



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
SMCSD Boardroom 01-25-2024**

1. Call to Order:

At: 6:01 P.M (Director Kalvans arrived at 6:04 P.M.)

2. Roll Call: *Rod Smiley, Raynette Gregory, Anthony Kalvans, Owen Davis, Berkley Baker*

3. Approval of Regular Meeting Agenda:

Motion By: Raynette Gregory

Second By: Berkley Baker

Motion: To Approve

Board Members	Ayes	Noes	Abstain	Absent
Berkley Baker	X			
Raynette Gregory	X			
Rod Smiley	X			
Owen Davis	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, Creston resident spoke about letters written to the State of California back in 2019. Mr. Grewal gave a history and information regarding the Paso Robles Groundwater Basin.

6. Special Presentations/Public Hearings/Other:

1. San Miguel Community Services District 2022-2027 Strategic plan one year review (Review and provide direction to staff thru consensus)

Review and discuss the 2022-2027 Strategic Plan, provide direction to staff as appropriate

for any revisions or updates by the Board. Revisions or updates will be agendized for approval at a future meeting.

Item was presented by General Manager Kelly Dodds and Fire Chief Scott Young.

PowerPoint presentation for each section of the adopted Strategic Plan was presented.

Throughout the presentation the Board was asked if they had any questions. Mr. Dodds explained that any changes to the District Strategic Plan will be done by a majority vote.

Board Comment: Director Kalvans thanked staff for the presentation. Director Kalvans spoke about District Transparency and Board Training and how that helps the District. Director Kalvans voiced that he was excited about the Fire Department moving forward with redistricting plans and collaborating with the Sheriff Department.

Public Comment: Greg Grewal, Creston resident spoke about the upgrade to the Wastewater Facility, Court Order, and on-going Steinbeck litigation cost.

7. **Non- District Reports:**

1. **San Luis Obispo County Organizations**

Verbal/Report

Commander Manuele gave report on the call of service for December 2023, with San Miguel increasing calls for service in December by 28% from last year.

Board Comment: Director Davis expressed that he was concerned with Fireworks in San Miguel and explained that drones have worked in other areas. Director Davis wanted to know if that could be possible in San Miguel.

Commander Manuele voiced that drones do work well, but there is a need to implement a Civil Penalty. Commander Manuele explained the difference between a Civil Penalty and a Criminal Penalty, and how the County Board of Supervisors are looking at passing an ordinance that will address this issue. Discussion ensued.

Director Kalvans said that he has been receiving scam email and wants everyone to be aware.

Public Comment: None

2. **Community Service Organizations**

Verbal

Scott Young from the San Miguel Firefighter's Association (SMFA) updated the Board of Directors on the San Miguel Christmas Parade/Santa Visit and the SMFA was able to handout 260 toys. The Annual Sagebrush Day's Parade will be on April 20th starting at noon.

Rod Smiley from the North County Cypress Mountain Masonic Lodge explained that the lodge is working with the County and the Rios-Caledonia Adobe for the new Signage and has had word from the County Parks that they will be bringing heavy equipment to help with the clean up in March.

Anthony Kalvans from the San Miguel Lion's explained that they had a great turn out for the BBQ at the Christmas Parade and thanked everyone who participated. The Lion's should be able to return to the remodeled Community Center this next month.

Public Comment: None

3. **Camp Roberts—Army National Guard**

Verbal

Tamara Parent, Board Clerk update the Board of Directors that the Information Officer from Camp Robert's will be attending the February 22nd Board Meeting.

Board Comment: None

Public Comment: None

8. Staff & Committee Reports - Receive & File:

1. General Manager

Receive report

General Manager Kelly Dodds presented an appreciation plaque to Board Clerk Tamara Parent for her 10 years of loyal dedication and unwavering commitment to the people and District of San Miguel.

Board Comment: Board of Directors thanked Board Clerk

Public Comment: None

2. District Counsel

Receive verbal report

District General Counsel Christina Pritchard had nothing to report.

Board Comment: None

Public Comment: None

3. District Utilities

Receive and file

Item presented by General Manager Kelly Dodds with report submitted as written.

Board Comment: Director Gregory asked for clarification on the "Septic to Sewer Conversion".

