



Oceano Community Services District

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

(805) 481-6730

FAX (805) 481-6836

AGENDA BOARD OF DIRECTORS MEETING

1655 Front Street
6:30 P.M.

June 25, 2008

Oceano
Wednesday

BOARD MEMBERS

Jim Hill, President
Vern Dahl, Director
Barbara J. Mann, Director

Bill Bookout, Vice President
Pamela Dean, Director

SECRETARY TO THE BOARD

Patrick J. O'Reilly, General Manager

DEPUTY SECRETARY TO THE BOARD

Gina A. Davis, Administrative Assistant

FIRE CHIEF

Chief Mike Hubert

UTILITY OPERATIONS SUPERVISOR

Philip T. Davis

ALL ITEMS APPEARING ON THE AGENDA ARE SUBJECT TO BOARD ACTION

1. Roll Call
2. Flag Salute
3. Public Comment *
Any member of the public may address the Board on any item of interest within the jurisdiction of the Board. The Board will listen to all communications; however, in compliance with the Brown Act, the Board cannot act on items not on the agenda.
4. Administration Items
 - a. Introduction of recently hired District Staff personnel *
5. Board Member Items/Discussion *
6. Review and Approval of Minutes
None
7. Reports
 - a. Reports of District Department Heads
 - (1) Report of Administrative Assistant (None)
 - (2) Report of Utility Operations Supervisor
8. Fire Items
 - a. No Parking Signs in Alleys
Consider recommendation of the General Manager to approve a Resolution prohibiting parking in alleys.

9. Utility Items

- a. Cleaning and Inspection of District Sewer and Water Lines
Continual Disclosure of the Emergency declared by the Board of Directors concerning the Cleaning and Inspection of the District Sewer and Water Mains.
- b. Water Service to Grande Mobile Manor
Consider request from owners of Grande Mobile Manor to receive water service from the District.

10. Administrative Items

- a. Committee Assignments *
Discussion of committee assignments.
- b. Alley Cleanup *
Discussion of abilities to affect alley cleanliness.
- c. Codification Project
Update by District Legal Counsel concerning status of Project to Codify District Ordinances and Regulations. *
- d. Budget Workshop for Fiscal Year 2008-09 Budget
Review budget recommended by the General Manager.

11. Reports of District Representatives *

This item gives the President and Board Members the opportunity to present reports to other members regarding committees, commissions, boards, or special projects on which they may be participating.

- a. **PRESIDENT JIM HILL**
 - (1) Fire Committee 06-24-2008
 - (2) SSLOCSD 06-18-2008
 - (3) Finance Committee 06-19-2008
 - (3) Other
- b. **VICE PRESIDENT BILL BOOKOUT**
 - (1) Joint Fire Operations Committee 06-20-2008
 - (2) Other
- c. **DIRECTOR VERN DAHL**
 - (1) OAC 06-16-2008
 - (2) Zones 1/1A 06-24-2008
 - (3) AD HOC Committee on Committee Assignments 06-19-2008
 - (4) Other

- d. **DIRECTOR PAMELA DEAN**
 - (1) AD HOC Committee on Committee Assignments 06-19-2008
 - (2) Other

- e. **DIRECTOR BARBARA MANN**
 - (1) Fire Committee 06 24 2008
 - (2) Finance Committee 06-19-2008
 - (2) Other

- 12. General Manager Items/Discussion*
 - a. Other

- 13. Board Member Discussion*

- 14. Consideration of Warrants

- 15. Public Comment *

- 16. Written Communications
(Correspondence for the Board Received After Preparation of this Agenda is Presented by the General Manager)

Adjournment

* Oral Presentation/Discussion

ALL ITEMS APPEARING ON THE AGENDA ARE SUBJECT TO BOARD ACTION

Consistent with the American with Disabilities Act and California Government Code §54954.2 requests for disability related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires the modification or accommodation in order to participate at the referenced public meeting by contacting the District General Manager or Administrative Assistant at 805-481-6730.

