



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 PM

Oceano
Wednesday

August 25, 2010

BOARD MEMBERS

Vern Dahl, President
Mary K. Lucey, Director
Lori J. Angello, Director

Pamela Dean, Vice President
Jim Hill, Director

SECRETARY TO THE BOARD

Raffaele F. Montemurro
General Manager

FIRE CHIEF

Chief Michael E. Hubert

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 Comment *
5. Review and Approval of Minutes
 - a. July 14, 2010
 - b. August 11, 2010

6. Cash Disbursements
Recommend Approval of Bills as submitted

7. Administrative Items
 - a. Resolution NO. 2010 – 14 a resolution amending OCSD Conflict of Interest Code
Recommend Approval of Resolution

 - b. Resolution NO. 2010 – 15 a resolution to forward the charges for weed removal to the County
Recommend Approval of Resolution so the County Auditor can collect charges

 - c. Resolution NO. 2010 – 16 a resolution to forward the charges for solid waste collection
Recommend Approval of Resolution so the County Auditor can collect charges for delinquent Solid waste collection charges

 - d. Fire Truck/Aerial Apparatus Cooperative Agreement
Recommend Approval of Agreement By and between the City of Grover Beach, the City of Arroyo Grande and the Oceano Community Services District

 - e. Discussion District Investment Policy
Recommend one new Signature card for all three Time Deposits at Rabobank with at least Three Board Members and General Manager's signature

 - f. Discussion District Accounting and past Audit processes
Accountants' Report from Glenn, Burdette, Phillips & Bryson

 - g. a. CLOSED SESSION, CONFERENCE WITH LEGAL COUNSEL-PENDING LITIGATION.
CLOSED SESSION – A closed session pursuant to Government Code Section 54956.9(a) to meet with the District's Legal Counsel regarding pending litigation (Dean V. Board of Directors, et . al; San Luis Obispo County Superior Court case #CV 100169)

 - b. CLOSED SESSION PUBLIC EMPLOYEE PERFORMANCE EVALUTION
CLOSED SESSION – A closed session pursuant to Government Code Section 54957 (b)(1) And (4) to review and evaluate the performance of a contract public employee (District Legal Counsel)

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.
- b. Fee Letter: OCSD Project# 6428.00 APN 062-114-016
Community Health Center/Relocate existing Modular Building to Site.
- c. Will Serve Letter: OCSD Project # 6702 Coker Ellsworth/Tract 2424 APN 075-011-041
Letter will expire August 26, 2010 Recommendation renew letter to expire August 11, 2011

9. 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 VERN DAHL

- (1) SSLOCSD 08 – 18 - 2010
- (2) OAC 08 – 11 - 2010
- (3) Other

b. VICE PRESIDENT PAMELA DEAN

- (1) Other

c. DIRECTOR JIM HILL

- (1) Other

d. DIRECTOR MARY LUCEY

- (1) Zone 3 Advisory 07 – 15 - 2010
- (2) Other

e. DIRECTOR LORI ANGELLO

- (1) Other

10. General Manager Items/Discussion *
 - a. Meter up date
 - b. Wid's Plumbing up date
 - c. Other

11. Public Comment *

12. Board Member Discussion *

13. Board Member items for the next Board Meeting Agenda*

14. 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 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

OCEANO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES

July 14, 2010

Wednesday

Oceano

The Meeting was called to order by President Dahl at 6:35 p.m.

1. Roll Call
Present: President Dahl, Vice President Dean, Director Angello, Director Hill,
Director Lucey

Absent: None

Staff Present: Raffaele F. Montemurro, Board Secretary/General Manager
CarolAnn Pardo, Acting Deputy Secretary to the Board

Staff Absent: Mike Hubert, Fire Chief
Craig Angello, Fire Captain
Alex Simas, District Legal Counsel
2. Flag Salute
President Dahl led the flag salute.
3. Public Comment *
Katrina Dulunkski, Nipomo Resident and committee member of the Mesa for Clean Air and Oceano for Clean Air handed out an action alert which stated that the ODSVRA activities create a health hazard and decrease the quality of life and property values.

Nell Langford, Oceano, presented a 3 minute video of a woman speaking about the cause and effect of particulate matter

Carole Henson, Halcyon, stated she will be running for the Oceano Community Services District Board of Directors.
4. Board Member Comment *
None
5. Review and Approval of Minutes
 - a. April 28, 2010

The Board unanimously would like the April 28, 2010 minutes brought back with corrections
 - b. June 23, 2010
The Board unanimously would like the June 23, 2010 minutes brought back with corrections
6. Reports
Commander Ken Conway, presented the June, 2010 Sheriff's South Station report

GM Montemurro stated there was no June, 2010 Fire Department report to be given at this time
7. Consideration of Warrants
GM Montemurro recommended approval of the warrants as presented.

Ms Henson spoke in favor of the great reduction in the District bills and the in lue of fees with the County, and asked about the state water fees.

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After public comment, Board discussion, a motion by Director Hill, second by Director Lucey the approval of the warrants as presented by GM Montemurro, was adopted by voice vote 5-0

8. Utility Items

a. Cleaning and Inspection of District Sewer and Water Lines

GM Montemurro presented item

After public comment, Board discussion, a motion by VP Dean, second by Director Hill and the following roll call vote:

Ayes: VP Dean, Director Hill, VP Dean, Director Angello, Director Lucey, President Dahl

Nays: None

the following motion was adopted: Continual Disclosure of the Emergency Declared by the Board of Directors Concerning the Cleaning and Inspection of the District Sewer and Water Mains following the San Simeon earthquake

President Dahl recessed at 7:45 pm

President Dahl returned from recess at 7:56 pm

President Dahl called a sudden break at 8:10 pm

President Dahl returned from break 8:12 pm

b. Fee Letter: Takken (OCSD) #6340.17

GM Montemurro presented item and recommended approval

Ms Henson spoke about monetary interests while sitting on the Board

Ms Bedell spoke about the front footage fees

After public comment, Board discussion, a motion by Director Hill, second by Director Lucey, and the following roll call vote:

Ayes: Director Hill, Director Lucey, Director Angello

Noes: VP Dean, President Dahl

the following motion was adopted: the approval of the Corrected Fee Letter for OCSD Project # 6340.17

c. Fee Letter: Takken (OCSD) #6340.18

GM Montemurro presented item and recommended approval

After public comment, Board discussion, a motion by Director Hill, second by Director Lucey, and the following roll call vote:

Ayes: Director Hill, Director Lucey, Director Angello

Noes: VP Dean, President Dahl

the following motion was adopted: the approval of the Corrected Fee Letter for OCSD

OCEANO COMMUNITY SERVICES DISTRICT
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Project # 6340.18

d. Fee Letter: Takken (OCSD) #6340.20

GM Montemurro presented item and recommended approval

After public comment, Board discussion, a motion by Director Hill, second by Director Lucey, and the following roll call vote:

Ayes: Director Hill, Director Lucey, Director Angello, President Dahl

Noes:

the following motion was adopted: the approval of the Corrected Fee Letter for OCSD Project # 6340.20

e. Fee Letter: Director Pamela Dean's (OCSD) # 6195.84

GM Montemurro presented item and the following options were recommended either pulling out the water meter or refund the money

VP Dean recused herself

Ms Henson spoke about the OCSD ordinance

Ms Henson does not agree with the monetary issue regarding VP Dean and the front footage fees

After public comment, Board discussion, a motion by Director Hill, second by Director Lucey, and the following roll call vote:

Ayes: Director Hill, Director Lucey, Director Angello

Noes: President Dahl

the following motion was adopted: to remove the water meter, cap the sewer lateral, refund the \$7,026.68, and be able to serve water for this project at a later date.

President Dahl recessed at 9:21 pm

President Dahl returned from recess at 9:31 pm

9. Administrative Items

a. Budget 2010-2011 Public Hearing

After public comment, Board discussion, a motion by Director Hill, second by Director Lucey, and the following roll call vote:

Ayes: Director Hill, Director Lucey, Director Angello

Noes: VP Dean, President Dahl

the following resolution was adopted: a resolution adopting the 2010-2011 Fiscal Year Budget

President Dahl recused himself

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c. Solid Waste Collection Franchise Agreement

GM Montemurro recommended approval of the agreement

After public comment, Board discussion, a motion by Director Hill, second by Director Angello, and the following roll call vote:

Ayes: Director Hill, Director Angello, Director Lucey, VP Dean

Noes:

the following motion was adopted: the Solid Waste Franchise Agreement as presented by the GM Montemurro

11. Reports of District Representatives *

a. PRESIDENT VERN DAHL

President Dahl presented the report from the July 7, 2010 SSLOCSD

b. VICE PRESIDENT PAMELA DEAN

No report given

c. DIRECTOR JIM HILL

Director Hill presented the report from the July 9, 2010 JPA

d. DIRECTOR MARY LUCEY

No report given

e. DIRECTOR LORI ANGELLO

No report given

12. General Manager Items/Discussion *

- a. GM Montemurro stated that the County has informed that the District will receive more of the allotted water and will consume more of the state water
- b. GM Montemurro stated the fire insurance will be cancelled July 10, 2010 and a refund is expected
- c. GM Montemurro stated the plan is spend \$45,000 that has been allocated in the budget for new water meters
- d. GM Montemurro stated that the County Clerk has sent out the 470 Form and each Board Member needs to fill it out and have it returned by July 31, 2010
GM Montemurro stated that system for the new software has been installed and is ready for Tyler Technology to access our computers

13. Public Comment *

Ms Henson commented on VP Dean OCSD project 6195.84 capacity fees and tracking the administrative fees

Kathy Young commented on the water rates increase

14. Board Member Discussion *

Director Lucey requested the GM Montemurro keep a running record of administrative fees on a removal of a meter

President Dahl stated that he received the annual water report late and would like to have an update if there was any fine incurred for the report going out later

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President Dahl requested that the appropriations be revised and be brought back at the next meeting

14. Board Member items for the next Board Meeting Agenda*
The Board directs staff that the next scheduled Board meeting July 28th be cancelled.

