



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.

January 28, 2009

Oceano
Wednesday

BOARD MEMBERS

Barbara J. Mann, President
Vern Dahl, Director
Mary K. Lucey, Director

Jim Hill, Vice President
Pamela Dean, Director

SECRETARY TO THE BOARD

Kevin D. Walsh
Interim 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. Board Member Items/Discussion *
5. Review and Approval of Minutes
 - a. January 14, 2009
6. Reports *
 - a. Administrative Assistant
 - b. Utility Operations Supervisor
7. Fire Items
 - a. None

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.

8. 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

9. Administrative Items
 - a. Distribution of Codification Sections *
Discussion of process to review the various sections of the Code

 - c. General Manager Recruitment *
Review process for reviewing applications on February 10, 2009

10. 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 BARBARA MANN**
 - (1) SSLOCSD: 01 21 2009
 - (2) Fire Committee: 01 27 2009
 - (3) Zones 1/1A: 01 20 2009
 - (4) Goal Setting: 01 22 2009
 - (5) CSDA SLO: 01 16 2009
 - (6) Other

 - b. **VICE PRESIDENT JIM HILL**
 - (1) SSLOCSD: 01 21 2009
 - (2) Goal Setting: 01 22 2009
 - (3) Other

 - c. **DIRECTOR VERN DAHL**
 - (1) OAC: 01 26 2009
 - (2) ALUC: 01 21 2009 Cancelled
 - (3) Goal Setting: 01 22 2009
 - (4) Other

 - d. **DIRECTOR PAMELA DEAN**
 - (1) Zone 3: 01 15 2009
 - (2) Goal Setting: 01 22 2009
 - (3) Other

 - e. **DIRECTOR MARY LUCEY**
 - (1) ALUC: 01 21 2009 Cancelled
 - (2) Goal Setting: 01 22 2009
 - (3) Other

11. General Manager Items/Discussion*
 - a. Other
12. Board Member Discussion*
13. Consideration of Warrants
14. Public Comment *
15. 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
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**OCEANO COMMUNITY SERVICES DISTRICT
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The meeting was called to order by President Mann at 6:30 PM

1. Roll Call

Present: President Mann, Vice President Hill, Director Dahl, Director Dean,
Director Lucey

Absent: None

Staff Present: Kevin Walsh, Secretary to the Board/ General Manager, Gina A.
Davis, Deputy Secretary to the Board/ Administrative Assistant,
Philip T. Davis, Utility Operations Supervisor, Craig Angello, Fire Captain,
Alex Simas, District Legal Counsel, Ryan Fothergill, District Legal
Counsel

Staff Absent: None

2. Flag Salute

President Mann led the flag salute.

3. Public Comment

None

4. Board Member Items/Discussion

None

5. Review and Approval of Minutes

None

6. Reports

a. Report of Sheriff

Commander Hascall, presented the monthly report. Comm. Hascall stated that they have arrested a man in the Brikford homicide after a timely investigation. He then expressed how important it is for all people to lock up their vehicles as well as taking any personal items inside as there has been an increase in robberies.

b. Officer Pedro Arroyo, Co. Probation Department

Officer Arroyo made a presentation regarding the new, "Youth in Action" program for Oceano and Nipomo. Director Lucey and Dean asked several questions about the program and if there would be a follow-up process. Officer Arroyo explained that there was and how it worked.

7. Fire Items

a. 2008 Assistance to Firefighters Grant

GM Walsh presented the item. He stated the recommended action was the Board accept the Grant for \$33,250.00 and the transfer of \$4,664.00 from Contingency (01-4200-380) to Fixed Assets as the District's matching funds.

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Director Dean stated the Fire Committee discussed this Grant and recommended the Board approve the Grant. President Mann asked for clarification that if the District decided against the Grant, would it jeopardize the award of future grants being awarded to the District. Chief Heath stated that there is no discrimination regarding the awarding of grants, and strongly recommend that the Board accept the Grant.