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

RULES FOR PRESENTING TESTIMONY

All persons who wish to present testimony to the Board of Directors in a public hearing must observe the following rules:

1. When beginning to speak, first identify yourself and place of residence. This is required for the public record. Board of Directors' meetings are tape recorded.
2. All remarks must be addressed to the Chair. Conversation or debate between the speaker at the podium and a member of the audience is not permitted.
3. Please keep your remarks as brief as possible. Focus your testimony on the most important facts you wish to be considered. Avoid duplicating testimony provided by others.
4. It is important that all participants conduct themselves with courtesy, dignity and respect.
5. Whenever possible, written testimony should be presented as well as oral. Written testimony can be submitted in advance of the actual hearing date.

**DUE TO
LIMITED STAFFING**

**WARRANTS AND STAFF
REPORTS
WILL NOT BE
PREPARED
UNTIL THE
FIRST PART OF
NEXT WEEK**

Agenda Items 7.a. (1) & (2) and Item 14.



Oceano Community Services District

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

(805) 481-6730

FAX (805) 481-6836

June 25, 2008

TO: Board of Directors, OCSD

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

SUBJECT: NO PARKING SIGNS IN ALLEYS

1. Alleys in the Oceano community are narrow and vehicles parked in an alley can restrict access for fire trucks. To ensure fire safety for facilities accessed by alleys, the District should restrict parking in all alleys.
2. California Vehicle Code 22500.1 allows the local fire department to designate fire lanes for fire safety. The attached resolution designates all alleys in Oceano to be "Fire Lanes" to prevent parking in alleys. The Fire Committee approved this action on May 20, 2008.
3. This item was approved at the meeting of the Board of Directors on May 28, 2008, however, there was no request for public comment considered during this item. The following week, a resident of the community objected to the lack of opportunity for public comment. District counsel opined that public comment is not required on each agenda item because the public can make any desired comments during the two public comment periods provided in each agenda. Despite that opinion, this item is being considered again just in case a member of the public may wish to make comments prior to the Board of Directors taking action.

THE RECOMMENDED ACTION BEFORE YOUR BOARD is to: by Board discussion, public comment, motion, second, and roll-call vote, approve Resolution 2008-09 Designating All Alleys in the Oceano Community as Fire Lanes.

**OCEANO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2008-09
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OCEANO COMMUNITY
SERVICES DISTRICT DESIGNATING ALL ALLEYS IN THE OCEANO COMMUNITY
AS FIRE LANES**

WHEREAS, alleys are used for fire and emergency service access in all areas of Oceano; and

WHEREAS, alleys in Oceano are universally narrow; and

WHEREAS, the Board of Directors of the Oceano Community Services District is aware of the threat posed by narrow alleys to providing fire and emergency services; and

WHEREAS, the Oceano Community Services District considers narrow alleys to be a problem in Oceano that needs to be addressed; and

WHEREAS, California Vehicle Code section 22500.1 authorizes local fire departments to designate "Fire Lanes" when required for fire safety.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Oceano Community Services District that:

1. The OCSD Board of Directors does hereby designate all alleys located within District boundaries to be "Fire Lanes" and authorizes the Fire Department to post "No Parking" signs in each alley.

Upon the motion of _____, seconded _____ by
and upon the following roll call vote, to wit:

AYES:

NOES: None

ABSENT: None

ABSTAINING:

the foregoing Resolution is hereby adopted this 25th day of June, 2008.

ATTEST:

Jim Hill, President

Patrick J. O'Reilly, Secretary



Oceano Community Services District

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June 25, 2008

TO: Board of Directors, OCSD

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

SUBJECT: CLEANING AND INSPECTION OF DISTRICT SEWER AND WATER LINES

1. Public Contracts Code Section 22050(c)(1) requires that if the governing body orders any action after the emergency has been declared, the governing body shall review the emergency action at its next regularly-scheduled meeting and at every regularly-scheduled meeting thereafter until the action is terminated, to determine, by four-fifths vote, that there is need to continue the action.

