Pursuant to Governor Newsom's Executive Order N-29-20, members of the Board of Directors, staff and public may participate in this meeting via teleconference and/or electronically. The Oceano Community Services District Boardroom will NOT be open for accessing the meeting.



Notice of Regular Meeting Oceano Community Services District - Board of Directors Agenda

WEDNESDAY, December 9, 2020 – 6:00 P.M Location: TELECONFERENCE – SEE BELOW

HOW TO OBSERVE THE MEETING

This meeting will be conducted using Zoom software, which requires a name/email to be entered prior to accessing the meeting. This is not a District requirement for participation. Public participants are welcome to use an anonymous name/email if preferred.

<u>Telephone:</u> Listen to the meeting live by dialing (669) 900-9128 or (253) 215-8782. Enter Meeting ID# 892-6279-7188 followed by the pound (#) key. Then enter the Password: 508435 followed by the pound (#) key. If the line is busy, additional phone numbers can be found on Zoom's website at https://zoom.us/u/abb4GNs5xM

<u>Computer:</u> With internet access use the <u>Password: 508435</u> to watch the live streaming at https://us02web.zoom.us/j/89262797188?pwd=Q2lUeVc5THhnZk10TEtOUTITcXRiZz09 or by going to zoom.us and selecting "Join A Meeting" then entering the **Meeting ID# 892-6279-7188** followed by the **Password: 508435**

<u>Mobile:</u> Log in through the Zoom Mobile App on a smartphone or tablet and enter **Meeting ID#: 892-6279-7188** then enter the **Password: 508435**.

For information on Zoom's system requirements please visit: https://support.zoom.us/hc/en-us/articles/201362023-System-Requirements-for-PC-Mac-and-Linux

HOW TO SUBMIT PUBLIC COMMENTS

Before the Meeting: Please email your comments to carey@oceanocsd.org with "Public Comment" in the subject line. In your email please include the agenda item number and title and your comments. You may also provide public comment through the District website at: https://oceanocsd.org/contact/. All comments received before 12:00 p.m. the day of the meeting will be included as an agenda supplement on the District's website https://oceanocsd.org/meeting-agendas-minutes/agenda-packets/ and provided to the Directors prior to the meeting. Comments received after the deadline, but prior to the meeting start time, will be attached to the minutes of the meeting.

Live Comments: During the meeting, the Board President or designee will announce the opportunity for public comment. Members of the public may utilize the "raise hand" feature in Zoom to be placed into the speaking queue. Each individual speaker is limited to a presentation time of THREE (3) minutes per item. Persons wishing to speak on more than one item shall limit his/her remarks to a total of SIX (6) minutes. This time may be allocated between items in one-minute increments up to three minutes. Time limits may not be yielded to or shared with other speakers.

To "Raise Hand:"

- **Telephone**: Prese " * 9" to raise your hand to notify meeting host and be placed in the queue. The host will unmute and call on you when it's your time to speak.
- Computer/Mobile Device: Click the "raise hand" button to notify meeting host and be placed in the queue. The host will unmute and call on you when it's your time to speak. If the "raise hand" button is not displayed on the screen, please click the "participants" icon at the bottom of the screen and the "raise hand" button will appear.

All items on the agenda including information items, may be deliberated. Any member of the public with an interest in one of these items should review the background material and request information on the possible action that could be taken.

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. FLAG SALUTE
- 4. AGENDA REVIEW
- REPORT OUT OF CLOSED SESSION FROM NOVEMBER 11, 2020 Pursuant to Government Code 54956.9(a):
 Conference with legal counsel regarding Santa Maria Valley Water Conservation District v. City of Santa Maria, et al.,
 NO REPORTABLE ACTION

6. BOARD ITEMS:

- A. Administer Oaths of Office
 - 1. Linda Austin
 - 2. Shirley Gibson
 - 3. Cynthia Replogle

7. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

This public comment period provides an opportunity for members of the public to address the Board on matters of interest within the jurisdiction of the District that are not listed on the agenda. If a member of the public wishes to speak at this time, Public comment is limited to three (3) minutes.

8. SPECIAL PRESENTATIONS & REPORTS:

A. STAFF REPORTS:

- i. Sheriff's South Station Commander Jay Wells
- ii. FCFA Operations Chief Steve Lieberman
- iii. Operations Utility System Manager Tony Marraccino
- iv. OCSD General Manager Will Clemens

B. BOARD OF DIRECTORS AND OUTSIDE COMMITTEE REPORTS:

- i. Director Villa
- ii. Director Gibson
- iii. Vice President White
- iv. President Austin
- v. Director Replogle

C. PUBLIC COMMENT ON SPECIAL PRESENTATIONS AND REPORTS:

This public comment period provides an opportunity for members of the public to address the Board on matters discussed during Special Presentations and Reports. If a member of the public wishes to speak at this time, Public comment is limited to three (3) minutes.

9. CONSENT AGENDA ITEMS:

Public comment Members of the public wishing to speak on consent agenda items may do so when recognized by the Presiding Officer. If a member of the public wishes to speak at this time, Public comment is limited to three (3) minutes.

- A. Review and Approval of Minutes for Regular Meeting November 11, 2020.
- **B.** Review of Cash Disbursements
- **C.** Submittal for Approval of a Resolution to Close the District Office for normal operations on December 24, 2020 and December 31, 2020.
- D. Consideration of a Recommendation to Adopt a Resolution Amending and Restating the District's Conflict of Interest Code
- E. Approval of recommendation to adopt a resolution authorizing submittal of an application for the Beverage Container Recycling Grant Program and to adopt an Environmentally Preferable Purchasing Policy

10. BUSINESS ITEMS:

Public comment Members of the public wishing to speak on business items may do so when recognized by the Presiding Officer. If a member of the public wishes to speak at this time, Public comment is limited to three (3) minutes.

- **A.** Consideration of an appeal by James Barnard on a water bill and provide staff direction as deemed appropriate
- B. Consideration of a Request for Additional Leak Relief from Laurel Allen
- **C.** Receive an update on the Central Coast Blue Project and Consider Recommendations to participate in the Project
- D. Election of District Officers and 2021 Committee Assignments
- 11. HEARING ITEMS:
- 12. RECEIVED WRITTEN COMMUNICATIONS:
- 13. LATE RECEIVED WRITTEN COMMUNICATIONS:
- **14. FUTURE AGENDA ITEMS** Deferred Infrastructure Program, Lopez Water Contract Amendments, Wastewater CIP, The Place, EIR State Parks PWP, Old Firehouse Art, California Voting Rights Act, Fireworks Ordinance, District Flag Policy/ Pride Month, Social Media Policy/ Live Stream Board Meetings
- **15. FUTURE HEARING ITEMS:**
- 16. CLOSED SESSION:
 - A. Pursuant to Government Code §54957 Performance evaluation—General Manager
- 17. ADJOURNMENT:

This agenda was prepared and posted pursuant to Government Code Section 54954.2. Agenda is posted at the Oceano Community Services District, 1655 Front Street, Oceano, CA. Agenda and reports can be accessed and downloaded from the Oceano Community Services District website at www.oceanocsd.org

ASSISTANCE FOR THE DISABLED If you are disabled in any way and need accommodation to participate in the Board meeting, please call the Clerk of the Board at (805) 481-6730 for assistance at least three (3) working days prior to the meeting so necessary arrangements can be made.



Summary Minutes Regular Meeting Wednesday, November 11, 2020 – 6:00 P.M. Location: TELECONFERENCE

- 1. **CALL TO ORDER:** at approximately 6:00 p.m. by President Austin
- 2. ROLL CALL: Board members present: President Austin, Vice President White, Director Gibson, Director Villa, and Director Replogle. Staff present: General Manager Will Clemens, Legal Counsel Jeff Minnery, and Business and Accounting Manager, Carey Casciola.
- 3. FLAG SALUTE: led by President Austin.
- 4. AGENDA REVIEW:

A motion was made by Vice President White to approve the agenda as presented with a second from Director Gibson, 5-0 roll call vote.

5. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:

April Dury	Thanked all who ran for the OCSD Board.				
Julie Tacker	In opposition to cancelled meetings limiting meetings to				
	one per month.				

