



# Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475

(805) 481-6730

FAX (805) 481-6836

## AGENDA FIRE COMMITTEE MEETING

1655 Front Street  
6:00 P.M.

APRIL 15, 2008

Oceano  
Tuesday

### COMMITTEE MEMBERS

Jim Hill, President  
Barbara Mann, Director

### STAFF

Patrick J. O'Reilly, General Manager  
Fire Chief, Mike Hubert

1. Roll Call
2. Public Comment
3. Approval of Minutes
  - a. March 18, 2008
  - b. April 1, 2008
4. Report of the Fire Operations
  - a. Operations/Review
5. New Business
  - a. PERS Contract  
Discuss PERS Contract for Firefighters
  - b. Human Resource Responsibilities  
Discuss Human Resource Functions relating to the Fire Department
6. Old Business
  - a. Weed Abatement  
Discuss procedures and schedule for weed abatement.
  - b. Fireworks  
Discuss procedures and schedule for fireworks sale.
  - c. Alley Signs  
Discuss status of project to install "No Parking" signs in alleys.
  - d. Grants  
Report on status of various grant applications.
  - e. Dispatch to Melody Drive  
Discuss action to correct problem reported concerning dispatch to Melody Lane.
7. Written Communications

Adjournment

P.O. Box 599, Oceano, CA 93475  
1655 Front Street, Oceano, CA 93445  
(805) 481-6730/FAX (805) 481-6836  
[www.oceanocsd.org](http://www.oceanocsd.org) / [ocsd@oceanocsd.org](mailto:ocsd@oceanocsd.org)

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OCEANO COMMUNITY SERVICES DISTRICT  
FIRE COMMITTEE MEETING MINUTES

TUESDAY

MARCH 18, 2008

OCEANO

The meeting was called to order by President Hill at 6:00 P.M.

1. **Roll Call:**

**Present:** President Hill, Director Mann  
**Absent:** None  
**Staff Present:** Patrick O'Reilly, General Manger  
John Bova, Fire Captain, Craig Angello, Fire Captain

2. **Public Comment:**

None

3. **Approval of Minutes:**

- a. March 4, 2008  
The minutes were approved unanimously.

4. **Report of Fire Operations:**

- a. Operations Review  
Fire Captain Bova made a verbal presentation.

5. **New Business:**

- a. Scheduling of Fire Committee Meetings  
GM O'Reilly suggested that Fire Committee meetings only be scheduled when needed instead of as a standing meeting. He suggested that would result in a lessening of the administrative workload for Fire Department Captains and would save some costs associated with Director pay for the meetings. General discussion ensued and it was the general consensus that the meetings should continue to be held twice a month. Items that need to be discussed soon include the weed abatement program and the fireworks program.

6. **Old Business:**

- a. Joint Fire Services Agreement  
GM O'Reilly announced that the Grover Beach City Council approved the Joint Fire Services Agreement last night so it will be effective as soon as signed by all parties.

7. **Written Communications:**

None

Meeting Adjourned at 6:28 PM  
Patrick O'Reilly, for the Fire Committee



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## AGENDA FIRE COMMITTEE MEETING

1655 Front Street  
6:00 P.M.

MARCH 18, 2008

Oceano  
Tuesday

### COMMITTEE MEMBERS

Jim Hill, President  
Barbara Mann, Director

### STAFF

Patrick J. O'Reilly, General Manager  
Fire Chief, Vacant

1. Roll Call
2. Public Comment
3. Approval of Minutes  
March 4, 2008
4. Report of the Fire Operations
  - a. Operations/Review
5. New Business
  - a. Scheduling of Fire Committee meetings  
Consider General Manager's recommendation to schedule Fire Committee meetings only when required instead of as a "standing meeting."
6. Old Business
  - a. Joint Fire Services Agreement  
Review status of proposed Joint Fire Services Agreement with the Cities of Arroyo Grande and Grover Beach.
7. Written Communications

Adjournment

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**Patrick O'Reilly**

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**From:** Patrick O'Reilly [patrick@oceanocsd.org]  
**Sent:** Tuesday, March 18, 2008 9:40 AM  
**To:** 'John'; 'Brian'; 'craig@oceanocsd.org'  
**Subject:** Recognizing Employee Organization

Oceano Career Firefighters,

As you know, OCSD adopted an Employer-Employee Relations Policy on 3/12/08. Section 2 of that policy establishes guidelines for me to recognize your employee organization. The documentation you submitted on December 5, 2007 provides all necessary information except the following:

Paragraph A6 requires a certified copy of the employee organization's constitution and bylaws.  
Paragraph A12 requires an acknowledgement of these rules and regulations.  
Paragraph A13 requires a statement recognizing certain activities.