THE RECOMMENDED ACTION BEFORE YOUR BOARD is to: by Board discussion, public comment, motion, second, and roll call vote, determine, by four-fifths vote, that there is a need to continue the action.

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Oceano Community Services District


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

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FAX (805) 481-6896

June 25, 2008

TO: Board of Directors, OCSD

FROM: Patrick J. O'Reilly, General Manager 

SUBJECT: REQUEST FOR WATER SERVICE FROM GRANDE MOBILE MANOR

1. Attached are letters from Charles and Marilyn Knollenberg who own Grande Mobile Manor and Jerry Collins who owns Halcyon Estates. Both businesses are small rent controlled, senior mobile home parks providing relatively low cost housing to senior citizens. The letters request that the District provide water to the parks at the least expensive option available.

2. In October 2003, the City of Arroyo Grande entered into a temporary agreement with Grande Mobile Manor and Halcyon Estates to provide temporary water service since the wells in the parks were deteriorating and infiltrated with high levels of nitrates. The parks require a total of approximately eight acre feet per year. The parks are actually located in the County but are in the City of Arroyo Grande's sphere of influence. Because the parks are not in the City of Arroyo Grande, the Local Agency Formation Commission (LAFCO) had to approve the agreements as "outside user agreements". The agreements were for five years intending to give the parks adequate time to find another permanent source of water. The City of Arroyo Grande attempted to get credit under the Water Management Agreement (Gentlemen's Agreement) for well water no longer being utilized by the parks believing there would be no net impact on safe yield. However, some parties to the Water Management Agreement would not approve this option.

3. The following options exist to resolve the mobile home parks' water needs.

a. The mobile home park owners may upgrade the existing wells. This alternative could be accomplished however; the owners prefer other options due to the level of monitoring required and potential liability created by recent State regulations adopted involving water quality.

b. Credit could be given to the City of Arroyo Grande under the Water Management Agreement (Gentlemen's Agreement) for well water no longer being utilized by the parks if it is assumed there would be no net impact on safe yield. This alternative has already proven unacceptable to several participants in the Water Management Agreement.

c. The parks could annex into the City of Arroyo Grande and continue to receive water

Agenda Item 06 25 2008 9.b.

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from the City. However, the City's policy requires annexed property to provide an adequate water supply. It is possible that requirement could be waved.

d. The parks could remain in the sphere of influence of the City of Arroyo Grande and OCSD could provide (sell) water to the City for the parks. The existing agreement between the parks and the City of Arroyo Grande could remain in place. The park owners would prefer that this be a long term arrangement.

e. The parks could annex into the sphere of influence of the Oceano Community Services District and receive water from the District. If the parks annex into OCSD, there are two methods under which water could be provided. The first alternative would be for the District to provide water which could be "wheeled" to the parks through the existing infrastructure of the City of Arroyo Grande. The second alternative would be to require the parks to pay for water piping to connect to the District water distribution system. The first alternative is preferred by the park owners because it would be much less expensive than the second alternative.

THE RECOMMENDED ACTION BEFORE YOUR BOARD is to: by Board discussion, public comment, motion, second, and roll-call vote, direct the General Manager to prepare agreements (for approval by the Board at a future date) with both parks that require the parks to annex into the sphere of influence of the Oceano Community Services District and that authorize the District to enter into an agreement with the City of Arroyo Grande to use City infrastructure to "wheel" the water to the parks.

