled in directly behind me, but never got out of his truck. Mind you, I was on a pump nowhere near the pump he originally went to. I find his behavior highly concerning as all the pumps were open at the time and his ongoing pattern of questionable behavior.

Sincerely,



San Miguel Ca neighbors

Anonymous member · 12h ·



Water rate increase was postponed for vote until March.



Like



Comment



Send



22

Most recent



Jaclyn Clements

I heard from my mom at Templeton CSD it takes 60% to stop a water increase. We all need to send emails.

10h

Like

Reply



Crystal Wilson

[Jaclyn Clements](#) we should storm the CSD like those who did so at the capital 😊

32m

Like

Reply

Write a reply...



Leo Martinez

So who is truly willing to do something to prevent the increase, other than comment on

Anonymous member's Post



Anonymous member [Author](#)

FILL THE ROOM THURSDAY DECEMBER 14th 7:00
San Miguel seniors center on 12th st
FACT-The CSD was forced out of their own building for unlawful activities.
Let them know ENOUGH is ENOUGH !

[Like](#) [Reply](#)



Crystal Wilson [Admin](#) Top Contributor

Anonymous member comment sharing personal info and their place of employment has been removed. This is a safety concern. Please, be mindful! Thank you.

-Admin-
Gonzalez Luci Crystal Wilson

[Like](#) [Reply](#)



Crystal Wilson [Admin](#) Top Contributor

How many in total were accepted after Dodds rejected the 200+ ?

[Like](#) [Reply](#)



Lisa Henry Antu Top Contributor



Write a comment...



March 27, 2022

Board President Raynette Gregory
PO Box 180
San Miguel, CA 93451

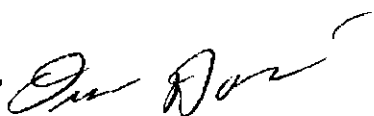
This letter constitutes is a formal compliant regarding the actions of Board member Ward Roney at CSD Regular Board Meeting that took place at the District offices on Thursday, March 24, 2022.

During the meeting, I stood for public comment and addressed the Board. At the conclusion of my comments, Director Roney personally insulted me without cause. Demonstrating respect for one another should be expected protocol and this personal attack is a direct violation of the Brown Act and the provisions listed in the San Miguel Community Services District Board Policies.

The public is expected to uphold a level of decorum in the public meetings held to discuss District business. Board members are bound to also uphold an even greater standard since they serve and represent the public members of the entire community.

Disciplinary action for Mr. Roney is not only warranted, but if no action is taken, will be further insult to me personally. I would like confirmation of receipt of this formal complaint to be noted in the next Regular Board Meeting as well as the intended actions of the District.

Respectfully,



Owen Davis
P.O. Box 391, 1401 Prado Place
San Miguel, CA 93451
(805) 674-5429
onddavis@hotmail.com

Service	Current	Past Due	Balance	Important Messages
WATER		84.05		<p>Current Water Rates: <u>Residential & Non-Residential</u> All Customers Fixed rate - \$32.30 All Usage - \$5.75</p> <p>Note: 1 HCF = 100 Cubic Feet (748 gallons) = 1 unit http://www.sanmiguelcsd.org/</p>
0.00	84.05			
SEWER		135.44		
0.00	135.44			
Totals:		219.49		
0.00	219.49			
				<p>THANK YOU FOR YOUR PROMPT PAYMENT</p>

Annual Water Usage

AUG2023	SEP2023	OCT2023	NOV2023	DEC2023	JAN2024	FEB2024	MAR2024	APR2024	MAY2024	JUN2024	JUL2024
1000	1300	1700	600	1000	1100	1000	800	900	600	1100	1000

Service	Current	Past Due	Balance	Important Messages							
WATER		81.71		<p style="text-align: center;">Current Water Rates:</p> <p><u>Residential</u> First 5 HCF - \$53.09 (Based on Current Minimum) RES next 6 HCF - \$4.77 Res next 12 HCF - \$7.97</p> <p><u>Non-Residential:</u> Non-Res First 5 HCF - \$53.09 Non-Res Next 12 HCF & Higher - \$5.55</p> <p>Note: 1 HCF = 100 Cubic Feet (748 gallons) = 1 unit</p>							
0.00	81.71										
SEWER		135.44									
0.00	135.44			<p>THANK YOU FOR YOUR PROMPT PAYMENT</p>							
Totals:		217.15									
0.00	217.15										
Annual Water Usage											
JUL2023	AUG2023	SEP2023	OCT2023	NOV2023	DEC2023	JAN2024	FEB2024	MAR2024	APR2024	MAY2024	JUN2024
1200	1000	1300	1700	600	1000	1100	1000	800	900	900	1100

Please return this portion with your payment. For ease do not use paper clips or staples. Thank you.