General Manager Kelly Dodds explained that the "Septic to Sewer Conversion" is a grant through the State of California to help low-income communities to convert septic systems, due to groundwater contamination . This would bring septic systems that are in San Miguel onto a sewer collection system. San Miguel has properties that are within the main part of San Miguel that are not connected to the sewer, and we also have the entire eastside of the river not connected to the sewer. General Manager Kelly Dodds explained that this grant would not encompass every single property that is not connected to the sewer, but it would encompass the properties that are within a reasonable reach of a sewer main. Discussion ensued about the connections and how the grant would pay for all the design, engineering, and installation/abandonment of the systems.

Director Gregory asked about the non-east side connections, and the main street lots.

General Manager Kelly Dodds explained that this grant is for only existing residences and cannot be used for vacant lots or commercial properties.

Director Baker asked about the status of the San Lawrence Terrace Well, and if it was back up and running. General Manager Kelly Dodds explained that there have been some supply issues and are waiting on one-hundred and sixty feet of pipe.

Director Kalvans asked about the "Septic to Sewer Conversion" and if mixed-use would be considered.

General Manager Kelly Dodds explained that it is for residences and was not aware of any mixed use properties in San Miguel that was not already connected to the sewer collection system.

Public Comment: None

4. Fire Chief Report

Receive and File

Fire Chief Scott Young had to leave the meeting due to a response call, General Manager Kelly Dodds asked for any questions and he could relay them to the Fire Chief when he

returns.

Board Comment: Director Davis asked about the location of vehicle 8601 and voiced that he has not seen it in San Miguel for months.

Director Kalvans asked about the Temporary Housing Unit (THU) and what the status was with the County Planning Department. Discussion ensued.

Director Kalvans voiced that this is one of the reasons he wants to discuss a Planning Commission.

Public Comment: None

9. Consent Calendar:

Board Comment: None

Public Comment: None

Motion By: Berkley Baker

Second By: Raynette Gregory

Motion: To Approve

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

1. 12-14-2023 Draft San Miguel CSD Board of Directors meeting minutes

Receive and file

2. Injury and Illness Prevention Policy routine revision to comply with current law and regulation - RESOLUTION 2024-05

Review and approve RESOLUTION 2024-05 adopting revisions to the District Injury and Illness Prevention Policy.

3. Receive and file Finalized Financial Reports for June 2023 - November 2023 - returned post Audit

Receive and file the enumeration of Financial Reports held for the adoption of the District Audit; June 2023 - November 2023.

4. Designate listed material and equipment as surplus by RESOLUTION 2024-04 and authorize the disposal of that material and equipment in accordance with the District Surplus Policy

Approve RESOLUTION 2024-04 designating listed property as surplus and authorize the General Manager to dispose of that property in accordance with the District's Surplus policy.

10. Board Action Items:

1. Monthly Financial Reports for December 2023 (Recommend receive and file by Board consensus)

Please review, receive and file the December 2023 SMCSO Financial Reports.

Financial Officer Michelle Hido voiced that financials are on pages 406-445 of the Board Packet, and report was submitted as written.

Board Comment: Director Baker asked about the large insurance payments. Financial Officer Michelle Hido explained that they are Worker's Compensation and Property Liability that are all paid at once.

Director Kalvans thanked Mrs. Hido for her work and reminded people that he asked the Auditor about any corruption going on and he voiced that in his investigation of the financials there is no corruption or misappropriation of funds.

Public Comment: None

2. Adopt Mid-Year Operation and Maintenance (O&M) Budget adjustments by RESOLUTION 2024-03 (Recommend approval by 3/5 vote)

Review and approve Mid-Year Budget adjustments for FY2023/24

Item was presented by Financial Officer Michelle Hido explaining that pages 446-455 of the Board Packet are requests for Budget adjustments by Department with a total accounting of proposed Budget adjustment attached.

Board Comment: None

Public Comment: None

Motion By: Berkley Baker

Second By: Raynette Gregory

Motion: To Approve

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

3. Annual Board assessment discussion (general discussion by Board members)

The Board should assess the functionality and performance of the Board.

Item presented by General Manager Kelly Dodds, explaining to the Board of Directors that this item is required under the Board Handbook. The Board shall annually assess themselves, the assessments were sent out by the District Counsel for Directors to fill out, this would be the appropriate time to discuss and reflect on your answers.

Board Comment: Director Davis voiced that he has filled out the assessment and that feels that it is a little unfair how certain Board Members treat other Board Members.