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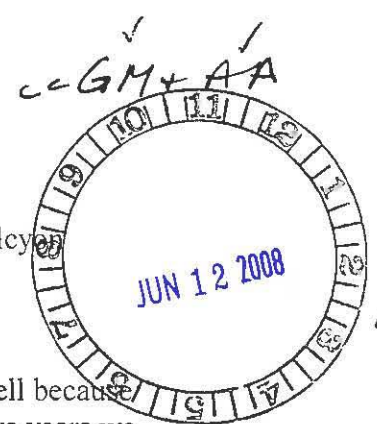
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06/10/2008

TO: Oceano Community Services District (attention Patrick O'Reilly)

From: Charles and Marilyn Knollenberg / Grande Mobile Manor 655 S. Halcyon

RE: Request for water service



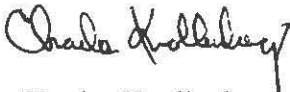
Grande Mobile Manor is unable to pump water from it's pump and well because it's water does not currently meet minimum health standards. For the last five years we have been receiving water from the City of Arroyo Grande with a temporary, out of area, water agreement (Grande Manor, although surrounded by the city on three sides, is currently still in the County). The City of Arroyo Grande has informed us that it will not be providing water to out of area users in the future. We are therefore in need of water as our agreement expires at the end of 2008.

We our therefore requesting water service from Oceano Water District. However we would like to continue to receive that water through our current hookup with Arroyo Grande. The city of Arroyo Grande has indicated it is willing to continue the delivery of water through their system if we enter an agreement with Oceano Water District.

Grande Mobile Manor is a 34 space, senior, rent controlled park providing very inexpensive spaces for seniors, many of these residents are on low, fixed incomes. The park had a large expense when it hooked up to the City of AG to obtain water and if it has expenses again in changing to Oceano Water District it would have to pass those costs on to these low income seniors in the form of space rent increases.

We are therefore requesting an agreement that would not require the park to extend a pipeline from Oceano. We would also like to remain in the Arroyo Grande sphere of influence, if possible, because we would someday like to work with the City of AG to improve the Pike / Halcyon intersection that we believe is a danger to our Residents.

Sincerely,


Charles Knollenberg


Marilyn Knollenberg

Grande Mobile Manor
655 S. Halcyon
Arroyo Grande CA 93420
805-489-8207

Patrick O'Reilly

From: Jerry Collins [realtorjer@sbcglobal.net]
Sent: Wednesday, June 18, 2008 11:56 AM
To: patrick@oceanocsd.org
Cc: knollenberg@earthlink.net
Subject: Request for water service

Oceano Water District
Patrick O'Reilly

Dear Mr. O'Reilly,

As you are aware, Halcyon Estates (mobile home park) has had to stop pumping water from our own well, as our water fails to meet current minimum health standards. When this happened approx 5 years ago, the former owners of the park (then known as Double J) entered into a temporary agreement with the city of Arroyo Grande. This agreement provided for us to hook up (at considerable expense) to city water. This seemed the natural thing as we are surrounded on three sides by the city. Arroyo Grande has now informed us they no longer wish to supply water to "out of area users". We now need another source of water.

Please consider this letter as our request for water service from Oceano Water District. Since we are already hooked up to Arroyo Grande, we would like delivery to continue through their system. The City of Arroyo Grande has indicated they are willing to do this if we could enter into an agreement with Oceano.

We originally felt the natural progression would be to annex to the City of Arroyo Grande, but since they have no rent control residents have balked. Halcyon Estates consists of 25 spaces and our water needs are small. Should we have to hook up to your system, that would be an additional expense that would have to be passed on to residents.

We make this request for you to supply us water through the Arroyo Grande system, as it seems like a common sense approach. We are currently in the Arroyo Grande sphere of influence and would like to remain so as we see that as the most natural due to our proximity.

Sincerely,

Jerry L. Collins (owner)
Halcyon Estates 727 S. Halcyon Road Arroyo Grande, Ca.
Mailing Address 6820 N. Maine Ave. Clovis, Ca. 93619
Phone 559-779-5222

No virus found in this incoming message.
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Oceano Community Services District

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

June 25, 2008

TO: Board of Directors
Oceano Community Services District

FROM: Alexander F. Simas 
District Legal Counsel

SUBJECT: CONSIDERATION OF AN INTERIM REPORT ON THE DISTRICT'S
ORDINANCE AND RESOLUTION CODIFICATION PROJECT.