6. SPECIAL PRESENTATIONS & REPORTS:

A. STAFF REPORTS:

- i. Sheriff's South Station Commander Jay Wells October 2020 Report for the Oceano response area: 517 calls for service, 50+ traffic stops, 11 narcotics, 61 reports generated, and 5 Community Action Details (CAT Team). Crime trends: theft of electric bikes. A pursuit ended on Pier Avenue. Safety Reminder: do not leave valuables in plain sight, lock vehicles and leave windows rolled up.
- ii. FCFA Chief Steve Lieberman Local 4403 raised over \$700 for Honor Flight by issuing Veteran's Day FCFA shirts (internally). All resources previously out of the County for fires have safely returned. FCFA's ISO (Insurance Service Officer) rating will be a Class 2 as of 2/1/2021. FCFA started as a Class 4 and was recently a Class 3.
- iii. Operations Utility Systems Manager, Tony Marraccino Absent
- iv. OCSD General Manager Will Clemens OCSD finalized a \$225K CDBG grant application for the rehabilitation of water tanks. OCSD finalized a \$300K Cal OES grant to purchase generators to power Well #8, the booster and lift station in the event of a power outage. Continuing to work with the other cities on NCMA. Mr. Clemens' and Tony Marraccino, Utility System Manager have been attending AWIA (American Water Infrastructure Act) webinars. A 'Risk and Resilience' assessment is due June 30, 2021 and six months after an 'Emergency Response Plan' is to be prepared. This was the first time the OCSD Board Room was utilized for four days as a polling station and we additionally had a ballot drop box for the first time. Any issues encountered were worked through and the County Clerks office indicated all went well. Late fees are continuing to be waived unless the Board directs otherwise. Late fees typically generate approximately \$27k per year in revenue.

B. BOARD OF DIRECTORS AND OUTSIDE COMMITTEE REPORTS:

- i. Director Villa Reported on the 10/15/2020 Oceano Advisory Council (OAC) meeting.
- ii. Director Gibson Reported on the 11/4/2020 Water Resources Advisory Committee (WRAC) meeting.
- iii. Vice President White None
- iv. Director Replogle None
- v. President Austin Reported on the 11/4/2020 South San Luis Obispo County Sanitation District (SSLOCSD) meeting.

C. PUBLIC COMMENT ON SPECIAL PRESENTATIONS AND REPORTS:

Public comment was received from:

April Dury	In support of two meetings per month and written
	committee reports.
Julie Tacker	In opposition of a Central Coast Blue test well project in
	Oceano.
Stephanie Paige	In opposition of fireworks.

Director Replogle requested items 7D and 7E be pulled for discussion.

7 CC	DNSENT AGENDA:	ACTION:				
a. b. c.	Review and Approval of Minutes for Regular Meeting October 14, 2020. Review of Cash Disbursements. Submittal of the District's Fiscal Year 2020-21 Quarter 1 Treasurer Report Recommendation.	After an opportunity for public comment and Board discussion, staff recommendations were approved for items 7A, 7B and 7C with a motion from Vice President White, and a second from Director Gibson and a 5-0 roll call vote.				
		Public Comment: Julie Tacker – In support of a form and report attached to the warrant register for Director compensation. April Dury – In support of a more detailed warrant				
d.	Approval of recommendation to adopt a resolution Designating the General Manager as the authorized representative for the Community Power Resiliency Allocation to Special Districts Grant Program.	register for accounts payable. After an opportunity for public comment and Board discussion, staff recommendations were approved for item 7D with a motion from Director Gibson, and a second from Vice President White and a 5-0 roll call vote.				
		Public Comment: Julie Tacker – Requested clarification on the resolution.				
e.	Approval of recommendation to adopt a resolution Accepting the Irrevocable and Perpetual Offer of Dedication by Cienaga Seabreeze Park, Inc.	After an opportunity for public comment and Board discussion, staff recommendations were approved for item 7E with a motion from Vice President White, and a second from Director Gibson and a 5-0 roll call vote. Public Comment: Julie Tacker – Asked for cost estimate for this project.				

8 BUSINESS ITEMS:	ACTION:			
Review of the District's Budget Status as of September 30, 2020 and approve a \$10,900 budget adjustment from the Facilities Fund reserves.	After an opportunity for public comment and Board discussion, staff recommendations were approved with motion from Vice President White, and a second from Director Gibson and a 5-0 roll call vote.			
	Public Comment: Julie Tacker - In opposition of enterprise funds being used for emergency and fire services.			

9. **HEARING ITEMS - None**

10. RECEIVED WRITTEN COMMUNICATIONS:

Amanda Sherlock	In opposition of fireworks.
Jill Abercrombie	In opposition of fireworks.
OAC and SLO County Health Department	In opposition of opening the ODSVRA area of the Dunes.

11. LATE RECEIVED WRITTEN COMMUNICATIONS:

Stephanie Paige	In opposition of fireworks.

- **12. FUTURE AGENDA ITEMS:** Continued, Deferred Infrastructure Program, Lopez Water Contract Amendments, Wastewater CIP, The Place, EIR State Parks PWP, Old Firehouse Art, California Voting Rights Act, Fireworks Ordinance, District Flag Policy/ Pride Month, Social Media Policy / Live Stream Board Meetings.
- 13. FUTURE HEARING ITEMS: None
- **14. CLOSED SESSION:** The Board entered into closed session at approximately 7:25 pm 8:00 pm. **No Reportable Action**

a. Pursuant to Government Code 54956.9(a): Conference	
with legal counsel regarding Santa Maria Valley Water	Public Comment:
Conservation District v. City of Santa Maria, et al.,	Julie Tacker – In support of taking a position on Central
	Coast Blue and to consider OCSD relationship with other
	agencies.
	Brenda Lowe – In support of OCSD staff and Directors
	Eric Ochoa – In support of OCSD staff and Directors

15. ADJOURNMENT: at approximately 8:00 pm

Carey Casciola

From: Stephanie Paige <stephaniemariesf@gmail.com>

Sent: Wednesday, November 11, 2020 5:03 PM

To: carey@oceanocsd.org

Subject: Question for meeting 11/11/2020

Greetings,

I'm a newer resident and homeowner here in Oceano. Now that the elections are over I'm wondering what actions the OCSD will be looking to take in the near future to protect its citizens from the continuing onslaught of illegal fireworks happening on a nearly nightly basis. Aside from the potential structural and vegetation fire damage risks, there is ongoing psychological and emotional harm through the homes and lives in this community. Many residents here suffering from mental health issues from PTSD to severe insomnia are forced to medicate themselves, their children, dnd even their pets in order to gain sleep through the noise of the arial burst or ground mortar style illegal fireworks. How much longer will a blind eye be allowed to turn on this matter by those who can enact change?

Respectfully,

Stephanie Paige



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

PHONE(805) 481-6730 FAX (805) 481-6836

Date: December 9, 2020

To: Board of Directors

From: Carey Casciola, Business and Accounting Manager

Subject: Agenda Item #9(B): Recommendation to Review Cash Disbursements

Recommendation

It is recommended that your board review the attached cash disbursements:

Discussion

The following is a summary of the attached cash disbursements:

Description	Check Sequence		Amounts
	58675 - 58721		
<u>Disbursements</u> :			
Subtotal:		\$	-
Reoccurring Payments for Board Review (authorized by Resolution 2020-06):			
Payroll Disbursements - PPE 11/07/2020	N/A	\$	31,482.46
Payroll Disbursements - PPE 11/21/2020	N/A	\$	31,793.98
County of SLO (Electronic J/E disbursement Water Supplies -	N/A	\$	252,934.82
paid 11/23/2020	N/A	٦	232,934.62
Reoccurring AP - paid 11/12/2020	58675 - 58695	\$	82,652.73
Reoccurring Utility Disbursements - paid 11/12/2020	58696 - 58701	\$	1,502.07
Reoccurring Health Disbursements - paid 11/12/2020	58702	\$	56.21
Reoccurring AP - paid 11/25/2020	58703 - 58714	\$	44,969.91
Reimbursement Agreement Deposit Refund - paid 11/25/2020	58715	\$	870.00
Reoccurring Utility Disbursements - paid 11/25/2020	58716 - 58719	\$	4,528.42
Reoccurring Health Disbursements - paid 11/25/2020	58720 - 58721	\$	9,499.15
Subtotal:		\$	460,289.75
Grand Total:		\$	460,289.75

Other Agency Involvement

N/A

Other Financial Considerations

Amounts are within the authorized Fund level budgets.

Results

The Board's review of cash disbursements is an integral component of the District's system of internal controls and promotes a well governed community.