15. Written Communications
None

Adjournment at 10:31 pm

OCEANO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
August 11, 2010

Wednesday

Oceano

The Meeting was called to order by President Dahl at 6:35 p.m.

1. Roll Call

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

Absent: None

Staff Present: Raffaele F. Montemurro, Board Secretary/General Manager
CarolAnn Pardo, Acting Deputy Secretary to the Board

Staff Absent: Mike Hubert, Fire Chief
Alex Simas, District Legal Counsel

2. Flag Salute

President Dahl led the flag salute.

3. Public Comment *

None

4. Board Member Comment *

None

5. Review and Approval of Minutes

a. April 28, 2010

After public comment, Board discussion, a motion by Director Hill, second by Director Lucey and the following roll call vote:

Ayes: Director Hill, Director Lucey, Director Angello

Nays: VP Dean, President Dahl

the following motion was adopted: the approval of the April 28, 2010 minutes as presented

b. June 23, 2010

After public comment, Board discussion, a motion by Director Hill, second by Director Lucey and the following roll call vote:

Ayes: Director Hill, Director Lucey, Director Angello

Nays: VP Dean, President Dahl

the following motion was adopted: the approval of the June 23, 2010 minutes

c. July 14, 2010

The Board unanimously stated that they would like the July 14, 2010 minutes brought back with the corrected date

6. Reports

Deputy Taylor Rubatzky presented the July, 2010 Sheriff's South Station report

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7. Administrative Items

- a. John Wallace, DE, presented alternatives for reducing OCSD Water Supply costs Potential sale of portion of Lopez Entitlement.

Rick Searcy, Oceano, asked about water pipeline size and the capacity, he addressed the CCWA and the selling of state water

Karen White, Halcyon, asked about the sale of permanent verses temporary water

Larry Bross, Oceano, stated that giving water away is not the right thing do and sides with temporary water

Carole Henson, Halcyon stated Lopez water should be first given away and sides with providing temporary sale of water

Dave Angello, Oceano, sides with the temporary sale of water

GM Montemurro stated that the presentation is to consider and look at alternative ways to balance the budget and sale the surplus water on a temporary basis

Mr. Searcy would like to have OSCD be subsidized for having the groundwater still in the gound

Ms Henson addressed the ground water basis, Arroyo Grande and Grover Beach sharing the basin

President Dahl recessed at 8:20 pm
President Dahl returned from recess at 8:32 pm

- b. GM Montemurro discovered and presented five time deposit accounts that have matured and will mature in the amount of \$367,962.45

Mr Bross would like to see the Board motion to investigate further

After public comment, Board discussion, a motion by Director Hill, second by Director Angello and the following roll call vote:

Ayes: Director Hill, Director Angello, Director Lucey, President Dahl

Nays: None

Abstain: VP Dean

the following motion was adopted: to report findings to Attorney General and County District Attorney for further investigation

8. Consideration of Warrants

GM Montemurro recommended approval of the warrants as presented.

VP Dean recused herself for the following motion for warrant number 50979

After public comment, Board discussion, a, motion by Director Hill, second by President Dahl the approval of warrant number 50979 for Pamela Dean was adopted by voice vote 4-0 with one abstaining

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BOARD OF DIRECTORS MEETING MINUTES
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After public comment, Board discussion, a motion by Director Lucey, second by Director Hill and the following roll call vote:

Ayes: Director Lucey, Director Hill, VP Dean, Director Angello,
President Dahl

Nays: None

the following motion was adopted: approval of the warrants as presented by GM Montemurro

9. Utility Items

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

After public comment, Board discussion, a motion by Director Hill, second by Director Angello and the following roll call vote:

Ayes: Director Hill, Director Angello, VP Dean, Director Lucey,
President Dahl

Nays: None

the following motion was adopted: Continual Disclosure of the Emergency Declared by the Board of Directors Concerning the Cleaning and Inspection of the District Sewer and Water Mains following the San Simeon earthquake

- b. Will Serve Letter: OCSD Project # 6702 Coker Ellsworth/Tract 2424 APN 075-011-041
GM Montemurro presented item and recommended approval

The Board directs staff to provide more information and bring back for approval at the next meeting

Ms Henson addressed county fees that need to be looked at every January.

10. Reports of District Representatives *

- a. PRESIDENT VERN DAHL
President Dahl presented the report from the August 2010 SSLOCSD
President Dahl presented the report from the July 19, 2010 Oceano Advisory Counsel
- b. VICE PRESIDENT PAMELA DEAN
No report given
- c. DIRECTOR JIM HILL
No report given
- d. DIRECTOR MARY LUCEY
Director Lucey presented the report from the July 15, 2010 Zone 3 Advisory

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BOARD OF DIRECTORS MEETING MINUTES

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e. DIRECTOR LORI ANGELLO
No report given

11. General Manager Items/Discussion *

- a. GM Montemurro stated that the water rate study is not as far along however he is working on getting the information to complete the study
- b. GM Montemurro stated the computer update is waiting for information from Sharron Nacaratti
- c. GM Montemurro stated the staff provided a meter in service date excel spreadsheet that shows oldest meters to new meters
- d. GM Montemurro concluded his report

12. Public Comment *

Ms Henson commented on meter updates, computer updating with Sharron Nacaratti, warrants be broken down

13. Board Member Discussion *

Director Hill thanked AGP for showing up

14. Board Member items for the next Board Meeting Agenda*

Cokers Ellsworth will serve
Kirk and Simas closed session and discussion of their contract
Additional updates water rate and computer
Finance Committee audit update

15. Written Communications

None

Adjournment at 10:16 pm

P/R DATE 8/04/10
CHK DATE 8/20/10

OCEANO COMMUNITY SERVICES DISTRICT
DIRECT DEPOSIT LIST

RUN: 8/20/10
9:03:05

PAGE 1
PRDDEP

EMP#	NAME	DEDUCTION	DATE	CHECK#
1-2002	MONTEMURRO, RAFFAELE F	2,386.63	8/20/10	51010
1-2210	DIAZ, ALMA L	1,438.67	8/20/10	51012
1-2220	PARDO, CAROL ANN	972.74	8/20/10	51013
2-3150	TORRES, MAXIMIANO A	1,554.64	8/20/10	51015
2-3182	SILVEIRA, DANIEL P	1,182.28	8/20/10	51016
2-3194	LANGSTAFF, STEVEN A	1,274.03	8/20/10	51017
1-2230	RUIZ, CELIA Z	984.38	8/20/10	51014
7	-EMPS CODED FOR DIRDEP	9,793.37	TOTAL DIRECT DEPOSIT	
7	-EMPS WITH DEDUCTION			

DIRECT DEPOSIT FOR PAYROLL THRU 8/20/10

CK.#	LAST NAME	F	M	REGULAR	O.T.	OTHER	AUTO/BUS	GROSS	NET PAY
51010	MONTEMURRO	R	F	3365.36	.00	.00	100.00	3465.36	.00
51011	DAVIS	G	A	.00	.00	1558.15	.00	1558.15	1453.63
51012	DIAZ	A	L	1563.20	.00	.00	.00	1563.20	.00
51013	PARDO	C	C	1164.80	.00	.00	.00	1164.80	.00
51014	RUIZ	C	Z	1114.70	.00	.00	.00	1114.70	.00
51015	TORRES	M	A	1677.28	62.90	.00	.00	1740.18	.00
51016	SILVEIRA	D	P	1784.80	217.52	.00	.00	2002.32	.00
51017	LANGSTAFF	S	A	1677.28	251.59	.00	.00	1928.87	.00
				12347.42	532.01	1558.15	100.00	14537.58	1453.63 *

8 RECORDS PROCESSED

REGULAR PAYROLL THRU 8/20/10

PAYEE	VEND.NO.	CHECK DATE	CHECK #	CHECK AMT	PREPAID
KIRK & SIMAS	18780	82510	51029	9485.21	0
TODD ENGINEERS	33570	82510	51039	4675.94	0
FISHER SCIENTIFIC	133750	82510	51028	4122.40	0
PHILADELPHIA INSURANCE CO.	25255	82510	51033	3193.92	0
A.C.E., INC. 3424	17200	81610	51018	1800.00	1
QUILL CORPORATION	25743	82510	51034	1535.44	0
CLINICAL LABORATORY OF	8135	82510	51023	910.00	0
AGP VIDEO	700	82510	51020	705.00	0
A T & T	255	82510	51019	484.11	0
SWCA	328390	82510	51037	451.25	0
GLM LANDSCAPE MANAGEMENT	910558	82510	51041	400.00	0
SAN LUIS OBISPO, COUNTY OF	288611	82510	51035	365.56	0
AWWA	289975	82510	51021	354.00	0
WATER SYSTEMS CONSULTING, INC.	945502	82510	51043	264.60	0
NOSSAMAN, GUTHNER, KNOX ETAL	283375	82510	51032	195.20	0
MISSION LINEN SUPPLY	211866	82510	51031	169.94	0
STANLEY CONVERGENT SECURITY	330040	82510	51038	168.00	0
MIER BROS.	21020	82510	51030	158.78	0
ULTREX BUSINESS PRODUCTS	34400	82510	51040	146.99	0
DEBRUM, VANESSA	94120	82510	51042	137.18	0
BURDINE PRINTING	4548	82510	51022	112.52	0
DEAN, PAMELA	11120	82510	51025	100.00	0
THE GAS COMPANY	31878	82510	51036	94.82	0
J.B. DEWAR, INC.	11150	82510	51026	88.21	0
DIGITAL WEST NETWORKS	11433	82510	51027	30.00	0
COLD CANYON LANDFILL, INC	8300	82510	51024	16.25	0