As soon as I have the above three items, I can acknowledge your employee organization and we can begin MOU negotiations. Like you, I am looking forward to this opportunity to negotiate a contract we can all be proud of.

Patrick O'Reilly  
General Manager  
Oceano Community Services District  
Office Phone 805-481-6730 Cell Phone 805-458-5139

No virus found in this outgoing message.  
Checked by AVG.  
Version: 7.5.519 / Virus Database: 269.21.7/1333 - Release Date: 3/18/2008 8:10 AM

2. The District, through the District Employee Relations Officer, shall meet and confer in good faith with representatives of formally recognized exclusive employee organizations regarding matters within the scope of representation including wages, hours and other terms and conditions of employment within the appropriate unit.

The District shall not be required to meet and confer in good faith on any subject pre-empted by federal or state law, nor shall it be required to meet and confer in good faith on employee or District rights as set out above. Proposed amendments to this Resolution are excluded from the scope of meeting and conferring.

3. Agreements reached as a result of meeting and conferring shall be included in a memorandum of understanding signed by the District Employee Relations Officer, as well as the duly designated representatives of the exclusive employee organization(s). Such memorandum of understanding shall not be binding until approved by the Board of Directors.

4. Reasonable written notice shall be given to the exclusive employee organization(s) affected by any ordinance, rule, resolution or regulation directly relating to matters within the scope of representation proposed to be adopted by the Board of Directors, and the exclusive employee organization(s) shall be given the opportunity to meet with the District's Employee Relations Officer prior to adoption.

In case of emergency, when the District determines that an ordinance, rule, resolution or regulation must be adopted immediately without prior notice or meeting with the exclusive employee organization(s), the District shall provide such notice and opportunity to meet at the earliest practical time following the adoption of such ordinance, rule, resolution or regulation.

5. Management, supervisory and confidential employees may not represent any employee organization which represents other employees of the District on matters within the scope of representation, except in an employee unit of representation consisting solely of management, supervisory or confidential employees.

## Section 2. Representation Procedures

### A. Requirements for formal acknowledgment as a recognized employee organization--Filing of recognition petition.

In order to be formally acknowledged as a recognized employee organization eligible to exclusively represent employees in an appropriate unit under the terms and conditions of this Resolution, an employee organization must first submit a written request to the District in the form of a petition. The request shall be accompanied by documents and declarations containing the following:

- ✓ 1. Name and address of the employee organization;
- ✓ 2. A statement whether the employee organization is a chapter of, or affiliated directly or indirectly in any manner with, a local, regional, state, national or international organization, and if so, the name and address of each such other organization;
- ✓ 3. Names and titles of its officers;
- ✓ 4. Names of employee organization representatives who are authorized to speak on behalf of the organization;
- ✓ 5. A statement that the employee organization has as one of its primary purposes, representing employees in their employment relations with the District;
- 0 — 6. Certified copies of the employee organization's constitution and bylaws;
- ✓ 7. A designation of those persons not exceeding two and their addresses to whom notices sent by the regular United States mail will be deemed sufficient notice to the employee organization for any purpose;
- ✓ 8. A statement that the employee organization has no restriction on membership based on race, color, creed, sex or national origin, or any other protected category;

- ✓ 9. The job class or titles of employees claimed to be appropriate and the approximate number of member employees therein;
- ✓ 10. A statement that the employee organization has in its possession written proof, dated within six months of the date upon which the petition is filed, of employee support as herein defined to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the District. Such proof shall be submitted for confirmation to the District upon request;
- ✓ 11. A request that the District formally acknowledge the petitioner as the recognized employee organization to be the exclusive bargaining representative for the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith;
- ② ——— 12. An acknowledgment of these rules and regulations and any amendments thereto, and an agreement to abide by the same whether then in effect or thereafter amended;
- ② ——— 13. A statement that the employee organization recognizes that the employees of the Oceano Community Services District have no right to engage in any concerted activities detrimental to the District and specifically, that Section 923 of the State Labor Code is not applicable to District employees.

The petition and all accompanying documentation shall be declared to be true, correct and complete under penalty of perjury by the duly authorized officer(s) of the employee organization executing it.

#### B. District Response to Recognition Petition.

Upon receipt of the petition, the Board of Directors shall refer the petition, including all accompanying documentation, to the District Employee Relations Officer who shall thereafter make a recommendation to the Board of Directors as to whether or not:

1. There has been compliance with the requirements for acknowledgment as a recognized employee organization;
2. The proposed representation unit is an appropriate unit in accordance with Section 2.G. Upon receipt of the District Employee Relations Officer's recommendation, the Board of Directors shall hold a public hearing at which they will review the submitted documents and declarations and hear testimony and receive documentary evidence from interested parties submitting factual information and shall determine whether:
  - a. There has been compliance with the requirement for formal acknowledgment as a recognized employee organization;
  - b. The proposed representation unit is an appropriate unit in accordance with Section 2.G.
3. If an affirmative determination is made by the Board of Directors on the foregoing two matters, the District Employee Relations Officer shall so inform the petitioning employee organization and shall give written notice of such request for recognition to the employees in the unit. The Board of Directors shall take no action on the request for thirty (30) days thereafter.