Agenda Item 9(B)

Payroll Summary Report Board of Directors - Agenda Date December 9, 2020

	(*)		
Gross Wages	10/24/2020	11/7/2020	11/21/2020
Regular	\$26,889.13	\$27,011.10	\$27,016.77
Overtime Wages	\$388.16	\$322.52	\$388.16
Stand By	\$600.00	\$450.00	\$600.00
Gross Wages	\$27,877.29	\$27,783.62	\$28,004.93
Cell Phone Allowance	\$0.00	\$75.00	\$0.00
Total Wages	\$27,877.29	\$27,858.62	\$28,004.93
<u>Disbursements</u>			
Net Wages	\$22,118.58	\$21,896.44	\$22,060.53
State and Federal Agencies	\$5,292.84	\$5,085.07	\$5,232.50
CalPERS - Normal	\$4,326.08	\$4,344.15	\$4,344.15
SEIU - Union Fees	\$155.31	\$156.80	\$156.80
Total Disbursements processed with Payroll	\$31,892.81	\$31,482.46	\$31,793.98
Health (Disbursed with reoccurring bills)	\$0.00	\$6,013.57	\$5,318.88
Total District Payroll Related Costs	\$31,892.81	\$37,496.03	\$37,112.86

^(*) Previously reported in prior Board Meeting packet - provided for comparison.

Oceano Community Services District County of San Luis Obispo Electronic Journal Entries

A/P Approval

	Invoice	Vendor	Amount	G/L Account	Account Name		Distribution	
1	886	County of SLO Public Works	\$ 5,936.08	02-5-4400-262	FY2019/20 Water Supply - Lopez, Surplus Water	\$	5,936.08	
2	873	County of SLO Public Works	\$ 246,998.74	02-5-4400-262	FY2020/21 Water Supply - Lopez, Installment #2	\$	246,998.74	

Total County Electronic Journal	Ś	252 024 92		
Entries for Water Supply	Þ	252,934.82		

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1-1001-	-000	11/12/2020	CHECK	058675	ADAMSKI MOROSKI MADDEN CUMBERL	8,314.00CR	OUTSTN) A	0/00/0000	LEGAL - GENL & GROUNDWATER LITIGATION
1-1001-	-000	11/12/2020	CHECK	058676	ARAMARK	110.43CR	OUTSTNI) A	0/00/0000	UNIFORMS
1-1001-	-000	11/12/2020	CHECK	058677	AUTOSYS, INC.	1,137.33CR	OUTSTN) A	0/00/0000	LIFT STATION MAINTENANCE
1-1001-	-000	11/12/2020	CHECK	058678	BRISCO'S	38.77CR	OUTSTN) A	0/00/0000	PAVING
1-1001-	-000	11/12/2020	CHECK	058679	BURDINE PRINTING & GRAPHICS	174.25CR	OUTSTNI) A	0/00/0000	U/B LATE NOTICE MAIL & POSTAGE
1-1001-	-000	11/12/2020	CHECK	058680	CANNON	53,354.86CR	OUTSTN) A	0/00/0000	WRRP PHASE 2 & USDA PRELIM ENGR RPT
1-1001-	-000	11/12/2020	CHECK	058681	FAMCON PIPE & SUPPLY, INC.	675.68CR	OUTSTN	O A	0/00/0000	PAVING/MAINTENANCE
1-1001-	-000	11/12/2020	CHECK	058682	GMC ELECTRICAL, INC.	500.00CR	OUTSTN	D A	0/00/0000	ANNUAL CATHODIC PROTECTION SVC
1-1001-	-000	11/12/2020	CHECK	058683	GSI WATER SOLUTIONS, INC.	4,055.13CR	OUTSTN	O A	0/00/0000	NCMA ANNUAL RPT
1-1001-	-000	11/12/2020	CHECK	058684	J.B. DEWAR, INC.	258.92CR	OUTSTNI) A	0/00/0000	FUEL
1-1001-	-000	11/12/2020	CHECK	058685	MIER BROS.	323.25CR	OUTSTNI	O A	0/00/0000	PAVING
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1-1001-	-000	11/12/2020	CHECK	058687	MOSS, LEVY & HARTZHEIM	5,000.00CR	OUTSTNI) A	0/00/0000	2019-2020 FISCAL YEAR AUDIT
1-1001-	-000	11/12/2020	CHECK	058688	PETTY CASH	14.52CR	OUTSTN	O A	0/00/0000	U/B RETN NOTICE POSTAGE DUE, BACKFLOW RETN RCPT/CERT MAILING
1-1001-	-000	11/12/2020	CHECK	058689	PRO-TECH LANDSCAPE MANAGEMENT,	410.00CR	OUTSTN) A	0/00/0000	LANDSCAPE SVC
1-1001-	-000	11/12/2020	CHECK	058690	STATE OF CALIFORNIA - DIG SAFE	1,068.62CR	OUTSTN	D A	0/00/0000	DIG REGULATORY COST
1-1001-	-000	11/12/2020	CHECK	058691	THE TRIBUNE	842.16CR	OUTSTN) A	0/00/0000	LEGAL NOTICE - ORDINANCE 2020-01
1-1001-	-000	11/12/2020	CHECK	058692	USA NORTH 811	770.15CR	OUTSTN	D A	0/00/0000	2020 DIG MEMBERSHIP
1-1001-	-000	11/12/2020	CHECK	058693	U.S. POSTAL SERVICE	254.00CR	OUTSTNI) A	0/00/0000	ANNUAL PO BOX FEE
1-1001-	-000	11/12/2020	CHECK	058694	WATER SYSTEMS CONSULTING, INC.	3,930.94CR	OUTSTN	O A	0/00/0000	NCMA STAFF EXT SVCS FY 2020-2021 NCMA UPDT MGT AGREEMENT
1-1001-	-000	11/12/2020	CHECK	058695	ZENITH INSURANCE COMPANY	1,402.00CR	OUTSTNI) A	0/00/0000	WORKERS COMP INSURANCE

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11/16/2020 10:40 AM

All

TYPE:

STATUS: All

COMPANY: 99 - POOLED CASH FUND

ACCOUNT: 1-1001-000 POOLED CASH OPERATING

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1-10	001-000	11/12/2020	CHECK	058699	SO CAL GAS		84.86CR	OUTSTND	A	0/00/0000	UTILITY
1-10	001-000	11/12/2020	CHECK	058700	STANLEY CONVERG	ENT SECURITY SO	102.51CR	OUTSTND	A	0/00/0000	WELLS AND FIRE MONITOR
1-10	001-000	11/12/2020	CHECK	058701	VERIZON WIRELES	S	229.63CR	OUTSTND	A	0/00/0000	FIELD CELL SVC
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1-1001-000	11/25/2020	CHECK	058703	ARAMARK		258.08CR	OUTSTNI) A	0/00/0000	UNIFORMS
1-1001-000	11/25/2020	CHECK	058704	CALPORTLAND CON	STRUCTION	337.26CR	OUTSTNI) A	0/00/0000	PAVING
1-1001-000	11/25/2020	CHECK	058705	BRENT SARKISON	DBA CALTEC COMP	30.00CR	OUTSTNI) A	0/00/0000	MONTHLY STD BKUP
1-1001-000	11/25/2020	CHECK	058706	CRANDALL CONSTR	UCTION	41,700.00CR	OUTSTNI) A	0/00/0000	RAISE SEWER MANHOLE & WATER VALVE
1-1001-000	11/25/2020	CHECK	058707	J.B. DEWAR, INC		306.31CR	OUTSTNI) A	0/00/0000	FUEL
1-1001-000	11/25/2020	CHECK	058708	MARK SCHWIND EL	ECTRIC INC.	240.00CR	OUTSTNI) A	0/00/0000	FIX OCSD PARKING LOT LIGHTING
1-1001-000	11/25/2020	CHECK	058709	MINER'S ACE HAR	DWARE, INC.	5.38CR	OUTSTNI) A	0/00/0000	OCSD YARD SUPPLY
1-1001-000	11/25/2020	CHECK	058710	MR. BACKFLOW		685.00CR	OUTSTNI) A	0/00/0000	ANNUAL BACKFLOW TESTING & REPAIR
1-1001-000	11/25/2020	CHECK	058711	PETTY CASH		0.62CR	OUTSTNI) A	0/00/0000	U/B ADDR RETURN NOTICE POSTAGE DUE
1-1001-000	11/25/2020	CHECK	058712	R & T EMBROIDER	Y, INC.	186.73CR	OUTSTNI) A	0/00/0000	FIELD HATS
1-1001-000	11/25/2020	CHECK	058713	SLO CO PUBLIC H	EALTH DEPT.	417.80CR	OUTSTNI) A	0/00/0000	SEP/OCT BACKFLOW CHARGES
1-1001-000	11/25/2020	CHECK	058714	WATER SYSTEMS C	ONSULTING, INC.	802.73CR	OUTSTNI) A	0/00/0000	NCMA STAFF EXTN FY20-21 SVCS NCMA MGT AGREEMENT UPDT
TOTALS FOR ACCOU	NT 1-1001-0			CHECK DEPOSIT INTEREST MISCELLANEOUS SERVICE CHARGE EFT BANK-DRAFT	TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL:	44,969.91CR 0.00 0.00 0.00 0.00 0.00 0.00				THOME THOREE MENT OF BI
TOTALS FOR POOLE	D CASH FUND			CHECK DEPOSIT INTEREST MISCELLANEOUS SERVICE CHARGE EFT BANK-DRAFT	TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL:	44,969.91CR 0.00 0.00 0.00 0.00 0.00 0.00				