30165.32 *

26 RECORDS PROCESSED

PAYEE	DETAIL OF DEMANDS	VEND. NO.	INV. NO.	ACCOUNT	DEPT NAME	CHECK NO.	CHECK AMOUNT	JOB/PROJECT	KEY #
080210	8054816730		805481673062	01-4100-111	ADMINISTRA		286.26		360
080210	8054810085		805481008558	02-4400-111	WATER		43.90		370
080210	8054892124		805489212449	02-4400-111	WATER		85.21		380
080210	8054817760		805481776058	03-4500-111	SEWER		68.74		390
A T & T		00255				051019	484.11		
07/10 VIDEO SERV			4070	01-4100-220	ADMINISTRA		705.00		400
AGP VIDEO		00700				051020	705.00		
ANNUAL MEMBERSHIP			00070588	02-4400-180	WATER		354.00		170
AWWA		02575				051021	354.00		
BUS CARDS:DAN/STEVE/RAFFAELE			14691	02-4400-200	WATER		75.01		150
BUS CARDS:RAFFAELE			14691	01-4100-200	ADMINISTRA		37.51		160
BURDINE PRINTING		04548				051022	112.52		
06/10 PROF SERV			909396	02-4400-220	WATER		910.00		270
CLINICAL LABORATORY OF		08135				051023	910.00		
DUMP FEES			10455	02-4400-163	WATER		16.25		10
COLD CANYON LANDFILL, INC		08300				051024	16.25		
B/S:1 REG			071410	01-4100-225	ADMINISTRA		100.00	119160225	20
DEAN, PAMELA		11120				051025	100.00		
07/31 FUEL 30017			737565	03-4500-172	SEWER		88.21	51780172	200
J.B. DEWAR, INC.		11150				051026	88.21		
WEB HOST:08/1-9/10			1307	01-4100-220	ADMINISTRA		30.00		120
DIGITAL WEST NETWORKS		11433				051027	30.00		
OPER SUPP			4933850	01-4200-321	FIRE		4,122.40		280
FISHER SCIENTIFIC		13750				051028	4,122.40		
R&M NETWORK			2285	01-4100-170	ADMINISTRA		1,275.00		290
R&M NETWORK			2285	02-4400-170	WATER		525.00		300
A.C.E., INC. 3424		17200				8/16/10 051018	1,800.00	*	
1248-01:ADM			123316	01-4100-223	ADMINISTRA		5,954.71		80

PAYEE	DETAIL OF DEMANDS	VEND. NO.	INV. NO.	ACCOUNT	DEPT NAME	CHECK NO.	CHECK AMOUNT	JOB/PROJECT	KEY #
KIRK & SIMAS	1248-02:FIRE 1248-05:WATER 1248-03:GARBAGE	18780	123316 123316 123316	01-4200-223 02-4400-223 06-4900-223	FIRE WATER GARBAGE	051029	730.50 1,800.00 1,000.00 9,485.21		90 100 110
MIER BROS.	OPER SUPP	21020	169100	01-4100-173	ADMINISTRA	051030	158.78 158.78		30
MISSION LINEN SUPPLY	07/10 CLOTHING/TOWELS	21186	110099	02-4400-100	WATER	051031	169.94 169.94		130
NOSSAMAN, GUTHNER, KNOX ETAL	07/10 LIT SERV:27.30%	23375	374497	09-4994-362	WATER LITI	051032	195.20 195.20	949960362	410
PHILADELPHIA INSURANCE CO.	07/19/10-08/19/11 AUTO/E&O/LIA	25255	80491372-3	01-4100-150	ADMINISTRA	051033	3,193.92 3,193.92		140
QUILL CORPORATION	OPER SUPP OFF SUPP	25743	6989305 7088819	01-4100-200 01-4100-200	ADMINISTRA ADMINISTRA	051034	253.77 1,281.67 1,535.44		40 50
SAN LUIS OBISPO, COUNTY OF	X-CONN SERV: 06/2010	28611	IN0069779	02-4400-220	WATER	051035	365.56 365.56		340
THE GAS COMPANY	08/15 1655 FRONT 08/15 1689 FRONT 08/15 1935 WILMAR	31878	14371606006 15211606007 01761523008	01-4100-290 01-4200-290 02-4400-290	ADMINISTRA FIRE WATER	051036	35.27 36.31 23.24 94.82		310 320 330
SWCA	PROF SERV:CDBG SWR	32890	15108-016	03-4500-355	SEWER	051037	451.25 451.25		260
STANLEY CONVERGENT SECURITY	09/10 ALARM SERV 09/10 ALARM SERV 09/10 ALARM SERV 09/10 ALARM SERV	33040	7574742 7574742 7574742 7574742	02-4400-110 02-4400-110 03-4500-110 01-4200-110	WATER WATER SEWER FIRE	051038	42.00 42.00 42.00 42.00 168.00	44180220 44080220 57380220 927380220	220 230 240 250
	8601:ANNUAL MONITORING		46202 7-10	02-4400-220	WATER		1,911.78	860160220	180

PAYEE	DETAIL OF DEMANDS VEND. NO.	INV. NO.	ACCOUNT	DEPT NAME	CHECK NO.	CHECK AMOUNT	JOB/PROJECT	KEY #
PROF SERV:SENTRY WELL RENOV TODD ENGINEERS	33570	46203 7-10	02-4400-357	WATER	051039	2,764.16 4,675.94		190
0151:MO BIZHUB C451/12 ULTREX BUSINESS PRODUCTS	34400	115412	01-4100-170	ADMINISTRA	051040	146.99 146.99	15180170	60
PROF SERV:WEED ABATEMENT GLM LANDSCAPE MANAGEMENT	91058	3005000802	01-4200-220	FIRE	051041	400.00 400.00		70
CR BAL UB#02374831 DEBRUM, VANESSA	94120	05312010	01-5000-000		051042	137.18 137.18		210
LOPEZ LINE:22.50% WATER SYSTEMS CONSULTING, INC	94532	0156-0	02-4400-220	WATER	051043	264.60 264.60		350
CHECKS WRITTEN						28,365.32		
* PREPAID ITEMS						1,800.00	*	
TOTAL DEMANDS PAID						30,165.32		

Oceano Community Services District

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

August 25, 2010

TO: Board of Directors
Oceano Community Services District

FROM: Ryan W. Fothergill
Deputy District Legal Counsel

SUBJECT: CONSIDERATION AND RECOMMENDED APPROVAL OF RESOLUTION 2010-14, A RESOLUTION AMONG AND RESTATING THE OCEANO COMMUNITY SERVICES DISTRICT CONFLICT OF INTEREST CODE

Background: As the Board is aware, under the Political Reform Act of 1974 adopted by the voters and regulations formulated by the California Fair Political Practices Commission (“FPPC”), all public agencies including community service districts such as Oceano are required to adopt a Conflict of Interest Code. Because elected officials are directly covered by the Act and other FPPC regulations, the Code only applies to other officials whose position is such that they can significantly influence the agency’s decisions. The purpose of adopting a Conflict of Interest Code is to alert public officials and members of the public to the types of interests the official has which may create conflicts of interest.

The Political Reform Act requires that a public agency’s Conflict of Interest Code be reviewed every two (2) years to determine if it is accurate, or in the alternative if it needs to be amended. Because the current status of the district’s code is uncertain, we have chosen to adopt an amended and restated Code.

The FPPC has adopted rules that allow a public agency to adopt the model code published by the Commission at Title 2, Division 6, Section 18730 of the California Code of Regulations. A public agency may incorporate the model code as its Code by referring to Section 18730 in the adopting resolution, and by designating the covered employees and disclosure categories in attached appendices.

Covered employees are those persons holding positions in the District and are Designated Employees within the meaning of the Code. We have identified two (2) Oceano officials who qualify as Designated Employees: the general manager and district legal counsel. You could consider other officials, such as the District Engineer, for inclusion but we do not recommend it. Disclosure categories are those types of interests the Designated Employees have that may influence district decisions and which thus require disclosure.

Resolution 2010-14, attached as Exhibit A, is designed to adopt as the District’s Code the model code published by the Commission as of this date and as hereafter modified.

Recommended Action: Consider Resolution 2010-14 and by motion, second and vote approve or disapprove the same.