If either of the foregoing matters are not affirmatively determined, the Board of Directors shall refer the request for recognition back to the petitioning employee organization

#### C. Open Period for Challenging Petitions.

Within thirty (30) days of the date written notice was given to affected employees that a valid recognition petition(s) for an appropriate unit has been filed, any other employee

**OCEANO COMMUNITY SERVICES DISTRICT  
FIRE COMMITTEE MEETING MINUTES**

**TUESDAY**

**APRIL 1, 2008**

**OCEANO**

**The meeting was called to order by President Hill at 6:05 P.M.**

**1. Roll Call:**

**Present:** President Hill, Director Mann  
**Absent:** None  
**Staff Present:** Patrick O'Reilly, General Manger  
John Bova, Fire Captain, Craig Angello, Fire Captain

**2. Public Comment:**

None

**3. Approval of Minutes:**

None

**4. Report of Fire Operations:**

a. Operations Review

Fire Captain Angello made a verbal presentation. We have made 198 calls this year. There will be a blood drive April 18<sup>th</sup>. Engine 61 is still being worked on. We need approximately \$4,000 for signs for the alleys. The GM will investigate obtaining funds from Supervisor Achadjian. The need to order blood splatter jackets was also discussed. Fire Captain Bova will order soon. Director Mann reported that a resident on Melody Lane has said that dispatch refers to her address as Melody Drive which can be confusing in an emergency. GM O'Reilly will check into what is required to correct this problem.

**5. New Business:**

a. Weed Abatement

GM O'Reilly presented a schedule for the Weed Abatement Program for this year. Fire Captain Bova reported that the contractor last year was not adequately qualified to operate the camera we provided or read APN numbers for the properties being abated. He also reported that the contractor was paid before his work was verified by the Fire Department. GM O'Reilly will incorporate corrections to these problems in the schedule for the current year and will consider including a charge to the contractor for any time spent by the Fire Department training the contractor. It was suggested by President Hill that a letter be sent to SLO County Public Works commending them for taking such good care of their drainage basins.

b. Fireworks

GM O'Reilly presented a proposed staff report identical to the one used last year. General discussion resulted in a general consensus that applications be accepted from any eligible organization and that organizations be selected based on the level of support they provide the Oceano community. It was also suggested that the fee be increased from \$385 to \$400.

**6. Old Business:**

a. Grants

Captain Bova reported that the 2008 AFG Grant was submitted this Sunday which is 5 days before the deadline. It is a request for \$39,900 for an exhaust ventilation system for the Fire Station which has a 5% match. GM O'Reilly will check on the status of the Wildland Grant which was resubmitted last month.

**7. Written Communications:**

None

Meeting Adjourned at 6:55 PM  
Patrick O'Reilly, for the Fire Committee



**AGENDA  
FIRE COMMITTEE MEETING**

1655 Front Street  
6:00 P.M.

APRIL 1, 2008

Oceano  
Tuesday

COMMITTEE MEMBERS

Jim Hill, President  
Barbara Mann, Director

STAFF

Patrick J. O'Reilly, General Manager  
Fire Chief, Vacant

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1. Roll Call
2. Public Comment
3. Approval of Minutes  
March 18, 2008
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5. New Business
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Discuss procedures and schedule for weed abatement.
  - b. Fireworks  
Discuss procedures and schedule for fireworks sale.
6. Old Business
  - a. Grants  
Discuss status of grant applications.
7. Written Communications

Adjournment

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## 2008 FIRE HAZARD REDUCTION SCHEDULE