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11/25/2020 1:45 PM

All

TYPE:

STATUS: All

COMPANY: 99 - POOLED CASH FUND

ACCOUNT: 1-1001-000 POOLED CASH OPERATING

TYPE: All STATUS: All FOLIO: All								0/00/0	000 THRU 99, 000 THRU 99, THRU 999,999,715 THRU	/99/9999
ACCOUNT	DATE	TYPE	NUMBER	DESCRI	PTION	AMOUNT	STATUS	FOLIO	CLEAR DATE	
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TOTALS FOR ACCOUNT				CHECK DEPOSIT INTEREST MISCELLANEOUS SERVICE CHARGE EFT BANK-DRAFT	TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL:	870.00CR 0.00 0.00 0.00 0.00 0.00 0.00				
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COMPANY: 99 - POOLED CASH FUND

ACCOUNT: 1-1001-000 POOLED CASH OPERATING

ACCOUNT: TYPE: STATUS: FOLIO:	1-1001-000 All All All	POOLE	D CASH OPE	ERATING			CLEAR DA STATEMEN VOIDED D AMOUNT: CHECK NU	T: ATE:	0/00/0 0/00/0 0.00	000 THRU 99/ 000 THRU 99/ 000 THRU 99/ THRU 999,999 716 THRU	99/9999 99/9999
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1-10	01-000	11/25/2020	CHECK	058716	COASTAL COPY, I	NC.	230.05CR	OUTSTND	A	0/00/0000	COPIES/MAINTENANCE
1-10	01-000	11/25/2020	CHECK	058717	DE LAGE LANDEN	FINANCIAL SERVI	150.15CR	OUTSTND	А	0/00/0000	COPIER LEASE
1-10	01-000	11/25/2020	CHECK	058718	ELECSYS INTERNA	TIONAL CORP	223.50CR	OUTSTND	А	0/00/0000	EQUIPMENT MONITOR
1-10	01-000	11/25/2020	CHECK	058719	PACIFIC GAS & E	LECTRIC	3,924.72CR	OUTSTND	A	0/00/0000	UTILITY
TOTALS	FOR ACCOUNT	1-1001-0			CHECK DEPOSIT INTEREST MISCELLANEOUS SERVICE CHARGE EFT BANK-DRAFT	TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL:	4,528.42CR 0.00 0.00 0.00 0.00 0.00 0.00				
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11/25/2020 1:51 PM COMPANY: 99 - POOLED CASH FUND

ACCOUNT: TYPE: STATUS: FOLIO:	1-1001-000 All All All	POOLE	D CASH OPF	ERATING			CLEAR DA STATEMEN VOIDED D AMOUNT: CHECK NU	T: ATE:	0/00/0	0000 THRU 99, 0000 THRU 99, 0000 THRU 99, THRU 999,999 3720 THRU	/99/9999 /99/9999 9,999.99
ACCO	DUNT	DATE	TYPE	NUMBER	DESCR	IPTION	AMOUNT	STATUS	FOLIO	CLEAR DATE	
CHECK:	001-000	11/25/2020	CHECK	058720			 8,137.09CR				 EMPLOYEE INSURANCE
		11/25/2020					1,362.06CR				EMPLOYEE INSURANCE
TOTALS	FOR ACCOUNT	1-1001-0			CHECK DEPOSIT INTEREST MISCELLANEOUS SERVICE CHARGE EFT BANK-DRAFT	TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL:	9,499.15CR 0.00 0.00 0.00 0.00 0.00 0.00				
TOTALS	FOR POOLED	CASH FUND			CHECK DEPOSIT INTEREST MISCELLANEOUS SERVICE CHARGE EFT BANK-DRAFT	TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL:	9,499.15CR 0.00 0.00 0.00 0.00 0.00 0.00				

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11/25/2020 1:53 PM

COMPANY: 99 - POOLED CASH FUND



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

(805) 481-6730 FAX (805) 481-6836

Date: December 9, 2020

To: Board of Directors

From: Carey Casciola, Business and Accounting Manager

Subject: Agenda Item #9(C): Submittal for Approval of a Resolution to Close the District Office for normal

operations on December 24, 2020 and December 31, 2020.

Recommendation

It is recommended that your Board adopt the attached resolution which will close the District office for normal operations on December 24, 2020 and December 31, 2020.

Discussion

The two days recommended for closure are established by the Memorandum of Understanding with the District's union as half days (or 4 hours of holiday pay) for District staff. Christmas Eve and New Year's Eve are both on Thursday this year. District office staff have requested that the District close the office for normal operations on these days. Since minimal activity with the public is expected on these days, minor impact is expected. District staff are required to take vacation, other paid time off (but not sick leave), or time off without pay on the identified days of closure if approved by your Board.

Other Agency Involvement

The District's union has provided correspondence in support of the District office closure.

Other Financial Considerations

The proposed action will save the District's utility costs and other operating costs during the period of the closure.

Results

Closure for normal operations will provide cost savings on days when minimal operating activity with the public is expected and promotes a well governed community.

Attachment: Resolution

OCEANO COMMUNITY SERVICES DISTRICT RESOLUTION NO: 2020 - __

A RESOLUTION CLOSING DISTRICT OFFICE DECEMBER 24, 2020 AND DECEMBER 31, 2020

WHEREAS, the Oceano Community Services District (hereinafter referred to as "District") operates a community water system, a community wastewater system, and provides other services for the community; and

WHEREAS, the District recognizes December 24, 2020 and December 31, 2020 as half day (4 hours) holidays; and,

WHEREAS, December 24, 2020 and December 31, 2020 are both on Thursday and are the days before Christmas and New Year's Day, which are recognized as full day (8 hour) holidays; and

WHEREAS, District office employees have requested that the District office close for normal operations on December 24, 2020 and December 31, 2020; and,

WHEREAS, no significant need exists for the District office to be open for normal operating purposes on December 24, 2020 and December 31, 2020 because they are the day before holidays which traditionally have little operating or customer activities; and

WHEREAS, closing the District office for normal operations December 24, 2020 and December 31, 2020 will provide cost savings to the District by reducing utility costs, and other operating costs that would be normally incurred; and

WHEREAS, the District has correspondence from the Service Employees International Union (SEIU) Local 620 in support of the District office closure; and

WHEREAS, it is in the public interest to close the District office for normal operating purposes on December 24, 2020 and December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the Oceano Community Services District, as follows:

- 1. That the District office will be closed for normal operating purposes on December 24, 2020 and December 31, 2020.
- 2. District employees may take vacation time, paid time off other than sick leave and/or leave without pay on December 24, 2020 and December 31, 2020.

PASSED AND ADOPTED by the Boariet on December 9, 2020 by the following vo	ard of Directors of the Oceano Community Services ote:
AYES:	
NOES:	
ABSTAIN:	
ABSENT:	
	President, Board of Directors of the Oceano Community Services District
ATTEST:	
Board Secretary of the Oceano Community Services	
APPROVED AS TO FORM:	
Jeffrey A. Minnery, District Counsel	



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

(805) 481-6730 FAX (805) 481-6836

Date: December 9, 2020

To: Board of Directors

From: Carey Casciola, Business & Accounting Manager

Subject: Agenda Item #9(D) - Consideration of a Recommendation to Adopt a Resolution Amending and

Restating the District's Conflict of Interest Code

Recommendation

It is recommended that your Board:

1. Adopt the attached resolution amending and restating the District's Conflict of Interest Code

2. Direct the General Manager to submit the resolution amending the District's Conflict of Interest Code in the forms required by the Office of the County Clerk and related documents

Discussion

Attached is correspondence from the Office of the County Clerk identifying the biennial requirement for the District to review and consider amendments to its Conflict of Interest Code. The current version was adopted on October 10, 2018.

The edits identified in Appendix 1 of the code (which is Exhibit "A" to the resolution) adds the position of the Utility System Manager and removes the District Engineer/ Assistant General Manager position.

Other Agency Involvement

The San Luis Obispo County Board of Supervisors is the reviewing authority for the District's Conflict of Interest Code. County Counsel's Office will review and provide any feedback if further technical corrections are needed. The County Clerk's Office maintains records of related forms that are filed by the District's elected officials and other individuals who are required to file Form 700 – Statements of Economic Interests. The California Fair Political Practices Commission provides oversight and enforcement in accordance with the Political Reform Act and subsequent legislation.