Background: In April, the District Board requested that my office commence codification of the District's ordinances and applicable resolutions. Because of anticipated timing issues, it was agreed that the work would commence this month.

This report is to provide the Board with an interim status report and to obtain some guidance on certain policy issues regarding the project.

Procedures Used: The project was commenced by analyzing the District's Ordinances and Resolutions to determine the broad categories of matters to be covered. A survey also was taken of other public agencies to determine how they organize their codes. This work along with preliminary drafting was performed by Shawn Torres of my office.

Attached as Exhibit "A" you will find a 9 page document consisting of:

- A. A Cover Page.
- B. A Table of Contents.
- C. Proposed text for Chapters 4.01 through 4.03 dealing with water service.

In reviewing the attachment there are a couple of things to keep in mind.

1. We attacked District Ordinance 2006-01 dealing with water service first because we know that it is a matter of concern to the Board and may ultimately require the most work.
2. You will see that at the end of each Section there is a reference to the Ordinance from which the text comes. If you compare the sample pages to adopted Ordinance 2006-1 you will see some inconsistencies.

Please keep in mind that as the code is organized, there are some old Ordinance parts that will be assigned to different sections. Some of those sections have not been drafted yet so there are many parts of Ordinance 2006-1 which have not been inserted. (Also see the Policy Questions for Guidance below).

Also please keep in mind that drafting this document involves attempting to anticipate how other sections ultimately will relate and a desire to use consistently defined terms and formatting. That also required some text changes.

Finally, please keep in mind that as we work backwards through the District's ordinances we may find additional, still operative provisions in older ordinances that will have to be incorporated.

3. We anticipate that the Board will want to use this codification project as an opportunity to make some substantive changes to its ordinances. While we can discuss those substantive items at this time, the bulk of that discussion should be deferred until we can provide you with a complete draft so you can see as a whole, how the various document sections interplay.

Policy Questions for Guidance: The codification project necessarily involves making organizational decisions. There are a couple on which we would like some guidance from the Board.

1. Codes generally handle fees schedules in one or the other of two ways.

a. One method is to state the fees in the text associated with the applicable matter. For instance fees for reopening of an existing water service would be found in a set of sections regarding that type of matter while fees associated with establishing a new water connection would be found in a separate set of sections dealing with new water connections. Separate fees for reconnecting a discontinued service would be found in still a third section dealing with that process.

b. A second method is to provide text references to a single set of fee schedules gathered in a single place in the Code.

There are advantages and disadvantages to both methods. The current ordinances generally adopt the first method. We recommend the second approach, but it ultimately is a Board and staff decision. Some guidance from the Board and staff as to which is preferred would be helpful.

2. The same issue as the fees issue exists for Code violation penalties, although

the growing trend is to have any specific penalties in the applicable section and refer to a general penalties section for any other unspecified Code violations. We recommend this approach.

3. Some criticism has been levied at Ordinance 2006-1 dealing with water service because it mixes together the rules for establishing new water service connections, reopening an existing water service connection account and reconnecting after a service has been discontinued. Our sense is that the Board desires these matters to be split up and the sample sections provided take that approach. Please advise if we are on the right track.

The Next Steps: After obtaining guidance from the Board, our plan is to continue with Title 4 to complete the work on the water service provisions. Thereafter we will proceed to Titles 1 (General Provisions) and 2 (Administration and Personnel).

Upon completion of those items, we will provide another interim report. We hope to have it ready for you review by the first meeting in August. We hope to be back with a complete Code by September.

EXHIBIT "A" TO
BOARD REPORT RE DISTRICT ORDINANCE AND
RESOLUTION CODIFICATION PROJECT
OUTLINE AND SAMPLE CHAPTERS

[An outline and sample chapters follow on the next page.]