**OCEANO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2010-14**

**A RESOLUTION AMENDING AND RESTATING THE OCEANO COMMUNITY
SERVICES DISTRICT CONFLICT OF INTEREST CODE**

WHEREAS, under the Political Reform Act certain California government agencies (“Covered Agencies”), including community services districts such as the OCEANO COMMUNITY SERVICES DISTRICT (the “District”) are required to adopt a conflict of interest code (the “Code”) to alert its public officials and members of the public to the types of interests that may create conflicts of interest; and

WHEREAS, the Political Reform Act requires every Covered Agency to review its Code biennially in even numbered years to determine if it is accurate or, alternatively, that the Code must be amended; and

WHEREAS, it has been many years since the District last amended its Code; and

WHEREAS, the California Fair Political Practices Commission (the “Commission”) has adopted rules published at 2 California Code of Regulations 18730, et seq., allowing public agencies to adopt a model code by reference to such section, with certain appendices attached thereto to designate the covered officials and categories of interests covered;

NOW, THEREFORE BE IT RESOLVED, DETERMINED AND ORDERED by the District’s Board as follows:

1. That the recitals set forth above are true, correct and valid.
2. That the District adopts as its Code the model code published by the Commission at 2 California Code of Regulations 18730, et seq. as of this date and as hereafter modified, all as more particularly specified in Exhibit A attached hereto.
3. That those persons holding those positions in the District listed in Appendix 1 of Exhibit A are Designated Employees within the meaning of Code.
4. That the types of interests (“Disclosure Categories”) that may be affected by the decision making of the Designated Employees and which require disclosure within the meaning of the Code are listed in Appendix 2 of Exhibit A.

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

AYES:

NOES:

ABSENT:

the foregoing resolution is hereby adopted this 25th day of August, 2010.

Vern Dahl
President

ATTEST:

Raffaele Montemurro
Board Secretary

**EXHIBIT "A" TO
REPORT TO THE OCSD BOARD OF DIRECTORS
RESOLUTION 2010-14**

[Copy of proposed Resolution 2010-14 follows on the next page.]

EXHIBIT "A"

**EXHIBIT A TO
RESOLUTION 2010-14**

CONFLICT OF INTEREST MODEL CODE

*[The Fair Political Practices Commission Model Conflict of Interest Code
follows on the next page.]*

EXHIBIT A

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code section 87300 or the amendment of a conflict of interest code within the meaning of Government Code section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Government Code sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. sections 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been

determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to

have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Government Code section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to 2 Cal. Code Regs. section 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$420.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$420 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from

any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action.

Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$420 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code section 83114 and 2 Cal. Code Regs. sections 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code section 91003.

1 Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and

verified by the designated employee as if it were an original. See Government Code section 81004.

2See Government Code section 81010 and 2 Cal. Code of Regs. section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

3For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

4Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

5A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

6Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

**APPENDIX 1 TO
CONFLICT OF INTEREST CODE**

DESIGNATED POSITIONS

1. General Manager
2. District Legal Counsel

APPENDIX 1

**APPENDIX 2 TO
CONFLICT OF INTEREST CODE**

DISCLOSURE CATEGORIES

1. Full Disclosure.

All interests in real property in the State of California, as well as investments, business positions and sources of income, including gifts, loans and travel payments.

2. Full Disclosure (excluding interests in real property).

All investments, business positions and sources of income, including gifts, loans and travel payments.

APPENDIX 2

**OCEANO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2010-15**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OCEANO COMMUNITY SERVICES DISTRICT RESCINDING AND RESTATING RESOLUTION 2010-03 AND CONFIRMING THE COSTS ASSOCIATED WITH THE REMOVAL OF VEGETATION ON CERTAIN PROPERTIES TO BE A PUBLIC NUISNACE AND DIRECTING STAFF TO FORWARD THE CHARGES TO THE COUNTY AUDITOR FOR COLLECTION

WHEREAS, the Board of Directors of the Oceano Community Services District has pursued the Abatement of Hazardous Weeds and Rubbish as defined in Part 5 of the Health and Safety Code commencing at Section 14875;

WHEREAS, all property owners who were found to have hazardous weeds that needed to be abated were properly noticed by mail and the property was posted;

WHEREAS, all property owners noticed were informed that removal of weeds by District staff would result in their being charged for such services plus an administrative charge and that this charge would, if not paid by the property owner, be placed upon the tax roll;

WHEREAS, all properties not having completed the abatement of hazardous weeds by the noticed deadline have had the weeds removed by the District;

WHEREAS, The Board of Directors previously passed Resolution No. 2010-03 confirming the costs associated with the removal of weeds from the various parcels of land and directing staff to forward the charges to the County Auditor for collection, which contained the addition of some properties for which charges had previously been settled or otherwise dismissed;

WHEREAS, it is necessary to amend Resolution 2010-03 to accurately reflect the properties for which charges are outstanding and should be forwarded to the County Auditor for collection; And,

WHEREAS, this resolution does not contain the properties of any property owners whom were not previously on the list and whom did not have an opportunity to protest such charges.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE OCEANO COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

1. That the charges and costs incurred in enforcing abatement upon the parcels defined as "Exhibit 'A'" to this Resolution are confirmed.
2. Staff is directed to forward a certified copy of this Resolution to the County Auditor to place the charges on the tax roll.

Agenda Item 08 25 2010 7 b

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

AYES:

NOES:

ABSENT:

RECUSED:

the foregoing Resolution is hereby adopted this 25th day of August, 2010.

Verhl Dahl, President

ATTEST:

Raffaele F. Montemurro, General Manager

Exhibit "A"

Weed Abatement Fund

Fund	Assessment No	Amount
0310	061081027	400.00+
0310	062118013	400.00+
0310	062271003	400.00+
0310	061112014	800.00+
0310	061044012	1000.00+
0310	061113019	400.00+
0310	062092015	600.00+
0310	062305014	800.00+
0310	062305057	400.00+
0310	062282073	1200.00+
0310	062083020	400.00+
0310	062282074	600.00+
0310	062012005	400.00+
0310	062117008	600.00+
0310	062117009	600.00+
0310	062117011	600.00+
		9600.00+

DATE 08/18/10
TIME 20:01:29

ROLL YEAR 2010/11

FUND TRA ASSESSMENT AMOUNT REJECTED ERROR MESSAGE
0310 - OCEANO WEED ABATE

TOTAL CHARGES SUBMITTED	9,200.00	9600.00
LESS CHARGES REJECTED	0.00	
TOTAL CHARGES ACCEPTED	9,200.00	9600.00
TOTAL CHARGES ON FILE	9,200.00	9600.00
TOTAL ASSMTS ON FILE	15	16
ERROR COUNT	0	

Received Approved Resolution
 Have Not Received Approved Resolution

Approved By: 

Print Name: Raffaele Montemurro

Phone: (805) 481 6730
Date: 8/20/10

DATE 08/18/10
TIME 20:01:40

RGLL YEAR 2010/11

FUND: 0310 - OCEANO WEED ABATE

FEE ASSESSMENT	AMOUNT
061,044,012	1,000.00
061,081,027	400.00
061,112,014	800.00
061,113,019	400.00
062,012,005	400.00
062,083,020	400.00
062,092,015	600.00
062,117,008	600.00
062,117,009	600.00
062,117,011	600.00
062,271,003	400.00
062,282,073	1,200.00
062,282,074	600.00
062,305,014	800.00
062,305,057	400.00
062,118,013	400.00

**** FUND TOTAL
**** FUND ASSMT COUNT

~~9,200.00~~ 9,600
25 16

OCEANO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2010-16

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OCEANO COMMUNITY SERVICES DISTRICT CONFIRMING THE CHARGES AGAINST PROPERTY OWNERS FOR THE COLLECTION OF DELINQUENT SOLID WASTE COLLECTION CHARGES AND DIRECTING STAFF TO FORWARD THE CHARGES TO THE COUNTY AUDITOR FOR COLLECTION

WHEREAS, the Board of Directors of the Oceano Community Services District has, through the adoption of Ordinance 1999-1, established the authority for the collection of trash throughout the District; and,

WHEREAS, OCSD Ordinance 1999-1 establishes the procedure for the collection of delinquent accounts; and,

WHEREAS, South County Sanitary Service, Inc. and their assigns have sent notice as prescribed by Ordinance 1999-1 to all property owners whose accounts are in arrears requesting payment and advising them of their right to appear at the July 7, 2010, Board of Directors meeting to present any objection to the charges.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE OCEANO COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

1. That the charges and costs incurred by the property owners attached to this Resolution as Exhibit AA@ are delinquent.
2. Staff is directed to forward a certified copy of this Resolution to the County Auditor to place the charges on the tax roll.

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

AYES:

NOES:

ABSENT:

the foregoing Resolution is hereby adopted this 25th day of August, 2010.