Board of Directors Meeting

Other Financial Considerations

n/a

Results

The District's Conflict of Interest Code and the related Statements of Economic Interests promote transparency in government and a well governed community.

Attachments:

- Resolution Amending and Restating the District's Conflict of Interest Code
- Notice from the Office of the County Clerk

EXHIBIT "A" OF RESOLUTION 2018-132020-XX OCEANO COMMUNITY SERVICES DISTRICT CONFLICT OF INTEREST CODE - REGULATION 18730

(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 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. (fn1)

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. (fn2)

- (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 property (fn3) is required to be reported, (fn4) 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, (fn5) 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, (fn6) 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 office, 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 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. section 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.
- 2. See 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.
- 3. For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.
- 4. Investments 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.

- 5. A 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.
- 6. Income 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" RESOLUTION 2018132020-XX

OCEANO COMMUNITY SERVICES DISTRICT CONFLICT OF INTEREST CODE

APPENDIX OF DESIGNATED OFFICERS AND EMPLOYEES WITH DISCLOSURE CATEGORIES

I. DESIGNATED POSITIONS

The persons occupying the positions listed below are hereby considered designated officers and employees and are deemed to make, or participate in the making of, decisions, which may have a material effect on a financial interest.

DESIGNATED POSITION	ASSIGNED DISCLOSURE
	CATEGORIES
District Legal Counsel	1, 2, 3
District Engineer / Assistant General Manager	1, 2, 3
Business and Accounting Manager	1, 2, 3
Utility System Supervisor Manager	1, 2, 3
Consultants	1, 2, 3

II. OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Disclosure is required of the following positions and shall be provided as stated in Government Code section 87200 et seq.

DESIGNATED POSITION	ASSIGNED DISCLOSURE
	CATEGORIES
Members of the Board of Directors	1, 2, 3
General Manager	1, 2, 3

APPENDIX "2" RESOLUTION <u>2020-XX</u>2018-

13

OCEANO COMMUNITY SERVICES DISTRICT CONFLICT OF INTEREST CODE

DISCLOSURE CATEGORIES

Category 1: All persons in this disclosure category shall disclose all interests in real property located in the District or within two miles of the District's boundaries. This disclosure is not applicable to the person's principal residence or real property interests with a fair market value of less than \$2,000.

Category 2: All persons in this disclosure category shall disclose all investments in business entities and business positions in business entities that have an interest in real property in the District, or that have done business with the District during the year prior to the date of the person's disclosure statement, or that are likely to do business with District during the year subsequent to the date of the person's disclosure statement. This disclosure category is not applicable to investments with a fair market value of less than \$2,000.

Category 3: All persons in this disclosure category shall disclose all sources of personal and business entity income from entities that provide services, materials, machinery equipment, or supplies of the type utilized by the District or that are located within the District, including gifts, loans and travel payments. This disclosure category is not applicable to income received from the District.

Consultants. "Consultant" means an individual who, pursuant to a contract with the District, either: (A) Makes a governmental decision whether to (1) approve a rate, rule, or regulation; (2) adopt or enforce a law; (3) issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (4) authorize the District to enter into, modify, or renew a contract provided it is the type of contract that requires District approval; (5) grant District approval to a contract that requires District approval and to which the District is a party, or to the specifications for such a contract; (6) grant District approval to a plan, design, report, study, or similar item; or (7) adopt or grant District approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or (8) Serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in California Code of Regulations, title 2, section 18702.2 or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's conflict of interest code. (California Code of Regulations, title 2, section 18701 (a)(2).)

"Consultants" are included in the list of designated positions and must disclose interests and investments in accordance with the broadest disclosure category in the District's conflict of interest code, subject to the following limitation: The General Manager may determine in writing that a particular consultant, although a "consultant" and "designated position," nevertheless is hired or retained to perform a range of duties that is limited in scope and therefore is not required to fully comply with the disclosure requirements described in this section. The General Manager's written determination shall include a description of the consultant's duties, and, based on that description, a statement of the extent of disclosure requirements. The written determination is a public record and shall be retained for public inspection in the same manner and location as the District's conflict of interest code.

2020 Local Agency Biennial Notice

Name of Agency: Oceano CSD
Mailing Address: PO BOX 599 Oceano, CA 93475
Contact Person: Carey Casciola Phone No. 805-481-6730
Contact Person: Carey Casciola Phone No. 805-481-6730 Email: carey@oceanocsd.org Alternate Email: will@oceanocsd.org
Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.
This agency has reviewed its conflict of interest code and has determined that (check one BOX):
An amendment is required. The following amendments are necessary:
(Check all that apply.)
 ☐ Include new positions ☐ Revise disclosure categories ☐ Revise the titles of existing positions ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions ☐ Other (describe)
The code is currently under review by the code reviewing body.
No amendment is required. (If your code is over five years old, amendments may be necessary.)
Verification (to be completed if no amendment is required)
This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to:

County Administrative Office Wade Horton, Clerk of the Board 1055 Monterey St. Ste. D430 San Luis Obispo, CA 93408

PLEASE <u>DO NOT</u> RETURN THIS FORM TO THE FPPC.

www.fppc.ca.gov FPPC Advice: advice@fppc.ca.gov (866.275.3772)



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

(805) 481-6730 FAX (805) 481-6836

Date: December 9, 2020

To: Board of Directors

From: Carey Casciola, Business and Accounting Manager

Subject: Agenda Item #9(E): Approval of recommendation to adopt a resolution authorizing

submittal of an application for the Beverage Container Recycling Grant Program and to

adopt an Environmentally Preferable Purchasing Policy

Recommendation

It is recommended that your Board:

- 1. Adopt a resolution authorizing submittal of an application for the Beverage Container Recycling Grant Program.
- 2. Adopt a District Environmentally Preferable Purchasing Policy.

Discussion

On August 26, 2020, the Board gave staff direction to pursue funds through the Integrated Waste Management Authority (IWMA) Technical Assistance Grant Program for water refill stations and recycling bins throughout Oceano. The California Department of Resources and Recycling and Recovery (CalRecycle) has issued a similar opportunity for grant funding through the Beverage Container Recycling Grant Program. Staff submitted the first half of the application requesting \$75,000 in grant funds for water refill stations and recycling bins on December 1, 2020. The second deadline for the grant requires a resolution authorizing specific grant related matters and an Environmentally Preferable Purchasing Policy (EPPP) be submitted by January 5, 2021. The EPPP requirement is consistent with CalRecycle's core values to commit to a sustainable future and is attached.

Other Agency Involvement

CalRecycle is the granting agency.

Other Financial Considerations

The District previously requested \$10,000 from the IWMA with a requirement of matching in-kind contributions. The District has requested funding of \$75,000 from CalRecycle with no requirement for a local match.



Board of Directors Meeting

Results

Authorizing the General Manager to file the application and execute grant agreements after approval by CalRecycle creates cost efficiencies and will contribute to a sustainable and healthy community.

Attachments:

- A. Resolution
- B. Environmentally Preferable Purchasing Policy

OCEANO COMMUNITY SERVICES DISTRICT RESOLUTION NO. 2020-

RESOLUTION OF THE OCEANO COMMUNITY SERVICES DISTRICT AUTHORIZING SUBMITTAL OF APPLICATION FOR THE BEVERAGE CONTAINER RECYCLING GRANT PROGRAM

WHEREAS, Public Resources Code sections 48000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs (grants) in furtherance of the State of California's (state) efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

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

- 1. The Oceano Community Services District authorizes the submittal of an application(s) to CalRecycle for all grants for which the District is eligible.
- 2. The General Manager is hereby authorized and directed to prepare the necessary data, conduct investigations, and to execute in the name of the Oceano Community Services District all grant documents (which must first be approved as to form by OCSD Legal Counsel), including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project.
- 3. These authorizations are effective for five (5) years from the date of adoption of this resolution.