EXHIBIT "A"

OCEANO COMMUNITY SERVICES DISTRICT CODE

Revised as of _____, 2008

A codification of the general ordinances and applicable resolutions
of the Oceano Community Services District

INTERIM DRAFT

Codified, indexed and published by

KIRK & SIMAS
a professional law corporation
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Santa Maria, CA 93455
(805) 934-4600
www.KirkSimas.com

(Rev 06/19/2008)

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- Chapter 1.03 – 09 (Reserved)
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- Chapter 1.90 Miscellaneous

TITLE 2. ADMINISTRATION AND PERSONNEL *[To be completed.]*

TITLE 3. (RESERVED)

TITLE 4. WATER SERVICE

- Chapter 4.01 General Provisions
- Chapter 4.02 New Service Connections
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- Chapter 4.10 Fees
- Chapter 4.11 – .19 (Reserved)
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TITLE 5. SEWER SERVICE *[To be completed.]*

TITLE 6. SOLID WASTE *[To be completed.]*

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TITLE 8. (RESERVED)

TITLE 4. WATER SERVICE

Chapters:

- 4.01 General Provisions
- 4.02 New Water Service Connections
- 4.03 Existing Water Service Connections
- 4.10 Fees
- 4.20 Billing
- 4.30 Maintenance
- 4.40 Miscellaneous

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INTERIM DRAFT

Chapter 4.01 General Provisions

Sections:

- 4.01.010 Board of Directors' Authority.**
- 4.01.020 General Manager's Authority.**
- 4.01.030 District Employees.**
- 4.01.040 Water Meters.**
- 4.01.050 Protection of Health.**
- 4.01.060 No Single Service**

4.01.010 Board of Directors' Authority. Subject to the delegation of daily operational duties as provided herein, all reservoirs, pipelines, pumping stations, wells, treatment facilities, valves, connections, meters and other appurtenances and District property used in connection with the water system shall be under the District Board's management and control. All District water service shall be provided in accordance with the rules and regulations provided for herein any and all of which may be amended or added to or repealed in whole or in part by the District Board. (Ord. 2006-1 Art. 1)

4.01.020 General Manager Authority. The General Manager shall be responsible for the daily operational control of the District water system. (Ord. 2006-1 Art. 1)

4.01.030 District Employees. District employees, and no others, shall have the right to operate the district water system and enter onto District property to carry out the District Board and General Manager's operational directives. (Ord. 2006-1 Art. 1)

4.01.040 Water Meters. In all cases, water shall be supplied through water meters installed in accordance with this Code and, in each case, the property owners shall be responsible for all water passing through the meter. (Ord. 2006-1 Art. 1)

4.01.050 Protection of Health. The District reserves the right to treat any and all water served through its system with such chemicals and processes, at such time, and in such amounts as it deems proper to safeguard public health. The District further reserves the right to safeguard public drinking water supplies by preventing backflow into the District water system. (Ord. 2006-1 Art. 1)

4.01.060 No Single Service. Except as may be otherwise specifically approved by the District Board, service to newly constructed buildings shall include both sewer and water. (Ord. 2006-1 Art. 2 § 2(a))

[Balance of page intentionally left blank.]

Chapter 4.02 New Water Service Connections

Sections:

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4.02.020	New Service Permit Application.
4.02.030	Permit for Work over a Public Way.
4.02.040	Plans and Specifications.
4.02.050	Review Procedures.
4.02.060	Final Map Approval.
4.02.070	Public Water Lines.
4.02.080	Extension of Time.
4.02.090	Persons Authorized to Perform Work.
4.02.100	Compliance with All Applicable Laws.
4.02.110	Construction Warnings.
4.02.120	Public Service Acceptance by District.
4.02.130	Design and Construction Standards.
4.02.140	District Liability and Indemnification Insurance.
4.02.150	Code Violation Notice.
4.02.160	Continued Code Violation; Abatement.
4.02.170	Disconnection for Violation.
4.02.180	Occupancy of Disconnected Premises.