Vern Dahl, President

ATTEST:

Raffaele F. Montemurro, General Manager

DATE 08/18/10
TIME 20.01.29

ROLL YEAR 2010/11

FUND TRA ASSESSMENT AMOUNT REJECTED ERROR MESSAGE
1766 - OCEANO CSD-DEL TRASH

TOTAL CHARGES SUBMITTED	4,048.28	4511.08
LESS CHARGES REJECTED	0.00	
TOTAL CHARGES ACCEPTED	4,048.28	4511.08
TOTAL CHARGES ON FILE	4,048.28	4511.08
TOTAL ASSMTS ON FILE	18	
ERROR COUNT	0	

Received Approved Resolution
 Have Not Received Approved Resolution

Approved By: *Debbie Said*

Print Name: DEBBIE SAID

Phone: 429-1820

Date: 8/20/10

Raffaele Sr.
[Signature]

DATE 08/18/10
TIME 20.01.40

ROLL YEAR 2010/11

FUND: 1766 - OCEANO CSD-DEL TRASH

FEE ASSESSMENT	AMOUNT
061,012,026	420.06
061,021,058	205.06
061,071,046	206.76
061,113,026	269.52
062,021,017	206.76
062,065,018	215.08
062,068,003	250.44
062,073,033	314.06
062,081,018	211.76
062,088,017	206.76
062,089,031	172.30
062,092,015	160.06
062,099,017	190.86
062,115,002	413.52
062,143,019	191.76
062,282,050	206.76
062,304,006	206.76
<i>062,291,027</i>	<i>462.80</i>
**** FUND TOTAL	4,048.28
**** FUND ASSMT COUNT	17
	<i>4511.08</i>

EXHIBIT A
OCSD TAX LIEN LIST 2010

CUSTOMER NAME	ADDRESS	AMOUNT	ACCOUNT #	PARCEL NUMBER
Sandra & Arturo Lemus	1385 S 4th St.	462.80	10004871	62,291,027
	M/A: PO Box 537 Oceano, Calif. 93475			
Aurelio & Herlinda Salto	1413 24th SWt.	314.06	10031631	062-073-033
Angello Estate	1311 Norswing Dr.	269.52	3001157	061-113-026
Dionisio Sarmiento	2246 Holden Ct.	250.44	3002166	062-068-003
Michael Kuhl	1581 21st St.	215.08	10028985	062-065-018
	M/A: 2443 Foundry Park Ave., Fresno, Calif. 93706			
David & Stephanie Coughlin	377 McCarthy Ave.	213.30	10027274	061-012-026
	M/A: 1831 Pescadores Ave. San Pedro, Calif. 90732-4241			
Erik Benham	1517 Paso Robles St.	211.76	3016701	062-081-018
	221 Town Center West # 256 Santa Maria, Calif. 93458			
David Myers	2010 Paso Robles St.	206.76	3004271	062-088-017
	M/A: PO Box 657, (Oceano, Calif. 93445			
Claudette Noah	1392 22nd St.	206.76	3001679	062-021-017
Sebastian Nunez	1920 Cienaga St.	206.76	3015485	062-115-002
Sebastian Nunez	1920 1/2 Cienaga St.	206.76	3015486	062-115-002
	M/A: 1920 Cienaga St., Oceano, Calif. 93445			
David & Stephanie Coughlin	373 McCarthy Ave.	206.76	3017483-001	061-012-026
	M/A: 2443 Foundry Park Ave., Fresno, Calif. 93706			
Veronica & Luis Heredia Lopez	2755 Ewrica Ct.	206.76	3017766	062-304-006
Annette Ryan	328 York Ave.	206.76	3003983	061-071-046
Roger Alves	1343 Crest St.	206.76	3018258	062-282-050
Pat Lee	361 Juanita Ave.	205.06	3015533	061-021-058
	M/A: PO Box 6340, Bakersfield, Calif. 93386			
Jeff McKee	2140 Nipomo St.	191.76	3014791	062-143-019
	PO Box 226, Morro Bay, Calif. 93443-0226			
Steve & Anne Pope	2380 Ocean St.	190.86	3015570	062-099-017
	M/A: PO Box 919, Oceano, Calif. 93445			
Abbas Zanganeh	1993 Beach St.	172.30	10038303	062-089-031
	M/A: 187 Valleyview Pismo Beach, Calif. 93449			
Francisco & Concepcion Alfaro	2161 Ocean St.	160.06	10020560	062-092-015
	PO Box 19 Oceano, Calif. 93445			
	Total Due	4511.08		

Oceano Community Services District

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

August 25, 2010

TO: Board of Directors
Oceano Community Services District

FROM: Ryan W Fothergill
Deputy District Legal Counsel

SUBJECT: CONSIDERATION AND RECOMMENDED APPROVAL OF FIRE TRUCK/AERIAL APPARATUS COOPERATIVE AGREEMENT (the "AGREEMENT") BY AND BETWEEN THE CITY OF GROVER BEACH, THE CITY OF ARROYO GRANDE AND THE OCEANO COMMUNITY SERVICES DISTRICT

Background: The City of Arroyo Grande was recently successful in obtaining a grant in the amount \$815,625.00 from the Assistance to Firefighters Grant Program to purchase a 100" Aerial Platform fire apparatus, at a total cost of \$925,607.00, for use by the Five Cities Fire Authority. Arroyo Grande has made arrangements for financing the difference between the total cost and the grant (\$150,764.00) in annual payments of \$38,478.00 over a five (5) year period, which would require Arroyo Grande, Grover Beach, and Oceano to each contribute a proportionate share to that financing. The Agreement calls for Oceano to provide 15% of the financing, which is \$5,772.00 a year.

The Agreement provides that until such time as the financing payments have been retired, ownership of the fire apparatus shall remain with the City of Arroyo Grande and ownership and control shall be governed by the terms of the Joint Powers Agreement of the Five Cities Fire Authority. When the financing is successfully retired, ownership of the fire apparatus will be transferred to the Five Cities Fire Authority.

The Agreement, attached as Exhibit A, is designed for the purpose of memorializing the terms and conditions of the fire apparatus purchase.

Recommended Action: Consider the Agreement and by motion, second and vote approve or disapprove the same.

**EXHIBIT "A" TO
REPORT TO THE OCSD BOARD OF DIRECTORS**

FIRE TRUCK/AERIAL APPARATUS COOPERATIVE AGREEMENT

[Copy of proposed Fire Truck/Aerial Apparatus Cooperative Agreement follows on the next page.]

EXHIBIT "A"

FIRE TRUCK/AERIAL APPARATUS COOPERATIVE AGREEMENT

This Fire Truck/Aerial Apparatus Cooperative Agreement (“Agreement”) is entered into by and between the City of Grover Beach, a municipal corporation (“Grover Beach”), the City of Arroyo Grande, a municipal corporation (“Arroyo Grande”), and the Oceano Community Services District, a California special district (“OCSD”), collectively or individually referred to as “Parties” or “Party”.

RECITALS

WHEREAS, each of the Parties previously operated a fire department with finite fire service resources. Based upon their recognition of the benefits of combining their respective fire service resources, in July 2004 Arroyo Grande and Grover Beach entered into an agreement to provide joint administration of fire services for both jurisdictions. In March 2008 the agreement was amended to include OCSD. Subsequently, Arroyo Grande, Grover Beach and OCSD have entered into a Joint Powers Agreement pursuant to which a separate agency, the Five Cities Fire Authority, has been created to combine their respective fire service providers into one provider; and,

WHEREAS, the City of Arroyo Grande recently was successful in securing grant funding from the Assistance to Firefighters Grant Program to purchase a 100” Aerial Platform fire apparatus (hereinafter called the “Grant”); and,

WHEREAS, Arroyo Grande has determined that the Fire Apparatus to be purchased will be a Quint 100’ aerial platform fire apparatus from Pierce Manufacturing, Inc. (the “Fire Apparatus”), and that the acquisition of the Fire Apparatus will be on the basis of a lease purchase at a cost of \$851,543, plus \$74,065 sales tax, making the total cost of the Fire Apparatus \$925,607; and,

WHEREAS, although under the proposed Joint Powers Agreement major pieces of fire apparatus are the property of the Five Cities Fire Authority, it is understood that based upon the Grant funding the Fire Apparatus must remain under the ownership of the City of Arroyo Grande until any financing that is arranged for its acquisition has been retired; and,

WHEREAS, the Grant is in the amount of \$815,625 and the parties are in agreement that the funds for matching the Grant and otherwise required for the balance of the cost to acquire the Fire Apparatus shall be shared, as further provided in this Agreement; and,

WHEREAS, after applying the proceeds of the Grant toward the lease agreement, there will be a balance of \$150,764 to finance in annual payments of \$38,478 over a five year period; and

WHEREAS, this Agreement will facilitate the forgoing and will be to the mutual interest and advantage of all Parties;

NOW, THEREFORE, in consideration of the mutual covenants herein made, the Parties agree as follows:

1. Purpose. This Agreement when executed by the Parties hereto shall provide for the ownership, operation and sharing of the costs related to the Fire Apparatus.

2. Cost Allocation. The following cost allocation ("Cost Allocation"), which has been developed based upon an analysis of a combination of population, historical utilization of the ladder truck being replaced by the Fire Apparatus, and the number of structures in each jurisdiction that would potentially require use of the Fire Apparatus during response to a fire incident, is the appropriate method for sharing the cost of the Fire Apparatus.

Arroyo Grande: 55%

Grover Beach: 30%
OCSD: 15%

3. Financing. The City of Arroyo Grande shall be responsible for executing any and all documents related to the Grant, as well as arranging for the purchase and financing of the Fire Apparatus. It is understood that the financing will be in the form of a 5-year lease purchase agreement with annual payments in the amount of \$38,478.35. Based upon the Cost Allocation in paragraph 2, each Parties' allocation of the annual payment ("Financing Allocation") shall be:

Arroyo Grande (55%): \$21,163.00
Grover Beach (30%): \$11,544.00
OCSD (15%): \$ 5,772.00

4. Cost Reimbursement. The Parties shall transmit their respective portion of Financing Allocation within 30 days of receipt of invoices sent by Arroyo Grande. In addition, the Parties' agree that any ongoing maintenance and operational costs incurred by Arroyo Grande will also be shared in the same proportion as the Cost Allocation and subject to payment by the parties upon being invoiced by Arroyo Grande. Maintenance and operational costs shall include any costs for insuring the Fire Apparatus incurred by Arroyo Grande.

5. Ownership and Operation of Fire Apparatus. Until such time as the financing has been retired, ownership of the Fire Apparatus shall remain with the City of Arroyo Grande. Thereafter Arroyo Grande shall transfer ownership to the Five Cities Fire Authority. Anything in this Agreement to the contrary notwithstanding, control of the Fire Apparatus shall be subject to the terms and conditions of the Joint Powers Agreement relating to major pieces of apparatus. The Fire Apparatus shall include standardized Five Cities Fire Authority identification and operation shall be under the control of the Five Cities Fire Authority.