Upon motion of	, seconded by		
	, and on the following roll call vote, to wit:		
AYES: NOES: ABSENT: ABSTAINING:			
the foregoing Resolution is hereby adopted this	s day of		
	Linda Austin, President		
ATTEST:			

ENVIRONMENTALLY PREFERABLE PURCHASING POLICY OCEANO COMMUNITY SERVICES DISTRICT

PURPOSE

This Policy is adopted in order to:

- Conserve natural resources, materials, and energy,
- Minimize environmental impacts such as pollution and use of water and energy,
- Eliminate or reduce toxics that create hazards to our community,
- Reduce toxicity,
- Reduce materials that are landfilled,
- Maximize recyclability and recycled content;
- Increase the use and availability of environmentally preferable products that protect the environment

POLICY ELEMENTS

- 1. Institute practices that reduce waste, encourage reuse, and result in the purchase of fewer products.
- 2. Whenever practicable, recycled materials shall be produced and used in District operations.
- 3. Departments shall examine their purchasing specifications and shall, where practicable, include the use of products which contain post-consumer recycled content, are reusable, are designed to be easily recyclable, or are environmentally preferable.
- 4. The District will continue to integrate the concept of resource conservation, including waste reduction and recycling, into its environmental programs.
- 5. Consider short-term and long-term costs in comparing product alternatives. This includes evaluation of total costs expected during the time a product is owned, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance and replacement parts, disposal costs and expected lifetime compared to other alternatives.
- 6. Purchase products that are durable, long lasting, reusable or refillable and avoid purchasing one-time use or disposable products.
- 7. The District will decrease the amount of waste of consumable materials by: a) reducing the consumption of consumable materials wherever possible; b) fully utilizing all materials prior to disposal; and c) minimizing the use of non-biodegradable products wherever possible.
- 8. The District shall comply with all environmental, legislative, and regulatory requirements in the procurement of products and services.

ENVIRONMENTALLY PREFERABLE PURCHASING OCEANO COMMUNITY SERVICES DISTRICT

RESPONSIBILITIES

- 1. The health and safety of workers and citizens is of utmost importance and takes precedence over all other practices. Nevertheless, the District recognizes its duty to act in a fiscally responsible as well as a timely manner.
- 2. Nothing contained in this policy shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, risk the health or safety of workers and citizens, or are not available at a reasonable price in a reasonable period of time.
- 3. Nothing contained in this policy shall be construed as requiring the District, department, purchaser, or contractor to take any action that conflicts with local, state or federal requirements.
- 4. The District has made significant investments in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally sound production system. Therefore, to the greatest extent practicable, recycled content shall be included in products that also meet other specifications.



1655 Front Street, P.O. Box 599, Oceano, CA 93475 (805) 481-6730 FAX (805) 481-6836

Date: December 9, 2020

To: Board of Directors

From: Will Clemens, General Manager

Subject: Agenda Item #10(A): Consideration of an appeal by James Barnard on a water bill and

provide staff direction as deemed appropriate

Recommendation

It is recommended that your Board consider the appeal by James Barnard on a water bill and provide staff direction as deemed appropriate.

Discussion

Mr. Barnard is the owner of property at 1840 23rd Street. For the 05/18/2020 - 07/18/2020 billing period, 94 units of water were registered by the water meter, and the water bill for that period was \$647.13. Staff first re-read the meter at the property to ensure the meter was not misread. The customer then requested the meter at the property be tested. The meter test is attached, and all the flows passed based on the American Water Works Association Standards.

The District currently has Ordinance 2007-1 in place that provides that billing adjustments may be approved for high water usage provided that the following conditions are met:

- "The owner must produce evidence of a break or malfunction that was not reasonably detectable", and
- "The owner must produce evidence the break or malfunction has been repaired", and
- "The District determines there is no evidence that the excess use of water was due to the willful act or the negligence of the consumer or the consumer's agent(s)"

All three conditions must be met for the General Manager to approve a water bill credit. Mr. Barnard did not request a leak adjustment and none of the conditions were met. If your Board chooses to deny the appeal, a payment plan could be set up over the next 12 months to assist the customer based on Resolution 2019-11 establishing the ability to establish alternative payment schedules. Alternatively, your Board could choose to treat this like an instance of leak relief. If the formula in Ordinance 2007-1 for issuing leak relief credits was applied in this circumstance, the bill would be reduced to \$262.41.



Board of Directors Meeting

Other Agency Involvement

N/A

Other Financial Considerations

If your Board is inclined to grant a billing adjustment based on the formula established in Ordinance 2007-1, this would result in a billing credit of \$262.41.

Results

The Board's consideration of the request provides a full review of the situation and supports a well-governed community.

Attachments: Correspondence from James Barnard

Meter Test Results

SEP 0 3 2020

Oceano Community Services District 1655 Front Street PO Box 599 Oceano, Ca 93475

Dear Sir

I am writing to dispute my last water bill for my residence at 1840 23 rd st Oceano. Service period 5/ 18/2020to 7/ 18/2020

My normal bill as you will see is approximately 80 to 100 dollars for each billing cycle. This particular billing which I am in dispute is 647.13.

This is a second home and I spend approximately 5 to 10 days a month in this home in Oceano. I am a retired single male. No one resides at this residence other than my visits to my second home.

So upon viewing said bill I was amazed because of my 5 days a month visiting this residence this bill is in error.

This same Billing problem occurred a while back and your office determined that the reading was in fact in error and a correction was made to my normal water charge.

I observed your water personal install new water meter and as they explained and showed me the small triangle would spin if there were any leaks on my property. There were no leaks according to this newer meter. This was installed on 8/24/2020.

I look forward to hearing from you to correct this incorrect billing concerning this excessive water use which is untrue.

James Barnard 1840 23 rd st

Oceano, Ca.



ARROYO GRANDE

August 24, 2020

Oceano Community Services District Attn. Tony Marraccino P. O. Box 599 Oceano, CA 93445

SUBJECT: Water Meter Testing

Dear Mr. Marraccino:

The water meter listed below was tested for registration accuracy per American Water Works Association Standards (C-700). The following is the results for this test:

MODEL	SERIAL NUMBER	SIZE	% REGISTRATION
Sensus	74554918	5/8" x 3/4" Accustream	
Low Flow Rate:		1/4 gpm	96.0%
Mid Flow Rate:		2 gpm	99.0%
High Flow Rate:		15 gpm	100.0%

This meter passed all the flow tests and meets AWWA Standard.

Sincerely,

Shane Taylor Utilities Manager

	A JULY 10, 1811	PNDE	Ar	805-473-5485 300 East Branch Street royo Grande, CA 93421
y		Att	ommunity Services Distric n: Tony Marraccino P. O. Box 599 Oceano, CA 93445	t
	Invoice No. 20	0-020		8/24/20
	DATE		DESCRIPTION	CHARGES
	8/24/20	Test one (1) water per AWWA Standard LABOR (1) Manhour @		\$74.41
		WATER DEPARTMI	ENT 640-4807	
		PAY THIS AMOUN		\$74.41



1655 Front Street, P.O. Box 599, Oceano, CA 93475 (805) 481-6730 FAX (805) 481-6836

Date: December 9, 2020

To: Board of Directors

From: Will Clemens, General Manager

Subject: Agenda Item #10(B): Consideration of a Request for Additional Leak Relief from Laurel

Allen

Recommendation

It is recommended that your Board consider the request from Laurel Allen for additional leak relief for the property located at 1750 25th Street.

Discussion

Ms. Allen is the owner of property at 1750 25th Street. For the 05/13/2020 - 07/15/2020 billing period, 906 units of water were registered by the water meter, and the water bill for that period was \$5,938.12. The attached Ordinance 2007-1 provides that billing adjustments may be approved for high water usage provided that the following conditions are met:

- "The owner must produce evidence of a break or malfunction that was not reasonably detectable", and
- "The owner must produce evidence the break or malfunction has been repaired", and
- "The District determines there is no evidence that the excess use of water was due to the willful act or the negligence of the consumer or the consumer's agent(s)"

All three conditions must be met for the General Manager to approve a water bill credit. Ms. Allen met all three conditions and the maximum bill adjustment of \$2,899.92 was provided by the District as authorized by Ordinance 2007-1. This left a water bill of \$3,038.20 that Ms. Allen was responsible for paying. Under normal conditions, the highest water usage for Ms. Allen at this address was 24 units of water which equates to a bill of \$169.84 using rates in place at the time. The attached correspondence from Ms. Allen outlines her request for an additional billing adjustment. In addition, Ms. Allen has purchased a device that will send an alert to her phone if unusually high water usage is detected in the hope of preventing this from happening in the future.



Board of Directors Meeting

Other Agency Involvement

N/A

Other Financial Considerations

If your Board is inclined to grant an additional billing adjustment, it would be reasonable to credit Ms. Allen's bill for any usage over 24 units (maximum prior recorded usage). This would result in an additional billing credit of \$2,868.36 (\$3,038.20-\$169.84).

Results

The Board's consideration of the request provides a full review of the situation and supports a well-governed community.