After a request for public comment, there being none, upon the motion of Director Dean, second by President Mann, and on the following roll call vote, to wit:

**AYES: Director Dean, President Mann, Vice President Hill,
Director Dahl, Director Lucey**

NOES: None

ABSENT: None

The Board approved the 2008 Assistance to Firefighters Grant, and authorized the acceptance of the transfer of \$4,664.00 from Contingency (01-4200-380) to Fixed Assets (01-4200-320).

b. Joint Dispatch Study

G.M. Walsh introduced the item, stating that the estimated cost to the District would be \$4,000.00. He stated the estimate is on the low end that it could end up costing more. The recommended action is the District's participation in the Joint Dispatch Study, and authorize the expenditure of \$4,000.00 from Professional Services (01-4200-220).

Director Dean stated that the Fire Committee discussed this matter and supports it.

VP Hill asked how much money the District would save if there was a joint fire dispatch. GM Walsh explained that this is one of the areas that would be researched and answered during the study. VP Hill expressed his concern with whether the police calls would take precedence over the fire calls. Chief Hubert addressed his concerns and answered his questions. Director Lucey made general comments regarding the study. President Mann felt this subject had already been studied, and that the District should not be spending much money until the costs of consolidation are calculated and the Board determines if the District can be part of the JPA.

After a request for public comment, none being offered, upon the motion of Director Dean, second by Vice President Hill, and on the following roll call vote, to wit:

AYES: Director Dean, Vice President Hill, Director Dahl

NOES: Director Lucey, President Mann

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ABSENT: None

The Board approved the District's participation in the Joint Dispatch Study, and authorized the expenditure of \$4,000.00 from Professional Services (01-4200-220).

Captain Angello presented the Fire Department's monthly report for December, 2008. <Attached>

8. Utility Items

- a. Cleaning and Inspection of District Sewer and Water Lines
GM Walsh presented the item.

Therefore, after a request for public comment, (none being given), upon motion by Vice President Hill, second by Director Dean, and on the following roll call, to wit:

**AYES: Vice President Hill, Director Dean, Director Dahl,
Director Lucey, President Mann**

NOES: None

ABSENT: None

The Board approved the continuance of the Declaration of Emergency.

- b. The Morro Group Biological Monitoring for CDBG Sewer Project

GM Walsh stated that the red-legged frog is endangered but has not been observed in this area. However, since the CDBG project is adjacent to a potential red-legged frog habitat. The monitoring was started on Monday, January 12, 2009. GM Walsh stated the District does not have a policy authorizing the General Manager to do change orders without the Board's approval or direction up to a particular dollar amount. It is important that a policy regarding this be included in the new Codification.

Director Lucey asked where the money was budgeted, and GM Walsh explained that it would be out of the CDBG funds.

Therefore, after a request for public comment, there was none, upon the motion of Director Dean, second by Director Dahl, and on the following roll call, to wit:

**AYES: Director Dean, Director Dahl, Vice President Hill,
Director Lucey, President Mann**

NOES: None

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ABSENT: None

The Board unanimously approved the Change Order for \$7,500.00 funded by the CDBG funds, to cover additional biological monitoring by the Morro Group.

9. Administrative Items

a. Committee Assignments

President Mann read aloud the purposed committee assignments.

Therefore, after receiving no public comment, upon the motion by Vice President Hill, second by Director Dean; the following committee assignments were unanimously approved by voice vote.