Director Gregory voiced that she had not had time to finish the self-assessment, but feels that the Board works pretty good together, has open discussions and hears each other's opinion. Director Gregory would like a smaller agenda so the Board can have more time for discussion.

Director Smiley voiced that he had finished the assessment and sent it to the District Counsel.

District General Counsel explained that the policy is very vague, and asked if there needs to be a better process. Discussion ensued on what the intent was with this Board self-assessment.

Director Smiley voiced that he likes the communication with the Board and would like for the Board of Directors to be properly prepared before the meeting by reading and

understanding the material before the Board Meetings.

Director Baker voiced that he would like more information in advance; like what will be on the next agenda. Director Baker would like to have items that would have more public comment to be placed at the beginning of the agenda. He feels that the Board is very cordial to one another even if there is a difference in opinions, and that it is appreciated.

Director Kalvans explained that he is the one who pushed this item, and understands that the process is a bit vague, but the intent was to have a check in with Directors to qualify for Board Stipends. Director Kalvans explained that in the past there have been times where Board Members have fought amongst themselves, and he is appreciative of the efforts that the other Directors put in.

Public Comment: Greg Grewal, Creston resident voiced that he comes to speak at public comment and would like more clarification on questions that he asks.

4. Discussion regarding water and sewer services crossing parcel lines.(Discuss and provide direction to Staff)

Discuss District responsibility and property owner responsibility

Item was presented by General Manager Kelly Dodds, explaining that information regarding a property on Mission Street and 11th Street where a water line crosses property lines, was received at public comment. From this public comment, Director Davis, with support from Director Baker, requested an item be placed on a future agenda to discuss the situation at this property and properties throughout the District with similar issues. General Manager Kelly Dodds explained that at this property, the water line crosses another property after it goes through the water meter which is located in the alley. The occupant of the property on Mission and 11th is asserting that the occupant of the property directly behind his (the property that the water line crosses) is stealing his water. At the December Board meeting the occupant of the property indicated that he witnessed the neighbor using his water and that he confirmed that it was going through his meter. The General Manager Kelly Dodds explained that he had previously discussed some options with the current occupants regarding this parcel prior to the Board meeting, which included; investigating where the water was being taken from to prevent additional theft, contacting the Sheriff Department to file a report, pursue civil action against the neighbor, and replacing the service with a water service to the water line in 11th street. Although it is a known issue throughout the District, there is no way to know for sure how many instances there are of water or sewer services crossing one or more parcels before they reach the end user parcel. The General Manager Kelly Dodds explained that every year the District is made aware of issues with services crossing parcel lines, most frequently its sewer lines. The current standards preclude water and sewer lines from crossing parcel lines (without recorded easements), this was not the case when most of the development of the community occurred. For the large majority of the community's history, the various entities that oversaw the installation and construction of the water and sewer lines allowed lines to be installed where they were the cheapest or easiest. Coupled with the limited options to connect to water and sewer mains back then, led to many laterals being installed across parcel lines. General Manager Kelly Dodds gave a brief history of District responsibilities for water and sewer services, and the District's current standards that apply to new construction. Discussion ensued on what the Board can do about water and sewer services crossing parcel lines.

Board Comment: Director Smiley asked if there was any immediate relief for this customer, around his property? General Manager Kelly Dodds explained that it all depends on where the neighbor is allegedly stealing water from; explaining that if it is from a hose bib then replacing the line would not really be changing anything. If the neighbor is

stealing water from in between where the old meter was and where the new meter is then replacing the service with a new service somewhere else would remove that piece. General Manager Kelly Dodds gave the Board a usage history on the property and explained that water being stolen from the service between the two meters is unlikely, not impossible but unlikely. If the service was to be moved, then it would be put in on 11th Street.

Director Kalvans asked if the District had any water locating devices. General Manager Kelly Dodds explained that the District does not have that kind of equipment. It was explained that in this particular case the homeowner has said that he has seen the neighbor using water and that his meter was actively spinning, which would mean that they are using it through something that can be turn on and off. Discussion ensued on tracing down a water line from that meter.

Director Kalvans voiced that policy changes can be made to phase out some of these wonky types of service lines and discussed issues with people tapping into another location. Director Kalvans voiced that if any money is going to be spent it needs to be a long-term solution. General Manager Kelly Dodds explained that the District's current water and sewer ordinances require new services be on the frontage of properties. Discussion ensued on creating a policy or ordinance that if you build anything you would be required to replace your water or sewer connection, and how that would be enforced.