Attachments: Correspondence from L. Allen

Ordinance 2007-1

From: <u>Laurel Allen</u>

To: <u>directoraustin@oceanocsd.org</u>; <u>office@oceanocsd.org</u>; <u>Laurel</u>

Subject: 1750 25th St. Water Bill

Date: Sunday, November 08, 2020 9:22:18 PM

Oceano Community Service District 1655 Front Street Oceano, CA 93445

November 2, 2020

Laurel Allen 1750 25th St. Oceano, CA 93445

Dear Oceano Community Service District,

I have been a resident of Oceano since 2009 and have thoroughly enjoyed living in this community as well as in the Five Cities since 1970.

On July 17th of this year, I had a knock on my front door from Tony, with the OCSD. He explained to me that my water meter was spinning continuously. I went out to the meter to see this for myself. He then explained to me that the meter had been constantly running for the past two months and that the District was not able to turn off the water. He recommended that I call a plumber, which I did immediately. Waterboy's Plumbing came out and turned off the water that day. The plumbing company then showed me a sprinkler head that was cracked and had been leaking. However, there was absolutely no evidence of any excess water on the lawn or in the planter. This leak had been continuous for two months but provided no signs that a leak was occurring. There was truly no way for me to know the leak existed until Tony showed me the continually moving meter.

As Tony recommended, I took pictures of pipes, sprinkler heads, and the area surrounding the leak in question and sent in One Time Leak Adjustment paperwork to OCSD on July 22nd.

In August, I received my water bill for \$5,957.61. The amount of this bill obviously took me by surprise and put me in a state of distress. I called the OCSD multiple times and talked to at least three different thoughtful employees. The result of my communications with these individuals was a decrease of fifty percent on the \$5,957.61 bill I received in August. Although I appreciated this, it still left me with an unaffordable water bill of \$2,978.81.

I am a single person that works as a LMUSD teacher, a coach and for the City of Pismo Beach in the summers, in order to meet my financial responsibilities for my home, taxes, and monthly bills. This amount of close to \$3,000.00 has been a struggle to fathom as I have consciously maintained an average of a \$115.00 water bill each two months of the billing cycle. The bill had gone up in the two month period before this occurrence but still was below \$150.00. This increase I contribute to being at home all day doing Distance Teaching and having my mother intermittently stay with me due to her health issues.

I sent in a check for \$500.00 for this period as "Good Faith" of what I feel is a reasonable amount of payment for the unknown water leak. I am upset that so much water was wasted without my knowledge as I would have addressed any sign of leak immediately, but no sign presented itself.

I appreciate your time in reading this letter and hope that you will consider forgiving the remaining balance and accept my \$500 payment as payment in full for this bill.

Sincerely,

Laurel Allen

ORDINANCE NO. 2007-1

AN ORDINANCE AMENDING ORDINANCE 2006-1 TO ESTABLISH THE METHOD FOR WATER BILLING ADJUSTMENTS FOR THE OCEANO COMMUNITY SERVICES DISTRICT

WHEREAS, by Ordinance 2006-1, the Oceano Community Services District (the "District") consolidated its existing ordinances regarding certain utility services and established charges therefore, including the method by which water billing adjustments may be made. And,

WHEREAS, the District's Board of Directors has determined that certain ambiguities exist in the procedures for making water billing adjustments. And,

WHEREAS, the District's Board of Directors has determined that it is in the District's and the general public's best interests to clarify the methods,

NOW, THEREFORE, BE IT ORDAINED, pursuant to Government Code Sections 61600(a), 61621, 61621.5, and 61623. by the District's Board of Directors as follows:

- 1. <u>Ordinance Amendment</u>. Ordinance 2006-1, Article 4, Section 4. is hereby amended to read as follows:
 - "4. Billing Adjustments. Whenever a bill reflects high usage compared to the previous comparable seasonal billing period, the owner can request a billing adjustment. The owner must produce evidence of a break or malfunction that was not reasonably detectable. The owner must also produce evidence the break or malfunction has been repaired.

High usage is defined as water use for a billing period which is in excess of one and one-half times the normal seasonal bimonthly use as solely determined by the District.

Once the District determines there is no evidence that the excess use of water was due to the willful act or the negligence of the consumer or the consumer's agent(s), the District General Manager will credit the consumer's account for one-half the difference between the dollar amount of the normal bill (calculated as normal seasonal bimonthly use at current commodity rates) and the dollar amount of the disputed bill. In the event the District General Manager does not authorize the credit, the owner may appeal that decision to the Board of Directors. The appeal must be in writing and explain why the customer disagrees with the decision of the General Manager.

Consumers requesting a bill adjustment must allow District staff to complete a residential water use survey before any bill adjustment is given. The District

General Manager may grant exemptions to this requirement should staff be unavailable to perform the survey in a timely manner.

Consideration of an adjustment pursuant to this policy shall be allowed only once in any consecutive 24 month period. The Board of Directors may make exceptions to the frequency of adjustments and the amounts of the adjustments for "Acts of God" such as earthquakes and floods."

- 2. <u>Inconsistency</u>. To the extent that the terms or provisions of this Ordinance may be inconsistent with or in conflict with the terms and conditions of any prior District Ordinance(s), motions, resolutions, rules or regulations governing the same subject, the terms and conditions of this Ordinance shall prevail with respect to the subject matter thereof and such inconsistency and conflicting provisions of prior ordinances, motions, resolutions, rules and regulations are hereby repealed.
- 3. <u>Severability</u>. If any section, subsection, sentence, clause or phrase or this Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The Board hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared invalid or unconstitutional.

4. <u>Effective Date</u>. This Ordinance shall take effect and be in full force and effect thirty (30) days from the date of passage; and before the expiration of fifteen (15) days after the passage of this Ordinance, it shall be published once with the names of the members voting for and against the Ordinance in the Five Cities Times-Press-Recorder.

INTRODUCED at a regular meeting of the Board		day of,
2007, and PASSED AND ADOPTED by the Board	of Directors on the	day of
, 2007, upon the motion of Director _	, seconded	by Director
, and upon the following roll call vote,	to wit:	
AYES		
NOES		
ABSENT		
ABSTAINING		
	James Hill	
	President	



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

(805) 481-6730 FAX (805) 481-6836

Date: December 9, 2020

To: Board of Directors

From: Will Clemens, General Manager

Subject: Agenda Item #10(C): Receive an update on the Central Coast Blue Project and Consider

Recommendations to participate in the Project

Recommendation

It is recommended that your Board:

- 1. Receive and discuss a general presentation on the Central Coast Blue Project (Project).
- 2. Direct staff to work with partner agencies to develop and return with an agreement that may include, but not be limited to, the following framework:
 - a. Establish a right to pump a proportional share of the Project Yield based on existing groundwater pumping percentages.
 - b. Provide a proportional share of water to other agencies from existing Oceano Community Services District (OCSD) supplies, from groundwater, or to pay a proportional cost if OCSD chooses to pump Project water.
 - c. Coordinate with Lopez Storage rights and downstream releases.
 - d. OCSD is not obligated to fund or guarantee with rate covenants.
 - e. Grant funding is equitably distributed with disadvantaged community grant funds proportionately distributed to disadvantaged communities.
 - f. Cooperate by exchanging water amongst participating agencies if possible or practical.

Discussion

Introduction

Central Coast Blue, formerly named the Regional Groundwater Sustainability Project, is the proposed recycled water project involving the communities of Oceano, Arroyo Grande, Grover Beach and Pismo Beach. Your Board adopted an Advocacy Platform on January 11, 2017 and again on February 13, 2019 which includes a position in support of Central Coast Blue. The project's preliminary technical efforts are wrapping up and upcoming efforts will focus on interagency agreements including the operating agreement and future funding agreements.



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Providing staff direction to prepare an operating agreement for Board consideration at a subsequent meeting is intended to help ensure that both regional groundwater issues and Oceano community-specific issues can be addressed, with public participation, in a timely manner. Supporting public involvement will also help ensure that, when the time arrives to consider project decisions, your Board can act in a manner that is in the best interests of the community while also considering the importance of regional collaboration.

Central Coast Blue and Regional Water Resource Reliability

Central Coast Blue includes infrastructure improvements to treat wastewater from the four communities and to meet water quality standards that allow it to be injected into the groundwater basin. It includes piping and other facilities to convey wastewater from existing wastewater treatment facilities to new advanced treatment facilities, and from those advanced treatment facilities to locations where the recycled water will be injected into the groundwater basin.

The proposed location for the advanced treatment facilities is Assessor's Parcel Number 060-543-016 in Grover Beach. Locations for groundwater injection facilities are being evaluated based on groundwater modelling to help ensure that the project's benefits are maximized. These are currently being evaluated along Highway 1 in Oceano in or near the County campground.