- March 27 Call County and request CD to be mailed (Format). Beth (805)781-5648
- April 9 Present to Board the 2008 Fire Hazard Reduction Calendar and Resolution "Declaring Weeds on Certain Properties to be Seasonal and Recurring Public Nuisance". Upon adoption of Calendar, set June 11<sup>th</sup> as date for Public Hearing.
- April 10 To TIMES PRESS RECORDER: Legal Notice advising residents of the Public Hearing on June 11<sup>th</sup> AND mail copy of Calendar to South County Sanitary Service. (Garbage Company to coordinate their delinquent notices and Public Hearing with OCSD schedule.) \*\*\*order postcards and County CD to give yourself plenty of time to get it all ready to mail
- April 10 To TIMES PRESS RECORDER: Legal Notice requesting bid proposals for Fire Hazard Reduction (bids due by May 15<sup>th</sup> at 2:pm) AND Public Service Announcement apprising public of upcoming Fire Hazard Reduction program, including information regarding 4" maximum height of weeds through October 1<sup>st</sup>. Order postcards and print labels.
- April 10 OCSD staff to mail notices to every property owner.
- May 2 Prepare and submit maps and directive to District Personnel to begin preparation of list of properties in need of Fire Hazard Reduction. Request updated APN listing from County Assessor in label format.
- May 15 \*\* Open bids received for Fire Hazard Reduction services. Prepare summary for presentation at May 21st Board Meeting.
- May 21 Award bid to contractor at Board Meeting.
- Jun 2-5 District Staff to prepare final lot list for Fire Hazard Reduction by contractor.
- June 11 Public Hearing for Protests Against Fire Hazard Reduction Notices.
- June 12 Fire Hazard Reduction may commence-- District Personnel will take before and after photos of each lot.
- June 13 Deadline for District personnel to submit listing of all questionable/marginal lots for re-evaluation and final reduction decision.
- June 20 Deadline for completion of all Fire Hazard Reduction.
- June 23 Contractor to turn in summary of total hours for weed eater and/or tractor, in final form.

- June 25 Reinspection date. District Personnel to survey all lots for possible Round Two reduction.
- June 27 Staff to compute and mail out hand billings.
- July 9 Public Hearing.
- July 14 Final postmark date for receipt of hand-billed reduction charges.
- July 16\* Deadline for submission special assessment listing and authorizing resolution to County Auditor's office for collection of Fire Hazard Reduction charges on the tax roll.
- July 18 Submit list of APNs to District Office to prepare Round Two reduction.
- August 25\* Deadline for submission of final special assessment listing and proof to County Auditor's office for collection of Fire Hazard Reduction charges on the tax roll.
- October 1 END of FIRE SEASON.

\* County deadline dates may change since formal notice has not been received.

April 9, 2008

TO: Board of Directors, OCSD

FROM: Patrick O'Reilly, General Manager

**SUBJECT: 2008 FIREWORKS PROGRAM PERMITTING PROCESS AND FEES**

1. The Board of Directors established their authority, through the adoption of Resolution 1992-02, to regulate the fees and conditions for the granting of permits for the sale of safe and sane fireworks within the boundaries of the District. Thereafter, through the adoption of Resolution 1997-12, the Board of Directors limited the number of applicants to enhance the profit potential of each organization and therefore increase the return to the Community. Five organizations were recognized as authorized to submit application to the District to sell safe and sane fireworks; to wit: Oceano Depot Association, Oceano/Five Cities Elks No. 2504, Squad 745 (CHP), Five Cities Aerie No. 4153 F.O.E., and the South County Boys and Girls Club. During the 1999 Fireworks Program, the South County Boys and Girls Club opted not to participate, and the OCSD Board of Directors elected not to set into motion the defined procedure to replace the Boys and Girls Club with another participant. During the 2001 Fireworks Program, the Depot Association opted not to participate and the Oceano Firefighters' Association was authorized in lieu of the Depot Association to submit an application to sell safe and sane fireworks. The Firefighters' Association was granted continuing application authority by Resolution 2001-6.

2. During the 2003 Fireworks Program only three organizations opted to participate: Squad 745 (CHP), Five Cities Aerie No. 4153 F.O.E. and the Oceano Volunteer Firefighters. The Board of Directors authorized an advertisement to solicit interest from other organizations; no other organization came forward to express an interest in selling Safe and Sane Fireworks in Oceano. During 2004, two new organizations, the Oceano Firefighters' Association; Eagles Ladies Auxiliary; and the Food Bank Coalition of SLO County, were approved to sell Safe and Sane Fireworks in Oceano. During the 2005 Fireworks Program the Food Bank Coalition of SLO County opted not to continue their participation and was replaced by the Church of God Prophecy.

3. In prior years, the Board of Directors elected to charge each participant a \$385 fee. Additionally, it was the direction of the Board of Directors that each participating organization inform the Board of the uses and purposes of the funds to be raised.

**THE RECOMMENDED ACTION BEFORE YOUR BOARD is to:** by Board discussion, public comment, motion, second, and voice vote, direct staff to provide each of the designated organizations (Squad 745 (CHP); Five Cities Area No 4153 F.O.E.; the Oceano Firefighters' Association; Eagles Ladies Auxiliary; and the Church of God Prophecy) with an application form in which each may indicate their interest in participating in the safe and sane fireworks for 2007, with a return date no later than April 30, 2008.

**FURTHER,** by Board discussion, public comment, motion, second, and voice vote: establish the administration/processing fee at \$385 payable at such time as the application is filed with the District.



# Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475

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April 15, 2008

TO: OCSD Fire Committee

FROM: Patrick J. O'Reilly, General Manager *PJO*

**SUBJECT: PERS Contract**

1. The District contract with PERS does not exempt part-time reserve firefighters from coverage under the PERS retirement system. A copy of that contract is provided as Attachment 1. Excluded employees are shown under paragraph A4 of that contract.

For further clarification, a copy of the "New Category Questionnaire" is provided as Attachment 2. The last paragraph on the first page of that document shows the status of reserve firefighters. The middle of the second page of that document shows that certain categories of part-time firefighters are to be excluded in accordance with Section 20305 of PERS law. A copy of Section 20305 is provided as Attachment 3. The last line of that section stipulates that no exceptions will be made based on irregular employment.

Attachment 4 is a copy of a District letter dated December 12, 2005 that specifies that part-time reserve firefighters are to be included in the District plan.

THE RECOMMENDED ACTION BEFORE YOUR COMMITTEE is to: review the information provided.

Agenda Item 1 08 2008 5.a

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I asked for our "contract" this is IT.

Post-it® Fax Note	7671	Date	2/21/08	# of Pages	4
To	Carby Winter	From	Alia... ..		
Co./Dept	OC SD	Co	CALPERS		
Phone #		Phone #	(905) 481-6855		
Fax	(905) 481-6855	Fax #			

California  
Public Employees' Retirement System

# AMENDMENT TO CONTRACT

Between the  
 Board of Administration  
 California Public Employees' Retirement System  
 and the  
 Board of Directors  
 Oceano Community Services District

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective August 21, 1983, and witnessed August 10, 1983, and as amended effective February 13, 1992 and July 14, 2002 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective July 14, 2002, and hereby replaced by the following paragraphs numbered 1 through 13 inclusive:
  1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 55 for local safety members.

Attachment 1

2. Public Agency shall participate in the Public Employees' Retirement System from and after August 21, 1983 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
  - a. Local Fire Fighters (herein referred to as local safety members);
  - b. Employees other than local safety members; (herein referred to as local miscellaneous members).
4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
  - e. ELECTED OFFICIALS; AND
  - b. EMPLOYEES WHO ARE MEMBERS OF THE LOCAL RETIREMENT SYSTEM AND WHO DID NOT WAIVE THEIR RIGHTS UNDER THAT SYSTEM PRIOR TO AUGUST 21, 1983; AND
  - c. POLICE OFFICERS.
5. Assets heretofore accumulated with respect to members under the local retirement system who waived their rights under that system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system have been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).

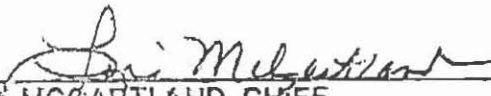
7. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21369 of said Retirement Law (2% at age 55 Full).
8. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - b. Section 21574.5 (Indexed Level of 1959 Survivor Benefits) for local safety members only.
9. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.
10. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
11. Public Agency shall also contribute to said Retirement System as follows:
  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574.5 of said Retirement Law. (Subject to annual change ) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local safety members.
  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.



12. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
13. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the <sup>23rd</sup> ~~22~~ day of July, 2006.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY   
LORI MCGARTLAND, CHIEF  
EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS  
OCEANO COMMUNITY SERVICES  
DISTRICT

BY   
PRESIDING OFFICER

August 1, 2006  
Witness Date

Attest:

  
Clerk/ GENERAL MANAGER



Actuarial Employer Services Division  
 P.O. Box 52709  
 Sacramento, CA 94229-2709  
 Telecommunications Device for the Deaf - (916) 795-3240  
 (888) CaIPERS (225-7377) FAX (916) 795-3005

## NEW CATEGORY QUESTIONNAIRE

### AGENCY INFORMATION

Employer Code#: 1346 County: San Luis Obispo  
 Official Agency Name: Oceano Community Services District  
 Mailing Address: P.O. Box 599, Oceano, CA 93475-0599  
 Street Address: 1655 Front Street  
 City, State, Zip: Oceano, CA 93445

### Contact Person

Name: Gina A. Davis  
 Title: Administrative Assistant  
 Telephone: 805-481-6730  
 E-Mail: gina@oceanocsd.org

### MEMBERSHIP

All employees in a covered category must be enrolled as members of the California Public Employees' Retirement System unless they are specifically excluded by the Government Code.