Director Kalvans voiced that he has been working with Director Baker on the rates and would like to look at this process as well, if that would be okay with the rest of the Board.

Director Davis voiced that he met with Mr. Patterson and looked at the set up he has and explained that Mr. Patterson was being billed from the meter in the alley, but has a meter in front of his house. Director Davis asked why Mr. Patterson could not just use that meter. General Manager Kelly Dodds explained that the service was moved to the alley and the one in front of his house is not being read or billed. Discussion ensued on the meters, and General Manager Kelly Dodds explained that if the meters are reading the same, then that would further my theory that water is being taken from somewhere other than that line.

Director Davis voiced his opinion that he feels that it would be an easy fix, because you can trace that metal line.

General Manager Kelly Dodds explained that the District maintains the meter but from the meter to the house is the customers responsibility.

Director Davis explained that at some point the San Miguel CSD put in that original meter and if the CSD put in a different meter for their convenience then the District is responsible for fixing it for the customer.

Director Kalvans asked for clarification on the meter and what would happen if it was shut off.

General Manager Kelly Dodds explained that if the District shut off the meter that is in the alley, then Mr. Patterson would have no water, and if you shut off the old meter Mr. Patterson would have no water.

Director Kalvans discussed design standards.

Director Baker asked about moving the new radio meter to where the old meter is.

General Manager Kelly Dodds explained that he does not recall why they did not replace it at that old meter point, but that old meter is partially under a wall so it could have been that the meter was not accessible to be take out.

Director Baker asked for clarification about the wall the old water meter was under.

General Manager Kelly Dodds explained that there is a block wall at the edge of the property that is on the edge of the meter box, and generally you're able to dig up all around it and replace it as necessary. Discussion ensued about meters and old pipes within the District.

Director Davis voiced that saw that the meter was in there with brass fitting, and that the

old meter still works.

General Manager Kelly Dodds advised the Board that the District is not going to use the old meter. Either we are going to replace the old meter with a new meter and take the chances that we have to remove everything, or we are going to leave the meter where it is. Director Davis said he would like to put the new AMR meter where the original meter was located.

District General Counsel explained to the Board of Directors that they are starting to delve into what actual solutions there are to this problem and explained that there are a lot of legal implications to everything that you are discussing as far as dealing with infrastructure on private property. District Counsel recommends that the Board put together a list of solutions and have a legal evaluation before any solutions are decided on.

Director Gregory asked if there has been an evaluation of the bills and usage. Mr. Patterson explained that he has lived there for one summer and other place he has lived he averages 6 to 8 units of water. Mr. Patterson asked to talk and wanted to give clarification on things the General Manager has said to him. Director Gregory asked Mr. Patterson to wait for public comment.

Director Gregory voiced that she understands that this is an issue that has other implications for the District with the infrastructure being so old.

Director Smiley voiced that he agrees that if the District caused the problem then the District needs to find a way to fix the problem. Director Smiley would like to have the General Manager provide some solutions and costs for each. Then take the information to legal counsel for evaluation of any violations of the law.

Public Comment: Brandon Patterson San Miguel resident voiced that if that line that goes through the neighbor's property leaks or breaks that the property owner is liable for fixing all the damages. Mr. Patterson would like to have the service line moved to the street and voiced that the service line was put through his neighbor's yard was just lazy. Mr. Patterson spoke about the legal implications for water theft, and how he thinks the services should be run to solve the problem.

General Manager Kelly Dodds explained that the option that he had brought up initially was to bring a new service line off of 11th Street, this is what we would be require per our current ordinance and standards. Running a line from the alley meter over to 11th Street, down 11th Street and back over to his meter would be a violation of the County ordinance, explaining that service lines cannot run down the street, unless there is no other way to get there.

General Manager Kelly Dodds asked the Board of Directors if they would like to agendize this to a future meeting.

Director Gregory voiced that the District can't be in violation of the County ordinance, but what can the District do without going onto the other property? General Manager Kelly Dodds explained that realistically if the District was going to move the service, then it should be moved to a new service off of 11th Street. Discussion ensued about the cost.

Director Smiley would like to see this brought back to the Board with a solution to Mr. Patterson property with cost and legal analysis.