Core Committees (Two Directors)

Fire	Mann	&	Dean
Finance	Hill	&	Dean
Personnel	Lucey	&	Dahl
Water & Sewer	Hill	&	Lucey
Community Enhancement *	Lucey	&	Dahl

Essential Committees (Director/Staff with Alternates)

	<u>Primary Alternate</u>		<u>Time & Place</u>
Airport Land Use	Lucey	Dahl	3 rd Wed / 1:30 / SLO
CA (Local) Special Dist	Mann		Varies (Usually Noon Fri)
Oceano Advisory	Dahl	Lucey	3 rd Mon / 6:30 / OCSD
SSLOCS	Hill	Mann	1 st & 3 rd Wed / 6:00 / OCSD
Supervisor Liaison	Mann		Varies
Zone 3	Dean	Lucey	3 rd Thurs Odd / 6:30 / Varies
Zone 3 Technical	P. Davis		1 st Thurs / 10:00 / AG
WRAC	Mann	GM	1 st Wed / 1:30 / SLO
Zone 1/1A	Dahl	Lucey	3 rd Tues of odd month/3:00/ OCSD
Fire Consolidation	Dean	Mann	TBA

* Includes Garbage/Street Lighting/Alleys/Parks & Recreation

President Mann announced a recess at 7:55pm.

President Mann reconvened the meeting at 8:00pm.

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b. Codification Project

President Mann stated that she believed that last year the Board had agreed to accept the current version of the Codification and then change it as necessary one chapter at a time. DLC Simas briefed the Board on the status of the document, stating that a rough draft would be prepared for the first reading available for the next meeting scheduled January 28, 2009 with the adoption on February 11, 2009 meeting. Director Dahl asked if "we" could go through committee structure first before the adoption process. Director Dean stated that during her review of the Water section, in particular, she noted that some of the language in the original Ordinance is not stated the same in the Code. DLC Simas said that he would review and amend sections as may be needed if Directors would provide him their areas of concern. Director Dean also felt it would be advisable to have committees review the sections that were pertinent to that particular committee. Director Dean added that she would like to see this document include the "Rules of Order" so that the Codification is complete and clear as possible.

Thereafter, after receiving no public comment the Board unanimously decided to discuss this matter further at the goal setting meeting scheduled for January 22, 2009, and to discuss it at the regular Board Meeting on January 28, 2009.

c. LAFCO Nomination Request for Templeton CSD Director David Brooks

GM Walsh stated that Templeton CSD is asking for the District's support to reappoint David Brooks as the CSDA representative to LAFCO. President Mann recommended that the Board supports Mr. Brooks also.

Therefore, after receiving no public comment, upon the motion of Director Dean, second by Vice President Hill, the Board unanimously voted to support the reappointment of David Brooks as LAFCO representative by voice vote.

d. Establishment of District Goals for Fiscal Year 2009-2010

GM Walsh presented the item to the Board and suggested a special meeting be held January 20th to discuss matter further. Director Lucey was concerned that a 2-hour to 3-hour meeting may not be enough time to establish the goals that are needed. President Mann explained that if one meeting was not sufficient the Board would schedule another one.

President Mann encouraged the Board to look at prior years' goals to determine which of those have been accomplished and which goals are no longer needed. Director Dahl stated that he felt it was important for all five members to be at the goal setting meeting. Karen White of Halcyon commented that the date chosen was the same as the Presidential Inauguration.

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Thereafter, after receiving the comment above, the board held a voice vote to change the meeting date to either January 22, 2009 or January 24, 2009 at 6pm. President Mann will contact Arnie Dowdy to find out which day is convenient for him, and staff will notify the remaining four Board members.

e. Recruitment of General Manager

GM Walsh introduced the item. Director Lucey stated that her preferences that the Personnel Committee review all applications and select the qualified applicants before the Board's full review. Director Dean stated that in the past the Board as a whole looked at everything. This process has been kept open so ensure that all members of the Board see everything at the same time. Director Lucey still preferred that it go through the Personnel Committee. Director Dean stated a special meeting really must be held for this to be decided and she felt that it has always worked well in the past. Director Lucey stated her feeling that the initial review and evaluation should be done by the Personnel Committee in accordance with the District's Policies and Procedures. After a lengthy discussion the calendar was approved with only date for the Board to review the applications was February 10, 2009.