A separate agreement for operation of the Fire Apparatus by the Five Cities Fire Authority will also be entered into between Arroyo Grande and the Authority to provide for the day to day operation of the Fire Apparatus until retirement of the financing, as provided in this Section 5. Pursuant to the agreement as described in this Section 5, the operation of the Fire Apparatus shall be governed by the terms of the Joint Powers Agreement until it is transferred to the Five Cities Fire Authority as provided herein.

6. Term of this Agreement. The term of this Agreement shall commence immediately upon execution by all Parties and shall terminate after ownership of the Fire Apparatus has been transferred to the Five Cities Fire Authority. In the event Arroyo Grande terminates its membership in the Five Cities Fire Authority prior to the retirement of the financing and transfer of ownership of the Fire Apparatus to the Authority, the Parties agree that financial arrangements will be made in a manner that insures that Fire Apparatus will still be made available for use by the Five Cities Joint Authority, or if the Authority is disbanded, to the other Parties to this Agreement. The Parties agree to bargain in good faith to create a new agreement providing for such financing and use.

7. Non-assignability. This Agreement may not be assigned by any Party without first obtaining the express written consent of the remaining non-assigning Parties.

8. Notices. Any notice or communication required under this Agreement to be delivered to, served upon, or given to any Party by any other Party to this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by a reputable document delivery service, such as but not limited to, Federal Express, which provides a receipt showing date and time of delivery, or (iii) mailing in the United States Mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below or at any other address as that party may later designate by notice:

- a. Grover Beach
Robert Perrault
City Manager
154 S. 8th Street
Grover Beach, CA 93433
- b. Arroyo Grande
Steven Adams
City Manager
214 E. Branch Street
Arroyo Grande, CA 93420
- c. OCSD
Raffaele F. Montemurro
General Manager
P.O. Box 599
Oceano, CA 93475

9. Mutual Indemnification. The Parties agree to indemnify, defend and hold all other Parties harmless from all liability for damage to persons or property arising out of or resulting from the acts or omissions of the indemnifying Party in connection with any subject matter covered under this Agreement.

10. Entire Agreement. Grover Beach, Arroyo Grande and OCSD agree that this Agreement constitutes the sole and only Agreement between them regarding the financing of the Fire Apparatus and correctly sets forth their obligations and duties with respect to each other.

11. Amendment. This Agreement may be amended only by a written consent of the Parties to the Agreement.

12. No Interpretation Against Drafting. This Agreement has been negotiated at arm's length between the Parties hereto. Accordingly, any rule or law (including California Civil Code § 1635 et seq.) or legal decisions that would require interpretation, or any ambiguities in the Agreement against the Party that has drafted the applicable provision, is not applicable and is waived. The provisions of the Agreement shall be interpreted in a reasonable manner to affect the purpose and intent of the Parties.

13. Counterparts. The Parties hereto agree that there shall be three originals of this Agreement which shall be identical in all respects, including form and substance. The Parties may execute this Agreement in three or more counterparts, which shall, in the aggregate, be deemed an original, but all of which, together, shall constitute one and the same instrument.

14. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of California.

Executed at Arroyo Grande, Grover Beach and Oceano, California, on the date and year first appearing above.

CITY OF ARROYO GRANDE

CITY OF GROVER BEACH

By: _____
Tony M. Ferrara, Mayor

By: _____
John P. Shoals, Mayor

Attest:

Attest:

Kelly Wetmore, City Clerk

Donna L. McMahon, City Clerk

Approved As To Form:

Approved As to Form:

Timothy J. Carmel, City Attorney

Martin D. Koczanowicz, City Attorney

OCEANO COMMUNITY SERVICES DISTRICT

By: _____
Vernon Dahl, President

Attest:

Raffaele F. Montemurro, Board Secretary

Approved As to Form:

Ryan W Fothergill, District Legal Counsel



Oceano Community Services District

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

August 11, 2010

TO: Board of Directors, OCSD
FROM: Raffaele F. Montemurro, General Manager
SUBJECT: DISTRICT INVESTMENT POLICY. INVESTIGATION OF FACILITY FEES

I recently found out that the District has Time Deposits Number one---five at Rabobank. That I knew nothing about. In the 11 months I have been here Never saw a statement Never heard about them.

ONE	OPENED	08-25-2005	MATURED	08 - 03 - 2010	\$294,292.96
TWO	OPENED	03-11-1991	MATURED	08 - 05 - 2010	\$4,572.95
THREE	OPENED	04-13-2001	MATURES	04 - 04 ¹³ - 2011	\$20,594.07
FOUR	OPENED	03-29-2002	MATURES	03 - 29 - 2012	\$21,533.68
FIVE	OPENED	10-12-2001	MATURES	10 - 12 - 2013	\$26,968.79
TOTAL					\$367,962.45

I was very upset to find out that the Time Deposits had only one name on the Account. It was not any General Manager past or present. It was not any Board Member past or present.

THE RECOMMENDED ACTION BEFORE YOUR BOARD is to: Fully discuss this matter and recommend to staff corrective Action.

Respectfully submitted,

Raffaele F. Montemurro

Agenda Item 08 25 2010 7.e.

T:\Agendas\BOARD MEETING AGENDAS\2010\08-11-2010\08- 11-2010 FACILITY FEES doc



Rabobank

Rabobank, N.A.
Post Office Box 1845
El Centro, California 92244-1845

DATE: JULY 14, 2010
ACCOUNT NUMBER: 0154167656
PUBLIC FUND CD

FOR PERSONAL ASSISTANCE CALL:
1-888-945-6600

02 01 041



OCEANO COMMUNITY SERVICE DIST
FACILITY FEES ACCOUNT
PO BOX 599
OCEANO CA 93475-0599

00747
95v4a



MATURITY NOTICE

YOUR TIME DEPOSIT WILL MATURE ON 08-03-10. UNLESS YOU MAKE OTHER ARRANGEMENTS WITH US NO LATER THAN 10 DAYS AFTER MATURITY, IT WILL BE AUTOMATICALLY RENEWED AT THE RATE IN EFFECT AT THAT TIME, FOR A LIKE TERM, WITH THE ORIGINAL FREQUENCY AND METHOD OF INTEREST PAYMENT.

TIME DEPOSIT NUMBER	1
CURRENT INTEREST RATE	.600
TERM	180 DAYS
MATURITY DATE	08-03-10
CURRENT BALANCE	294,292.96
INT PYMT AT MATURITY	147.15
INT WTHLD AT MATURITY	.00





Rabobank, N.A.
 Post Office Box 1845
 El Centro, California 92244-1845

Account Number: 0154167656
 Last Statement: December 31, 2009
 This Statement: August 09, 2010
 Total days in statement period: 221

Page 1 of 1

Direct inquiries to: 800-942-6222

RABOBANK
 1026 EAST GRAND AVENUE
 ARROYO GRANDE, CA 93420

OZ 01 RETURN SERVICE REQUESTED



ba44a
 00848

OCEANO COMMUNITY SERVICE DIST
 FACILITY FEES ACCOUNT
 PO BOX 599
 OCEANO CA 93475-0599



YOU CAN NOW EASILY PAY YOUR FEDERAL TAXES ELECTRONICALLY WITH EFTPS. IT'S SIMPLE, SECURE AND CONVENIENT. ENROLL TODAY AT WWW.EFTPS.GOV. IN JANUARY 2011, RABOBANK WILL GO PAPERLESS AND WILL NO LONGER ACCEPT PAPER PAYMENTS FOR FEDERAL TAXES. JOIN US IN SAVING THE ENVIRONMENT.

Public Fund CD

Account number 0154167656
 Total principal \$0.00
 Total current balance \$0.00
 Total interest year to date \$1,354.16

DAILY ACTIVITY

Date	Description	Additions	Subtractions	Balance
12-31	Beginning balance			\$293,085.95
01-07	INTEREST CREDIT #1	252.38		293,338.33
02-03	INTEREST CREDIT #1	220.00		293,558.33
03-03	INTEREST CREDIT #1	136.99		293,695.32
04-03	INTEREST CREDIT #1	151.75		293,847.07
05-03	INTEREST CREDIT #1	146.92		293,993.99
06-03	INTEREST CREDIT #1	151.90		294,145.89
07-03	INTEREST CREDIT #1	147.07		294,292.96
08-02	INTEREST CREDIT #1	147.15		294,440.11
08-03	AVAIL PRIN WD		-293,558.33	881.78
08-03	AVAIL INT WD		-881.78	0.00
08-09	Ending totals	1,354.16	-294,440.11	\$0.00

Thank you for banking with Rabobank



www.rabobankamerica.com

Copy of document found at www.NoNewWipTax.com



Rabobank, N.A.
 Post Office Box 1845
 El Centro, California 92244-1845

Account Number: 0154167651
 Last Statement: December 31, 2009
 This Statement: August 10, 2010
 Total days in statement period: 222

Page 1 of 1

Direct inquiries to: 800-942-6222

RABOBANK
 1026 EAST GRAND AVENUE
 ARROYO GRANDE, CA 93420

OZ 01 RETURN SERVICE REQUESTED



hd14a
 00108

OCEANO COMMUNITY SERVICE DIST
 MARKS & AWALT DEVELOPMENT
 PO BOX 599
 OCEANO CA 93475-0599



YOU CAN NOW EASILY PAY YOUR FEDERAL TAXES ELECTRONICALLY WITH EFTPS. IT'S SIMPLE, SECURE AND CONVENIENT. ENROLL TODAY AT WWW.EFTPS.GOV. IN JANUARY 2011, RABOBANK WILL GO PAPERLESS AND WILL NO LONGER ACCEPT PAPER PAYMENTS FOR FEDERAL TAXES. JOIN US IN SAVING THE ENVIRONMENT.