~~4.02.010~~ ~~New Service Permit Required.~~ No public water main, water service, or other facility or other action requiring a permit from the District shall be installed altered or repaired until a permit is first issued by the District and all fees are paid in accordance with Chapter 4.10 of this Code. (Ord. 2006-1 Art. 2 § 1)

~~4.02.020~~ ~~New Service Permit Application.~~ A permit application for a service connection must be made for each newly constructed structure or existing structure remodel or addition on a form furnished by the District. (Ord. 2006-1 Art 2 § 2)

The applicant's signature on any District or county permit application shall constitute an agreement, binding upon the applicant and his successors in interest, to comply with all provisions, terms and requirements of this Code and with the plans and specifications approved by the District.

The applicant may request in writing that a permit be modified. (Ord. 2006-1 Art. 2)

~~4.02.030~~ ~~Permits for Work over a Public Way.~~ A separate permit must be secured by the applicant from the San Luis Obispo Department of Public Works, the State Department of Transportation or any other authority having jurisdiction over any public way in which applicant intends to perform any work related to District services. (Ord. 2006-1 Art. 2 § 1(k))

4.02.040 Plans and Specifications. Plans, profiles and specifications shall be prepared by a registered engineer and submitted to the District for review and approval before construction of a public service for which the District has jurisdiction. All such documents submitted shall be prepared in accordance with, and review shall be based upon the District's standards and specifications in existence at the time the submitted. (Ord. 2006-1 Art. 2 § 1(b))

4.02.050 Review Procedures. District staff shall make every effort to review and comment on any plans, profiles and specifications, or modifications thereto, within ten (10) business days after submittal. Upon approval, the General Manager or District Engineer shall sign and date the pertinent pages. (Ord. 2006-1 Art. 2 § 1(b))

4.02.060 Final Map Approval. In the case of a subdivision, the final subdivision or parcel map shall be submitted to the District for review and approval before recording. (Ord. 2006-1 Art. 2 § 1(c))

4.02.070 Public Water Lines. All public water lines shall be in streets or rights of way dedicated to public use or, upon District approval shall be in easements or right of way granted to District.

Easements and rights of way contained in a final subdivision or parcel map shall be of sufficient size to allow the laying and maintenance of a public service. The cost of obtaining said easement or right of way shall be borne by the applicant. (Ord. 2006-1 Art. 2 § 1(c)(i))

4.02.080 Extension of Time. If construction of a public service is not completed within the time allowed by the District, the General Manager may extend the time limit or, with District Board approval, complete the work and enforce the provisions of any bond furnished by the applicant. (Ord. 2006-1 Art. 2 § 1(c)(ii))

4.02.090 Persons Authorized to Perform Work. The construction of a public service shall be performed by contractors licensed by the California Contractors State Licensing Board. (Ord. 2006-1 Art. 2 § 1(d))

4.02.100 Compliance with All Applicable Laws. Any person constructing a public service or any type of structure requiring District approval or permit shall comply with all State, County District, South San Luis Obispo County Sanitation District or any other applicable laws not herein identified, and the permit. The Applicant is responsible for assuring that the contractor conforms to all permit conditions and laws applicable to the permit. (Ord. 2006-1 Art. 2 § 1(d) and (e))

4.02.110 Construction Warnings. Whenever a public service is under construction, such lights, signs and barriers shall be erected and maintained to give reasonable warning to the public at all times of each dangerous condition to be encountered. The applicant also likewise shall protect the public in the use of the adjacent public rights of way against any such conditions in connection with the construction of such public service.