Director Gregory voiced that she would like to see the problem made right, because it was the District who moved the meter.

General Manager Kelly Dodds reminded the Board that the District was formed in 2000, and before that was County Waterworks 1, and before that it was multiple separate water groups. Discussion ensued on how this was an inherited problem from before the district was created and there being a need to create a solution.

Consensus of the Board is to table to the February meeting.

5. CONTINUATION OF DISCUSSION AND POTENTIAL ACTION REGARDING THE ADOPTION OF WATER RATES FROM SEPTEMBER 28TH 2023 BOARD MEETING

Pursuant to Article XIII (D) of the California Constitution that San Miguel Community Services District is continuing the discussion regarding the protest ballots submitted and will consider taking action to update the rate structure and increase its rates for water services. (Resolution 2024-01)

Discussion and potential approval of water rate structure change and increase.

Item was presented by General Manager Kelly Dodds, explaining that this is a continuation of the water rates item started at the Public Hearing in September 2023 to continue discussion. The Board has agreed that they like the new structure. Discussion ensued about the future of the District and how the fixed charge might not be enough.

Board Comment: Director Baker explained that he was still not satisfied and would like to table this item for one more month. Director Baker voiced that after looking at all the needs of the District the base rate is too low. Director Baker voiced that the District has paid for large expenses, for legal that have nothing to do with serving customers with water. Discussion ensued on the requirements of Prop 218.

Director Kalvans explained that discussions have been productive and that Director Baker and himself have discussed current rates, capital projects, and would like to have customers understand that they have been working very hard on this item.

Director Gregory asked if major changes were needed, then there would need to be a new Prop 218 and what that cost would be.

General Manager Kelly Dodds explained that there would be a posting cost, and the other cost would be hourly for the consultant to formalize the rate and legal review.

Director Gregory asked if legal fees are being budgeted for as much as you have historically or has that been adjusted. General Manager Kelly Dodds explained that legal fees have been budgeted for less the last several years. The District still has pending litigation and that is in the budget.

Director Davis voiced his opinion that the District has owed legal counsel eight hundred and fifty thousand dollars from litigation. General Manager Kelly Dodds voiced that Director Davis is incorrect and that the District doesn't owe anybody anything except USDA. Discussion ensued with Director Davis clarifying that legal fees were given as a reason for the last rate increase.

Director Smiley voiced that he would like to continue this until the March meeting.

Director Kalvans thanked Director Baker and informed the public that he would like to wait until July for the rates to increase.

Public Comment: Ashley Sangster San Miguel resident spoke and thanked the Board for being thoughtful about this item and discussed the increase for water and sewer rates in 2018.

Motion By: Rod Smiley

Second By: Anthony Kalvans

Motion: To Continue March 28th

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

Owen Davis	X			
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6. Adopt revisions to District water and wastewater Billing policy - RESOLUTION 2024-02 (Recommend review and approve by 3/5 vote)

Review and approve RESOLUTION 2024-02 adopting revisions to the District water and wastewater billing policy.

Motion By: Rod Smiley

Second By: Berkley Baker

Motion: To Table to March 28th

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

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

At 8:24 P.M.

11. GSA Board Action Items:

1. Paso Basin Cooperative Committee MOA amendment #2 (Recommend review and approve by 3/5 vote to approve the amendment at the scheduled PBCC meeting)

Approve MOA Amendment #2 and authorize approval at the next PBCC Board meeting. Item presented by San Miguel General Manager/Alternate on the Paso Robles Cooperative Committee (PBCC) Board Kelly Dodds, explaining that over the past year the County of San Luis Obispo has been acting as the contracting agent for the Paso Basin Cooperative Committee (PBCC). Prior to the County, the City of Paso Robles was the contracting agent. Based on prior feedback from this San Miguel Groundwater Sustainability Agency (SMGSA) Board the PBCC staff has changed the proposal to only allow for the City and County to act as contracting agencies for the PBCC.

Board Comment: Director Kalvans discussed San Luis Obispo County Supervisor Debbie Arnold and Estrella-El Pomar-Creston (EPC) Water District GSA.

Director Davis voiced that he feels that the Board could vote no on this item, and it would not change anything.