Public Fund CD

Account number	0154167651
Total principal	\$0.00
Total current balance	\$0.00
Total interest year to date	\$20.31

DAILY ACTIVITY

Date	Description	Additions	Subtractions	Balance
12-31	Beginning balance			\$4,557.85
02-05	INTEREST CREDIT #1	10.02		4,567.87
05-05	INTEREST CREDIT #1	5.08		4,572.95
08-04	INTEREST CREDIT #1	5.21		4,578.16
08-05	AVAIL PRIN WD		-4,567.87	10.29
08-05	AVAIL INT WD		-10.29	0.00
08-10	Ending totals	20.31	-4,578.16	\$0.00

Thank you for banking with Rabobank

Copy of document found at www.NoNewWipTax.com



www.rabobankamerica.com

rev 01-10

Oceano Community Service Dist
154167655 Public Funds CD

Total Balance: 21,609.94

View

<u>Deposit ID</u>	<u>Rate</u>	<u>Term</u>	<u>Maturity</u>	<u>Next Interest</u>	<u>Balance</u>	<u>Status</u>
1	4.250	60 Months	03/29/2012	08/28/2010	21,609.94	Open

Deposit ID: 1
Product: 60 Month Public Funds CD

Balances
Current: 21,609.94 Available Interest: 2,889.43
Principal: 18,720.51 Available principal: 0.00

Term Information

Maturity term: 60 Months Status: O - Open
Next maturity: 03/29/2012 Renewal: P - New rate/penalty/renewal
Beginning: 03/29/2007 Final maturity: Y - Pay interest after maturity
Last maturity: 03/29/2007 Maturity disclosure:

Interest Rate Information

Rate: 4.250 Factor: 0.0001180556
Yield: 4.309 Accrued interest: 45.923029399
Adjusted interest rate: 0.000 Interest plan: 807 - Public CD 36-60 Mos
Adjustment type: No adjustment Guaranteed rate: 0.000
Adjustment value: 0.000 Market: 0
Expiration date: 00/00/0000
Method: S - Simple, daily
Basis days: S - Actual days/360

Interest Payment Information

Frequency: 1 Months Paid year-to date: 533.19
Next payment: 08/28/2010 Project to maturity: 1,553.66
Last payment: 07/28/2010 Paid last year: 887.36
Last amount: 76.26

Payment type: A - Add on Receiving ABA number: 0
Internal transfer acct: 0 External transfer acct:
Check address: 1 - Primary address External transfer type:
Check written: External transfer in process

Penalty calculation: 201 - Closing penalty: 392.36
Penalty YTD: 0.00

Withholding rate: 28.000 Min amt. to withhold: 0.00
Withholding YTD: 0.00 Closing withholding: 0.00

Historical Information

Last maintenance	10/24/2008	Last activity	03/29/2002
Original rate	4.250	Original open	03/29/2002
Original amount	16,000.00	First renew	03/29/2007

Balance at EOY	0.00	Maturity at EOY	03/29/2012
Rate at EOY	4.250		

Last ID number	0	Last ID change	
----------------	---	----------------	--

Zero balance Tracking		Balance at closing	0.00
-----------------------	--	--------------------	------

Rate Change Information

Rate change type	0 - None	Next rate change	
Base points	0.000	Last rate change	

Bonus Interest

Rate	0.000	Applied	0.000000000
Folio	0	Interest	0.000000000

Principal Disposition Information

Principal disposition	0 - No principal disposition	Interest transfer amt	0
Fixed principal	0.00	Principal check	0.00
External transfer type		Receiving ABA number	0
External transfer acct			

Original Issue Discount Information

Term - 3 year	No	Applied	0.000000000
Original issue rate	0.00		

Activity Today

Unpaid prin credits	0.00	Avail interest credits	0.00
Avail prin credits	0.00		

Unpaid prin debits	0.00	Avail interest debits	0.00
Avail prin debits	0.00		

Oceano Community Service Dist
154167652 Public Funds CD

Total Balance: 20,662.34

1 Ref:

<u>Deposit ID</u>	<u>Rate</u>	<u>Term</u>	<u>Maturity</u>	<u>Next Interest</u>	<u>Balance</u>	<u>Status</u>
1	3.850	60 Months	04/13/2011	09/12/2010	20,662.34	Open

Deposit ID: 1
Product: 60 Month Public Funds CD

Balances:
Current: 20,662.34 Available interest: 3,213.14
Principal: 17,449.20 Available principal: 0.00

Term Information:
Maturity term: 60 Months Status: O - Open
Next maturity: 04/13/2011 Renewal: P - New rate/penalty/renewal

Beginning: 04/13/2006 Final maturity:
Last maturity: 04/13/2006 Maturity disclosure: Y - Pay interest after maturity

Interest Rate Information:
Rate: 3.850 Factor: 0.0001069444
Yield: 3.903 Accrued interest: 6.631319398
Adjusted interest rate: 0.000 Interest plan: 807 - Public CD 36-60 Mos
Adjustment type: No adjustment Guaranteed rate: 0.000
Adjustment value: 0.000 Market: 0
Expiration date: 00/00/0000
Method: S - Simple, daily
Basis days: S - Actual days/360

Interest Payment Information:
Frequency: 1 Months Paid year-to-date: 529.19
Next payment: 09/12/2010 Project to maturity: 536.96
Last payment: 08/12/2010 Paid last year: 769.53
Last amount: 68.27

Payment type: A - Add on Receiving ABA number: 0
Internal transfer acct: 0 External transfer acct:
Check address: 1 - Primary address External transfer type:
Check written: External transfer in process

Penalty calculation: 201 - Closing penalty: 331.30
Penalty YTD: 0.00

Withholding rate: 28.000 Min int. to withhold: 0.00
Withholding YTD: 0.00 Closing withholding: 0.00

Historical Information

Last maintenance	10/24/2008	Last activity	04/13/2001
Original rate	3.850	Original open	04/13/2001
Original amount	14,000.00	First renew	04/13/2006

Balance at EOY	0.00	Maturity at EOY	04/13/2011
Rate at EOY	3.850		

Last ID number	0	Last ID change	
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Zero balance tracking		Balance at closing	0.00
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Rate Change Information

Rate change cycle	0 - None	Next rate change	
Basis points	0.000	Last rate change	

Bonus Interest

Rate	0.000	Accrued	0.000000000
Plan	0	Factor	0.000000000

Principal Disposition Information

Principal disposition	0 - No principal disposition	Internal transfer acct	0
Final principal	0.00	Principal bank	0.00
External transfer type		Receiving AEA number	0
External transfer acct			

Original Issue Discount Information

Term: 1 year	No	Accrued	0.000000000
Paid year to-date	0.00		

Activity Today

Unavail prin crdts	0.00	Avail interest crdts	0.00
Avail prin crdts	0.00		

Unavail prin debits	0.00	Avail interest debits	0.00
Avail prin debits	0.00		

Oceano Community Service Dist
154167654 Public Funds CD

Total Balance: 27,009.43

1 item

<u>Deposit ID</u>	<u>Rate</u>	<u>Term</u>	<u>Maturity</u>	<u>Next Interest</u>	<u>Balance</u>	<u>Status</u>
1	1.750	48 Months	10/12/2013	09/11/2010	27,009.43	Open

Deposit ID: 1
Product: 48 Month Public Funds CD

Balances
Current: 27,009.43 Available interest: 395.92
Principal: 26,613.51 Available principal: 0.00

Term Information
Maturity term: 48 Months Status: O - Open
Next maturity: 10/12/2013 Renewal: N - New rate
Beginning: 10/12/2009 Final maturity: Y - Pay interest after maturity
First maturity: 10/12/2009 Maturity disclosure: Y - Pay interest after maturity

Interest Rate Information
Rate: 1.750 Factor: 0.0000486111
Yield: 1.774 Accrued interest: 5.250164634
Adjusted interest rate: 0.000 interest plan: 807 - Public CD 36-60
Mos: 0.000
Adjustment type: No adjustment Guaranteed rate: 0.000
Adjustment value: 0.000 Market: 0
Expiration date: 00/00/0000
Method: S - Simple, daily
Basis days: S - Actual days/360

Interest Payment Information
Frequency: 1 Months Paid year-to-date: 316.94
Next payment: 09/11/2010 Project to maturity: 1,519.09
Last payment: 08/11/2010 Paid last year: 863.79
Last amount: 40.64

Payment type: A - Add on Receiving ABA number: 0
Internal transfer acct: 0 External transfer acct:
Check address: 1 - Primary address External transfer type:
Check written: External transfer in process

Penalty calculation: 551 - Closing penalty: 232.87
Penalty YTD: 0.00

Withholding rate: 28.000 Min int to withhold: 0.00
Withholding YTD: 0.00 Closing withholding: 0.00

Historical Information

Last maintenance	10/24/2008	Last activity	10/12/2001
Original rate	3.550	Original open	10/12/2001
Original amount	20,000.00	First renew	10/12/2005
Balance at EOY	0.00	Maturity at EOY	10/12/2013
Rate at EOY	1.750		
Last ID number	0	Last ID change	
Zero balance Tracking		Balance at closing	0.00
Rate Change Information			
Rate change cycle	0 - None	Next rate change	
Base points	0.000	Last rate change	
Bonus Interest			
Rate	0.000	Accrued	0.000000000
Plan	0	Factor	0.000000000
Principal Disposition Information			
Principal disposition	0 - No principal disposition	Internal transfer credit	0
Fixed principal	0.00	Principal credit	0.00
External transfer type		Receiving ABA number	0
External transfer acct			
Original Issue Discount Information			
Term > 1 year	No	Accrued	0.000000000
Paid year-to-date	0.00		
Activity Today			
Unavail prin crdts	0.00	Avail interest crdts	0.00
Avail prin crdts	0.00		
Unavail prin debits	0.00	Avail interest debits	0.00
Avail prin debits	0.00		



Oceano Community Services District

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

(805) 481-6730

FAX (805) 481-6836

August 25, 2010

TO: Board of Directors, OCSD

FROM: Raffaele F. Montemurro, 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 08 25 2010 8. a.