10. **The Board adjourned to a Closed Session at 9 pm**

- a. **CLOSED SESSION** – A closed session pursuant to Government Code Section 54956.9(b) to meet with the District's Legal Counsel concerning pending litigation. (Bookout v. State of California, et al; San Luis Obispo County Superior Court Case # CV 060384)
- b. **CLOSED SESSION** – A closed session pursuant to Government Code Section 64957.6 to meet and confer with the District's designated representative regarding the compensation paid to its represented employees. The District's designated representative is Kevin Walsh.
- c. **CLOSED SESSION** – A closed session pursuant to Government Code Section 54957(b)(1) to consider the appointment or employment of a public employee. The position under consideration is Interim General Manager.

Return to Open Session

The Board approved an employment agreement between Kevin Walsh and Oceano Community Services District, effective January 1, 2009. A copy of the agreement would be available January 15, 2009 at the District Office. No other actions were taken.

11. Reports of District Representatives

- a. PRESIDENT BARBARA MANN
President Mann had no meetings to report.

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- b. VICE PRESIDENT JIM HILL
VP Hill reported on the SSLOSD meeting of January 7, 2009. His report included an update on the digester work. VP Hill reported that they had approved the purchase of a radiator for the case front-end loader as the last one failed. A master service agreement was entered into with Kennedy-Jenks Design for all on-call engineering services.

- c. DIRECTOR VERN DAHL
Director Dahl had no reports to give as the ALUC meeting on December 17, 2008 was cancelled, as was the OAC meeting on December 15, 2008

- d. DIRECTOR PAMELA DEAN
Director Dean reported on the Fire Committee meeting on January 13, 2009. She stated Fire Captain Bova discussed applying for an Assistance to Firefighters Grant (AFG) to be used for a new Type I Fire Engine. However, the Fire Engine restricted reserves was only \$75,000.00 leaving the District approximately \$105,000.00 short. The decision was not to pursue the Grant at this time.

Director Dean stated the Committee received an update on the hiring of reserve staffing. Initial hiring and on-going training costs for adding reserves to the roster would be approximately \$1,260.00 a year.

- e. DIRECTOR MARY LUCEY
Director Lucey had no meetings to report.

12. General Manager Items/ Discussion
None

13. Board Member Items/ Discussion
None

14. Consideration of Warrants
Thereafter, after a request for public comment (none being given), upon the motion by Vice President Hill, second by Director Dahl, the Board approved the warrants by unanimous voice vote.

15. Public Comment
None

16. Written Communication
AA Davis stated the original sewer bond for \$150,000.00 issued to Oceano in 1969, has been paid in full.

The meeting was adjourned by President Mann at 10:40 pm.

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Kevin Walsh, Secretary to the Board



Oceano Community Services District

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January 28, 2009

TO: Board of Directors, OCSD

FROM: Kevin D. Walsh, General Manager

SUBJECT: CLEANING AND INSPECTION OF DISTRICT SEWER AND WATER LINES

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.

Agenda Item 01 28 2009 8.a.



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January 28, 2009

To: Board of Directors

From: Barbara Mann, Board President

Subject: PROPOSED DISTRIBUTION OF CODIFICATION SECTIONS

FINANCE	Title One:	GENERAL PROVISIONS
	Title Four:	WATER – Rates and Fees only
	Title Five:	SOLID WASTE – Rates and Fees only
	Title Six:	SEWER – Rates and Fees only
PERSONNEL	Title Two:	ADMINISTRATION AND PERSONNEL
N/A	Title Three:	(Blank)
WATER/SEWER	Title Four:	WATER SERVICE (Less: Rates and Fees – to Finance)
COMMUNITY ENHANCEMENT	Title Five:	SOLID WASTE (Garbage) (Less: Rates and Fees – to Finance)
WATER/SEWER	Title Six:	SEWER SERVICE (Less: Rates and Fees – to Finance)
FIRE	Title Seven:	HEALTH AND SAFETY