General Manager Kelly Dodds explained that right now San Luis Obispo County is acting as the contracting agency but is in violation of the Paso Robles Cooperative Committee Memorandum of Agreement (MOA), this item, if approved would allow the County to do what they are already doing. Discussion ensued.

Director Baker asked General Counsel, if the MOA can be violated what is the point of having an MOA and who is the legal authority over this.

General Manager Kelly Dodds voiced that the PBCC approved the County becoming the contracting agency because Paso City was unable to continue being the contracting agency. The cooperative committee violated its own MOA. Mr. Dodds explained that San Miguel being part of the PBCC is a financial benefit at this point. Discussion ensued.

District General Counsel voiced that the longer you allow the County to operate outside of the MOA for a service that is necessary because Paso City cannot continue to do it, the less meaning the MOA has and more of an argument for the other agencies to argue they need to do the same thing. District Counsel explained that this should be accepted now with specific parameters that only the County and City can only be the contracting agency with no delegation authority. Discussion ensued on acknowledgement of the breach of the MOA and moving forward.

Director Kalvans spoke about being allies with the City of Paso Robles.

Public Comment: Murray Powell, Templeton resident spoke about the MOA, and the votes for approving purchasing.

Greg Grewal, Creston resident spoke about the MOA violation, and EPC.

Board Comment: General Manager Kelly Dodds explained for clarification that as the MOA reads; it requires the City of Paso Robles to be the contracting agent and all of the city's purchasing policies, noticing policies, everything they do in purchasing applies to the PBCC. The County would still have to abide by all the purchasing requirements that the city has in place.

Director Baker asked what would happen if San Miguel wanted to be the contracting agency.

General Manager Kelly Dodds explained that if projects came up that were being authorized by the PBCC, as an example the monitoring project then San Miguel would have to put together a Request for Proposal (RFP) that would go back to the PBCC for authorization. San Miguel would have to post and notice the RFP and that would be on San Miguel and our staff. Director Baker asked if San Miguel would get financial reimbursement. General Manager Kelly Dodds explained that the District has not been billed for 3% of administrative costs at this time.

Director Kalvans explained that the the San Miguel GSA was the one that recommended it be the County and City only when this was originally opened to everyone. Director Kalvans voiced that he would like Staff and Counsel to have a discussion with the City of Paso Robles about future breaches with the MOA and make sure that we are on the same page.

Motion by Director Kalvans failed, Discussion ensued on what the SMGSA would like to see and how to move forward. General Manager Kelly Dodds discussed purchasing policies and state law. Discussion on clarification that the County has to follow the City's policies per section 6 of the MOA was discussed.

Director Baker voiced that he is concerned with the breach of the MOA and wants them to know that San Miguel is not happy with that process. Director Baker explained that if the PBCC wanted to change the MOA, it should have been done before the breach, and would like to have some kind of agreement that the MOA is going to be followed and if it is not other agencies will sue them and they have to pay for the legal cost of that litigation.

Discussion ensued on options to move forward.

Motion By: Anthony Kalvans

Second By: Rod Smiley

Motion: To Approve -Failed

Board Members	Ayes	Noes	Abstain	Absent
Rod Smiley	X			
Anthony Kalvans	X			
Berkley Baker		X		

Owen Davis		X		
Raynette Gregory			X	

Motion By: Raynette Gregory

Second By: Anthony Kalvans

Motion: To Table to next meeting

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

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

At 9:09 P.M.

12. Board Comment:

Director Kalvans asked about a timeline to bring back his requested Planning Commission, Gibson recall, Street lighting standards and County Planning department issues.

Director Gregory asked for clarification on when Director Bakers seat would be up for election. Board Clerk, Tamara Parent explained that his seat was an appointment therefore the seat will be up for election in December 2024.

Director Kalvans asked if anyone was attending the California Special District Association (CSDA) Leadership Academy conference.

13. Adjourn to Closed Session/Closed Session Agenda:

Public Comment: None

At 9:12 P.M

1. CONFERENCE WITH LABOR NEGOTIATORS

Unrepresented employee: Board Clerk/Account Clerk Manager

Pursuant to Government Code Section 54954.6

Discussion

2.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, § 54957.6)

Agency designated representatives: District General Manager and General Counsel

Employee Organization: San Miguel Employees' Association

Discussion

14. Report out of Closed Session:

Nothing to report

15. **Adjournment to Next Regular Meeting:**
At 10:15 P.M.