Any streets, sidewalks, parkways and other property disturbed in the course of

work shall be reinstalled in a manner satisfactory to the District. The applicant or contractor may be required to post a bond to guarantee that repairs to any property disturbed will be made. (Ord. 2006-1 Art. 2 § 1(f))

4.02.120 Public Service Acceptance by District. The administration, inspection, enforcement and acceptance of a new public service shall be by the General Manager, District Engineer or other authorized District representative. (Ord. 2006-1 Art. 2 § 1(g))

4.02.130 Design and Construction Standards. All work performed in connection with the design and construction of public services to be operated and maintained by the District shall be in accordance with the District's standards except where the State, County or Federal government establish a more restrictive applicable standard, in which case the more restrictive requirements shall apply. (Ord. 2006-1 Art. 2 § 1(g))

4.02.140 District Liability and Indemnification; Insurance. The District, its officers, agents and employees shall not be liable for injury or death to any person or damage to any property arising out of the applicant's performance of any work. Applicant shall indemnify and hold the District and its officers, agents and employees harmless from any liability incurred in connection with construction of a public service by applicant, including all attorneys' fees and costs incurred in defending against a civil or administrative action or to enforce this provision. Before commencing any work, applicant shall obtain, maintain and provide evidence to the District of property and liability insurance in amounts reasonable necessary to provide coverage to the District, as may be established by the District from time to time. (Ord. 2006-1 Art. 2 § 1(l))

4.02.150 Code Violation Notice. Any person found in violation of this Chapter shall be served by the General Manager or other authorized District personnel with written notice stating the violation's nature with reasonable particularity, and providing a reasonable time to cure such violation. All persons shall be held strictly liable for their acts and for all acts of their agents and employees hereunder.

Upon notification from the District of any violation under this Chapter, the applicant immediately shall undertake corrective action. (Ord. 2006-1 Art. 2 § 1(m))

4.02.160 Continued Code Violation; Abatement. Habitation of any building or continued occupancy or operation of any commercial or industrial facility in violation of this Chapter is hereby declared to be a public nuisance.

The District may cause proceedings to be brought to abate the occupancy or operation of any building for continued violation of this Chapter. The District may abate the violation at the District's sole discretion but the abatement costs, including any reasonable attorney's fees and administrative costs shall be paid by the property owner and shall be a charge applied against the offending property as provided by law. (Ord. 2006-1 Art. 2 § 1(n))

4.02.170 Disconnection for Violation. After reasonable notice and opportunity to cure a violation of this Chapter, without curative action by the property owner, the District may disconnect the property from the District water mains. Upon disconnection the District shall estimate the cost of disconnection and reconnection to the system. User shall deposit the

estimated cost before being reconnected to the system. Upon reconnection the District shall refund any unused portion of the deposit to the user. (Ord. 2006-1 Art. 2 § 1(o))

4.02.180 Occupancy of Disconnected Premises. During any period of disconnection as described in § 4.02.170, occupancy or operation of any building or facility to which water service has been disconnected shall constitute a public nuisance and the District may abate the same as provided in §4.02.160. (Ord. 2006-1 Art. 2 § 1(p))

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Chapter 4.03 Existing Water Service Connections

Sections:

- 4.03.010 Service Application.
- 4.03.020 Property Transfers.

4.03.010 Service Applications. Applications for service to use an existing service connection shall be made only in the property owner's name on a form approved by the District along with all applicable fees.

Property owner's name shall be the only name listed with the District for water service and the owner shall be responsible for all fees incurred until the owner notifies the District that service is to be disconnected. (Ord. 2006-1 Art. 3 § 1)

4.03.020 Property Transfers. Applications for service shall be submitted within thirty (30) calendar days after the date the property ownership transfers. Failure to transfer the services as provided herein shall result in an increased application fee as provided in Chapter 4.10.

There shall be no mid-period meter readings for property transfers or otherwise. (Ord. 2006-1 Art. 3 § 1)

INTERIM DRAFT

OCSD BOARD MEETING JUNE 25, 2008

**AGENDA ITEM 10D
BUDGET WORKSHOP FOR FISCAL YEAR 2008-09 BUDGET**

**COPIES OF THE STAFF REPORT AND PROPOSED BUDGET
WILL BE AVAILABLE AFTER NOON MONDAY JUNE 23, 2008
AT THE DISTRICT OFFICE
1655 FRONT STREET
OCEANO, CA 93455**

OFFICE HOURS MONDAY - FRIDAY 8 A.M. TO 5 P.M.