Oceano Community Services District

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

(805) 481-6730

FAX (805) 481-6836

August 26, 2010

CORRECTED FEE LETTER

Kris Walters
Garing, Taylor & Associates
141 So. Elm Street
Arroyo Grande, CA 93420

**SUBJECT: APN 062-114-016; OCSD PROJ #6428.00; SLO CO #: UNKNOWN
OWNER/PROJ: COMMUNITY HEALTH CENTER/RELOCATE
EXISTING MODULAR BUILDING TO SITE**

Dear Ms. Walters:

Presented below is an estimate of the water and sewer fees for connection of the subject project. All connection fees must be paid to Oceano Community Services District prior to the modular building being connected to the District's water and sewer services.

Water Connection Charges

Water Meter Charge (1-inch meter)	\$ 1,350.00
Front Footage Charge (75 ft x 81.60/ft)	6,120.00
Capacity Charge (State Water Project: 4 EDU x 3,806.52)	15,226.08
Additional Connection Fees (Lopez Proj Imprv: 4 EDU x 1000.)	<u>4,000.00</u>
Total Estimated Water Charges	\$ 26,696.08

Sewer Connection Charges

Lateral installation estimate	6,420.00
Connection fee	1,225.00
Inspection fee	<u>50.00</u>
Total Estimated Sewer Fees	<u>7,695.00</u>

TOTAL FEES **\$34,391.08**

Refund Lateral installation <6,420.00>

TOTAL FEES **\$27,971.08**

Agenda Item 08 25 2010 8.b.

Kris Walters
Page Two
August 26, 2010

The \$50.00 inspection fee shown above is for inspecting the building sewer laterals between the District's cleanout and the connection to the new modular building. Please give us at least 24 hours notice to schedule the required inspections.


In addition, the South San Luis Obispo County Sanitation District (SSLOCSD) WILL REQUIRE PAYMENT FOR ITS CONNECATION FEES. You may find out the precise amount of this payment by calling the SSLOCSD office between 8:00 a.m. and noon at (805) 481-6903 and speaking with Sabrina Spears, Secretary / Bookkeeper. **OCSD will require that you submit a copy of your County building permit and the receipt from the SSLOCSD before it will accept water and sewer fees due to us.**

Estimated fees could increase at any time, and will increase on January 1st of each year.

If you have any questions, please feel free to call.

Respectfully submitted,

OCEANO COMMUNITY SERVICES DISTRICT



Raffaele F. Montemurro
General Manager

RFM/cap

Agenda Item 08 25 2010 8.b.



Oceano Community Services District

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

(805) 481-6730

FAX (805) 481-6836

May 13, 2010

Kris Walters
Garing, Taylor & Associates
141 So. Elm Street
Arroyo Grande, CA 93420

**SUBJECT: APN 062-114-016; OCSD PROJ #6428.00; SLO CO #: UNKNOWN
OWNER/PROJ: COMMUNITY HEALTH CENTER/RELOCATE
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Kris Walters
Page Two
May 13, 2010

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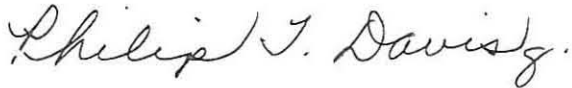
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If you have any questions, please feel free to call.

Yours truly,

OCEANO COMMUNITY SERVICES DISTRICT



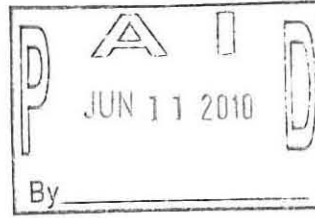
Philip T. Davis
Utility Operations Supervisor

SW

Payee OCEANO COMMUNITY SERVICES DIST
 Vendor ID OCEANO COMMUNIT Account #:

89409
 6/10/2010

Invoice	Description	Discount	Amount
1941/5-13-10	WATER & SEWAGE CONNECT FEE - 1941 CIENEGA	\$0.00	\$34,391.08
5331/MAY10	UTILITIES-03045331	\$0.00	\$57.51
Total :		\$0.00	\$34,448.59



OCEANO COMMUNITY SERVICES DISTRICT

REC# 14676

RECD FROM: COMMUNITY HEALTH CENTER

6/24/10 PROJECT #6428.00

34,391.08 TOTAL-CHECK

15360	WTR METER-	2-3205-000	1,350.00
15370	FRNT FOOT-	2-3206-000	6,120.00
15380	STATE WTR-	2-3209-000	15,226.08
15390	SWR HKUP -	3-3211-000	7,645.00
15400	SWR INSP -	3-3230-000	50.00
15410	LPZ HKUP -	2-3211-000	4,000.00



Oceano Community Services District

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

(805) 481-6730

FAX (805) 481-6886

August 26, 2010

Coker Ellsworth
PO Box 1238
Arroyo Grande, CA 93420

SUBJECT: APN 075-011-041; OCSD PROJECT #6702
OWNER/PROJECT: Coker Ellsworth/ Tract 2424

Dear Dr. Ellsworth:

Oceano Community Services District will serve the 7 residential units with a mini storage development proposed for Tract 2424 subject to the following conditions:

1. Obtain valid OCSD and SSLOCSD permits. There are fees due.
2. Show onsite water and sewer services and cleanouts on plot plan.
3. Offsite improvements for water, sewer, street lighting, and/or fire protection may be required and will be determined when engineered plans are submitted for District review.
4. A fire safety plan will be required.
5. If any of the District facilities are required to be moved, raised, or in any way altered or changed because of required conditions of the District or any other agency having jurisdiction over the proposed development, the owner, developer, contractor, or agent responsible shall bring such facilities up to a minimum District standard of design and access.
6. If District facilities (such as water and/or sewer lines) extend into or across the subject property, you will be required to prepare and submit appropriate easement documents and/or encroachment permits for acceptance by the District's Board of Directors and recording with the County Clerk-Recorder.
7. All projects will require final inspections by OCSD.
8. An Acceptable fire truck turn around needs to be approved, shown on the plans and constructed before construction on any homes will be allowed.

Curbs, gutters and sidewalks will be required pursuant to County Ordinance 22.05.106 at owner's expense.

This will serve letter will expire August 26, 2011 and is nontransferable. The District reserves the right to review service at the time permits are issued. If you have any questions, please contact the office at (805) 481-6730.

Respectfully submitted,

OCEANO COMMUNITY SERVICES DISTRICT

Raffaele F. Montemurro, General Manager
RFM/cap

Agenda Item 08 25 2010 8 c



Oceano Community Services District

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

(805) 481-6730

FAX (805) 481-6836

~~August 26, 2009~~

~~RRM Design Group
3765 Higuera Street Suite 102
San Luis Obispo, CA 93401~~

August 11, 2010

Coker Ellsworth

Project Name:
Project Number:

RECEIVED

SEP 14 2009

RRM Design Group
3765 Higuera Street, ste. 102
San Luis Obispo, CA 93401
Tel: 805-542-1794

SUBJECT: APN 075-011-041; OCSD PROJECT #6702
OWNER/PROJECT: Coker Ellsworth/ Tract 2424

Dear Ms. Payne:

Oceano Community Services District will serve the 7 residential units with a mini storage development proposed for Tract 2424 subject to the following conditions:

1. Obtain valid OCSD and SSLOCSD permits. There are fees due.
2. Show onsite water and sewer services and cleanouts on plot plan.
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Yours truly, *Respectfully submitted*

OCEANO COMMUNITY SERVICES DISTRICT

Kevin D. Walsh
Kevin D. Walsh, Interim General Manager
~~KDW/PTD/cs~~

R FM



A FAX from Coker Ellsworth
Real Estate Broker & General Contractor
129 Bridge Street, Suite B, Arroyo Grande, CA 93420
P. O. Box 1238
Arroyo Grande, CA 93421-1238
Office: (805) 481-7071 FAX: (805) 481-7171
License No. 357972
Real Estate License No. 00656102

Date: 7-22-10

To: RAFAEL

Company: OCSO

FAX: 481-6836

Subject: TRACT 2424

Number of Pages, including this cover:

Message: I WOULD LIKE TO REQUEST AN EXTENSION ON THE
ATTACHED WILL SERVE LETTER. THE PROJECT IS
MOVING FORWARD SLOWLY DUE TO THE ECONOMY. PLEASE ADDRESS
ANY COMMUNICATIONS TO ME AND NOT RRM.
THANKS
COCO

This Facsimile is intended to be read only by the party to whom it is addressed.

Hard copies will ___ will not ___ be sent via mail.