These exclusions include but are not limited to:

- Persons employed as participants in a program of, and whose wages are paid in whole or in part by federal funds in accordance with, the Job Training Partnership Act of 1982 (Public Law 97-300). This exclusion does not apply to persons employed in job classes eligible for safety membership such as police officers or fire fighters, or to the career staff employees. (Section 20300)
- Persons who are members of any other retirement or pension system supported wholly or in part by public funds. (Section 20303)
- His or her appointment or employment contract fixes a term of full-time, continuous employment of six months or less. (Section 20305)
- His or her part-time position requires less than an average of 20 hours a week. (Section 20305)
- Persons employed on a seasonal, limited-term, on-call, emergency, intermittent, substitute, or other irregular basis until the employees work more than 125 days or 1,000 hours in a fiscal year. (Section 20305)

Attachment 2

1. Please enter the number of employees employed in the category to be included in the contract:

_____	Miscellaneous
<u>4</u>	Fire
_____	Police
_____	County Peace Officer
_____	Sheriff
_____	Prosecutor
_____	Other Safety Officers

Please list the titles of all positions in the category to be included in the contract. Include any less than full-time positions and whether each position is to be covered or excluded from coverage.

Position	Check if Elective	Check if Appointive	To be Covered	To be Excluded	If Excluded, Why?
<u>Fire Chief</u>	_____	<u>xx</u>	_____	<u>xx</u>	<u>Per contract(attached)</u>
<u>Fire Captain FT</u>	<u>FT</u>	<u>xx</u>	<u>xx</u>	_____	_____
<u>Fire Captain PT</u>	<u>PT</u>	<u>xx</u>	_____	<u>xx</u>	<u>Section 20305</u>
<u>Engineer FT</u>	_____	<u>XX</u>	<u>xx</u>	_____	_____
<u>Engineer PT</u>	_____	<u>xx</u>	_____	<u>xx</u>	<u>Section 20305</u>
<u>Firefighter</u>	_____	<u>xx</u>	_____	<u>xx</u>	<u>Section 20305</u>
<u>Chaplain</u>	_____	<u>xx</u>	_____	<u>xx</u>	<u>Section 20305</u>
_____	_____	_____	_____	_____	_____

CalPERS Audits staff will conduct routine field audits to verify the excluded employees. The agency should properly document the legal basis for excluded employees.

CalPERS retirees

A CalPERS retiree receiving a monthly allowance from this system shall not be employed in any capacity by a CalPERS employer unless he or she has first been reinstated from retirement, pursuant to G.C. Section 21220. There are certain exceptions to this rule.

2. Do you employ any CalPERS retirees in the category to be included in the contract?

YES\_\_ NOx

If yes, please enter the employees separately on the enclosed Employee Data For Actuarial Valuation, form CON-1020, and indicate "CalPERS retiree".

Elected/Appointed Officials

Section 20322 of the Government Code, as amended effective July 1, 1994, states that elected or appointed officials, who are first elected or appointed on or after July 1, 1994, or who are elected or appointed to a term of office not consecutive with a term held on June 30, 1994 are excluded from membership in this System. This exclusion does not apply to persons elected to a city council or county board of supervisors.

Elected officials eligible for membership in this System are optional members as provided by G.C. Section 20322. Unless the contract specifically excludes elected officials pursuant to G.C. Section 20502, each such official may elect membership.

Code, and has furnished proof thereof to the employer and, upon request, to the board.

(C) The person's participation in the supplemental defined benefit plan does not, in any way, interfere with the person's rights to membership in the defined benefit plan, or any benefit provided, under this part. (Added by Stats.1995, c. 379 (S.B.541), § 2. Amended by Stats.1999, c. 474 (S.B.583), § 2; Stats.2004, c. 214 (S.B.1105), § 4, eff. Aug. 11, 2004.)

§ 20303.5. Repealed by Stats.1995, c. 379 (S.B.541), § 1

§ 20304. Service credited in federal system

Notwithstanding Sections 20303 and 20894, nothing shall act to prohibit the receipt of credit in this system, nor the payment of benefits relating thereto, for service that is also being credited in the federal system, and persons shall not be excluded from this system as to the service that is being credited in the federal system. (Added by Stats.1995, c. 379 (S.B.541), § 2. Amended by Stats.1996, c. 906 (S.B.1859), § 28.)

Application

Stats.1996, c. 906 (S.B.1859), provided legislative intent relating to nonsubstantive changes and use of Jan. 1, 1996 provisions. See § 203 of that Act.

§ 20305. Part-time employees

(a) An employee serving on a less than full-time basis is excluded from this system unless:

(1) He or she is a member at the time he or she renders less than full-time service and is not otherwise excluded pursuant to this article or by a provision of a contract.

(2) His or her position requires regular, part-time service for one year or longer for at least an average of 20 hours a week, or requires service that is equivalent to at least an average of 20 hours a week, unless he or she elects membership pursuant to Section 20325.

(3) His or her employment is, in the opinion of the board, on a seasonal, limited-term, on-call, emergency, intermittent, substitute, or other irregular basis, and is compensated and meets one of the following conditions:

(A) The appointment or employment contract fixes a term of full-time, continuous employment in excess of six months or, if a term is not fixed, full-time employment continues for longer than six months, in which case membership shall be effective not later than the first day of the first pay period of the seventh month of employment.

(B) The person works more than 125 days, if employed on a per diem basis or, if employed on other than a per diem basis, 1,000 hours within the fiscal year, in which case, membership shall be effective not later than the first day of the first pay period of the month following the month in which 125 days or 1,000 hours of service were completed. For purposes of this subdivision, "day" means each eight-hour period of employment worked by an employee paid on a per diem basis so that membership is effective after he or she has completed 1,000 hours of compensated service in a fiscal year.

(C) The person is employed by the Department of Forestry and Fire Protection in one of the positions that provide state safety membership pursuant to Section 20400 or state peace officer/firefighter membership pursuant to Section 20392.

(4) He or she is a temporary faculty member of the California State University and meets one of the following conditions:

(A) He or she works two consecutive semesters or three consecutive quarters at half-time or more, and is not otherwise excluded pursuant to this article, in which case, membership shall be effective with the start of the next consecutive semester or quarter if the appointment requires service of half-time or more.

(B) He or she works two consecutive semesters or three consecutive quarters at a minimum teaching load of six weighted units, and is not otherwise excluded pursuant to this article, in which case membership shall be effective at the start of the next consecutive semester or quarter, but not earlier than July 1, 2004, if the appointment requires service of six weighted units or more. This subparagraph does not apply to faculty members unless provided for in a memorandum of understanding agreed upon, on or after January 1, 2003, pursuant to Chapter 12 (commencing with Section 3560) of Division 4 of Title 1, or authorized by the Trustees of the California State University for employees excluded from collective bargaining.

(5) He or she is a member of the Board of Prison Terms, the State Personnel Board, or the State Air Resources Board and elects to become a member pursuant to Section 20320.

(6) He or she is participating in partial service retirement, pursuant to Article 1.7 (commencing with Section 19996.30) of Chapter 7 of Part 2.6.

(7) He or she is included by specific provision of the board relating to the exclusion of less than full-time employees.

(b) This section shall supersede any contract provision excluding persons in any temporary or seasonal employment basis and shall apply only to persons entering employment on and after January 1, 1975. Except as provided in Section 20502, no contract or contract amendment entered into after January 1, 1981, shall contain any provision excluding persons on an irregular employment basis. (Added by Stats.1995, c. 379 (S.B.541), § 2. Amended by Stats.2002, c. 1045 (A.B.2549), § 1.)

§ 20306. Part-time employees; participation in alternate retirement plan

(a) Notwithstanding paragraph (1) of subdivision (a) of Section 20305, an employee participating in this system, other than a local safety member, who is credited with less than five years of state service and whose service falls below the minimum service prescribed by paragraph (2) of, or subparagraph (A) or (B) of paragraph (3) of, subdivision (a) of Section 20305 and who is eligible for membership in an alternate retirement plan established or maintained by the county superintendent of schools or the public agency pursuant to Article 1.5 (commencing with Section 53215) of Chapter 2 of Part 1 of Division 2 of Title 5, may participate in that plan in accordance with the following provisions:

(1) Eligibility to participate in an alternate retirement plan for an employee who is employed on or after July 1, 1997, or the effective date of the establishment of an alternate retirement plan, whichever is later, and who is represented by an exclusive bargaining representative shall be determined by the provisions of a memorandum of understanding executed between the public agency and the exclusive bargaining representative of the employee. That memorandum of understanding shall prescribe all of the terms and conditions under which the alternate plan is established including the employer and employee contribution rates.

(2) Eligibility to participate in an alternate retirement plan for an employee who is employed on or after July 1, 1997, or the effective date of the establishment of an alternate retirement plan, whichever is later, and who is not represented by an exclusive bargaining representative shall be determined by the public agency.

(3) Eligibility to participate in an alternate retirement plan established prior to July 1, 1997, for an employee who is employed prior to that date, or for plans established on or after July 1, 1997, for an employee who is employed prior to the date the plan is established, shall be determined by the employee in accordance with the following election procedures:

ATTACHMENT 3

*File*



# Oceano Community Services District

1655 Front Street, P. O. Box 599, Oceano, CA 93445 (805) 481-6730 FAX (805) 481-6836

December 12, 2005

California Public Employees' Retirement System  
Actuarial and Employer Services Division  
Public Agency Contract Services  
P. O. Box 942709  
Sacramento, CA 94229-2709

Subject: AMENDMENT VALUATION – EMPLOYER CODE 1346

As requested during our conversation last Friday, December 9, 2005, enclosed is a diskette of the updated information for the firefighters we would like to add to our Plan. A hard copy is also attached.

If you have any questions, or need additional information, please call me at the number shown above. Thank you for your assistance in this matter.

Yours truly,

OCEANO COMMUNITY SERVICES DISTRICT

*Gina A. Davis*

Gina A. Davis, Administrative Assistant  
For Francis M. Cooney, General Manager

GAD:sw  
Enclosures

*ATTACHMENT 4*

<p><b>INSTRUCTIONS</b></p> <ul style="list-style-type: none"> <li>- Print, type or prepare on PC (use this format only)</li> <li>- New agencies leave employer code blank</li> <li>- Complete separate forms for each group - Fire, Police, CPO, Sheriff, Prosecutor, Miscellaneous (list CalPERS retirees separately)</li> <li>- Monthly Pay Rate is the FULL TIME monthly pay rate (applies to all employees)</li> <li>- If FULL time is other than 40 hours per week, PLEASE NOTE</li> </ul> <p><b>NOTE: JOB DESCRIPTIONS MUST BE SUBMITTED FOR EACH SAFETY POSITION</b></p>	Agency <b>OCEANO COMMUNITY SERVICES DISTRICT</b>	Employer Code <b>1346</b>
	Completed By: Gina A. Davis, Admin Assistant	Date:
	Telephone Number: (805) 481-6730	
	CHECK ONE: <input checked="" type="checkbox"/> Safety (Check One): <input checked="" type="checkbox"/> Fire <input type="checkbox"/> Police <input type="checkbox"/> Sheriff <input type="checkbox"/> CPO <input type="checkbox"/> Prosecutor	
	<input type="checkbox"/> Miscellaneous	

**EMPLOYEE DATA FOR CalPERS RETIREMENT BENEFITS**

These columns applicable to  
Local System Transfers only

Full Name (First, MI, Last)	Sex M/F	Social Security Number	Birthdate	Hire Date	Monthly Pay Rate	% Of Full Time	Position Title	Contributions to be Transferred to Employees' Account	Local System Entry Date	Years of Local System Service to be Credited to CalPERS (if applicable)	Years of Prior Service to be Credited to CalPERS (if applicable)
Michael G Steinhauser	M	384-58-7172	8/23/54	9/01/88	1591	.25	Fire Chief	0	n/a	n/a	n/a
Brian W. Leathers	M	334-54-3702	9/27/71	8/01/05	3539	100	Fire Captain	0	08/01/05	n/a	n/a
John M Bova	M	563-90-2688	7/09/60	8/01/05	3539	100	Fire Captain	0	08/01/05	n/a	n/a
Robert L. Rowe	M	561-29-5331	4/21/64	3/01/96	PT Hourly	64.	Fire Captain	0	n/a	n/a	n/a
Jim M. Rodlin	M	552-29-4241	7/28/73	4/22/97	PT Hourly	86.	Fire Captain	0	n/a	n/a	n/a
Craig A. Angello	M	556-71-5087	5/16/82	8/01/05	2804	100.	Fire Engineer	0	08/01/05	n/a	n/a
Edward D. Galipeault	M	548-47-9627	10/17/65	1/01/02	PT Hourly	CDF	Fire Engineer	0	n/a	n/a	n/a
Graham A. Dunbar	M	546-83-5466	6/21/79	1/15/02	PT Hourly	22.	Firefighter	0	n/a	n/a	n/a
Glenn G. Graves	M	553-94-8261	11/18/52	4/09/02	PT Hourly	4.	Firefighter	00	n/a	n/a	n/a
Phillip S. Goldbloom	M	564-39-1279	3/14/75	8/01/05	2804	100.	Fire Engineer	0	08/01/05	n/a	n/a
Gulmaro Garcia	M	612-26-9869	10/11/64	1/1/03	127	4.	Chaplain	0	n/a	n/a	n/a
Paul J. Kalata	M	542-82-0568	4/15/57	1/07/03	PT Hourly	CDF	Firefighter	0	n/a	n/a	n/a
Devon S. Meister	M	569-85-5723	8/26/83	6/19/04	PT Hourly	73.	Firefighter	0	n/a	n/a	n/a
Joshua M. Perelli-Minetti	M	614-20-1470	10/25/80	6/19/04	PT Hourly	43.	Firefighter	0	n/a	n/a	n/a
Anthony R. Moreno	M	548-85-5772	05/19/85	07/08/03	PT Hourly	30.	Firefighter	0	n/a	n/a	n/a
Brian R. Fukuhara	M	617-16-3010	9/02/85	4/12/05	PT Hourly	30.	Firefighter	0	n/a	n/a	n/a
Daniel C. Ciecck	M	571-81-5144	6/17/82	3/11/05	PT Hourly	65.	Firefighter	0	n/a	n/a	n/a
Bret M. McTigue	M	563-93-7382	7/08/83	6/19/04	PT Hourly	58.	Firefighter	0	n/a	n/a	n/a