Overall, recycled water projects are important for long-term management of local water resources - a critical natural resource that communities depend on. Like curbside solid waste recycling programs that have been implemented for decades, the importance of water recycling is recognized at local, regional and state-wide levels even though it is not legally mandated by state legislation like solid waste recycling programs. Without state legislation mandating recycled water projects, development of local recycled water projects is the responsibility of local leadership.

Local leadership for Central Coast Blue includes elected officials that govern five local jurisdictions. Those five agencies include the OCSD, the cities of Arroyo Grande, Grover Beach and Pismo Beach, and the South San Luis Obispo County Sanitation District (SSLOCSD). The development of Central Coast Blue, as a multi-agency project, entails complex issues that include technical, financial, environmental and other details. The need for the project varies for each of the four communities. Likewise, its impacts will be different for each community.

The importance of regional cooperation on Central Coast Blue includes diligently considering issues involving ongoing groundwater litigation. Existing and foreseeable legal issues bring additional complexities to the project. The three cities and OCSD (but not SSLOCSD) are four of numerous parties included in the adjudication of the Santa Maria Groundwater Basin (SMGB) that also covers the Nipomo Mesa and portions of northern Santa Barbara County. The adjudication includes legal stipulations that were approved in 2005 and a judgment in 2008.



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Annual reports are prepared on the groundwater basin and submitted to the court, which has continuing jurisdiction over several issues including overall groundwater management.

Public Involvement and Project Permitting

The complexities of developing a regional recycled water project involving multiple governmental agencies is not limited to the five agencies, their elected officials who represent local leadership and all the technical, environmental, funding and legal issues that they need to address. Public involvement in project development efforts and coordinating with state and federal resource agencies to obtain project permits are critical activities for a successful project.

As the preliminary technical efforts are being completed on Central Coast Blue, next steps will include those that focus on public participation. The Project is in the environmental review and permitting process which are well known for being extensive processes that require project sponsors to be diligent, responsive and timely in addressing questions and comments. *Proactive discussions with local stakeholders have already been part of ongoing project efforts*. Two feasibility studies have been prepared and publicly reviewed; one by the SSLOCSD and the other by the City of Pismo Beach. Continuing public outreach and stakeholder discussions during the local review of alternatives can help to identify and resolve issues relatively early and reduce disputes during the environmental permitting phase of the project.

See http://centralcoastblue.com/

Oceano Community Specific Issues

Upcoming public involvement will be important for OCSD specifically as well as regionally for Central Coast Blue. The community's existing water supplies, the risks associated with those supplies, and the <u>importance of regional cooperation in sustainable groundwater management</u> are a few of the many issues that need to be discussed.

As next phases of Central Coast Blue proceed, reviewing OCSD existing water supplies, risks and future needs should be considered to help determine the appropriate level of involvement in Central Coast Blue. At this time, OCSD has a solid water portfolio as evidenced by the District's ability to increase water in storage during the most recent drought. Water supply risks nevertheless exist, and ongoing groundwater modelling may help provide better information on the reliability of groundwater supplies.



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The following table illustrates OCSD water supply production over each of the past four calendar years. The greyed-out cells under reliable supply indicate that these numbers are not hard and fast limits. Water management strategies can be utilized to deliver the necessary water in any given year.

Amounts are in Acre Feet / Year	Annual Allocation	Reliable Supply	2016	2017	2018	2019
Groundwater	900	225-315	5	21	237	147
Lopez Water	303	303	0	697	466	522
State Water	750	178-750	668	0	0	11
Totals	1,953	706-1,368	673	718	703	680
Production %	100%	36%-70%	35%	37%	36%	35%

The table illustrates the use of State Water in 2016 during the drought to help preserve local supplies. In 2017 and 2018, State Water was stored with a greater reliance placed on Lopez Water. Lopez Water had been stored during the drought under the Low Reservoir Response Plan (LRRP), but that water would have been lost if not used once the drought ended. The table reflects how utilization of the OCSD water supplies can change from one year to the next. It is also important to distinguish between water supply "needs" versus "benefits." Although it may be argued that OCSD does not "need" Central Coast Blue, the importance of the regional benefits of Central Coast Blue cannot be overlooked. Recycled water is highly reliable when compared with other sources of water. With greater groundwater reliability, OCSD will benefit and be able to better mitigate multi-year drought scenarios. Likewise, obtaining permanent rights to store water in Lopez Reservoir will benefit Oceano. Together, the two could help reduce reliance on State Water and potentially provide opportunities for reducing State Water costs through short-term sales.

Framework for Agreement

Several issues are inherent in any multi-agency water resource project. Other issues are unique to any project. Anticipating issues and addressing them promotes well managed projects and inter-agency collaboration. The following is an introductory list of issues that should be considered for OCSD participation in Central Coast Blue.

- 1. Establish a right to pump a proportional share of the Project Yield based on existing groundwater pumping percentages (21% for OCSD).
 - a. OCSD currently has a right to pump 21% of the municipal use from the NCMA portion of the groundwater basin. Participation in the Project Yield would maintain consistent percentages for groundwater pumping and reduce potential conflicts with other agencies.
 - b. Participation in the Project would increase the reliability of the OCSD groundwater allocation as recycled water is sometimes referred to as a "drought proof" source of water. This would provide



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OCSD a fourth source of water (Lopez, State, Groundwater, Recycled) to further diversify its portfolio.

- 2. Provide a proportional share of water to other agencies from existing OCSD supplies, from groundwater, or to pay a proportional cost if OCSD chooses to pump Project water.
 - a. In exchange for the right to pump Project water, OCSD would supply a proportional share of its existing water supply to other agencies. This enables the agencies to share in a regional pool of water supply, thus benefitting all agencies.
 - b. Alternatively, OCSD could choose to pay for its share of Project water or provide other agencies with the right to pump a portion of its Project water.
- 3. Coordinate with Lopez Storage rights and downstream releases.
 - a. Concurrently, the agencies are working on revisions to the Lopez water supply contracts with the Flood Control District to provide storage rights in Lopez Lake and these agreements would need to be coordinated to promote conjunctive use with the various water sources and downstream release of stored water is an additional means of recharging the groundwater basin.
- 4. OCSD is not obligated to fund or guarantee with rate covenants.
 - a. OCSD would not be financially obligated to fund the Project or provide any rate covenants to funding agencies or municipal bond underwriters or insurers.
- 5. Grant funding is equitably distributed with disadvantaged community grant funds proportionately distributed to disadvantaged communities.
 - a. Some grant funding may only be accessible to disadvantaged communities. The benefits of these grant funds should be allocated amongst the agencies based on the proportion of disadvantaged population in the communities. For OCSD, this would help reduce the amount of water provided in exchange for Project water or reduce any payment for project water if OCSD so chooses.
- 6. Cooperate by exchanging water amongst participating agencies if possible or practical.
 - a. Extraction well infrastructure of any agency can become compromised at any time and inhibit an agency from pumping its allocation of Project water. Provisions should be made for agencies to share their infrastructure to the greatest extent possible or practical in such circumstances so that agencies can maximize their Project allocation in any given year.



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Other Agency Involvement

The cities of Arroyo Grande, Grover Beach and Pismo Beach are municipal water purveyors that together with OCSD would benefit from Central Coast Blue. Pismo Beach has provided significant leadership even though project benefits will be regional. Arroyo Grande and Grover Beach have provided financial contributions. The South San Luis Obispo County Sanitation District is the regional wastewater entity treating and disposing of wastewater (except for Pismo Beach). The Regional Water Board, California Coastal Commission and other resource agencies will be involved in project permitting. State and Federal agencies may also provide grant and other funding opportunities.

Financial Considerations

Current cost estimates for Project water range from \$2,900 per acre foot per year (AFY) to \$4,200 AFY without any grant funding of the project. Any grant funding received would reduce these estimates accordingly. Phase 1 of the Project (Pismo wastewater flows only) is estimated to yield 1,100 AFY. OCSD share (21%) of the Project water (Phase 1) would equate to 231 AFY.

Participation in the Project can be accomplished with financial impacts that are completely under the control of OCSD. If OCSD chooses not to pump Project water in any given year and allows the other agencies to pump that water, there would be no cost to OCSD. If OCSD chooses to pump Project water in exchange for other water in its portfolio the cost would only be the variable charge of delivering that water to the other agencies. Current variable charges are about \$150 AF which would be approximately \$35,000 per year. This amount is well within current State Water budget for the District and would not require a rate increase. If OCSD chooses to pump Project water in exchange for money, the costs would be significant (\$670,000 to \$970,000 per year at current estimates with no grants) and would require a significant rate increase. This scenario would be unlikely.

Results

Consideration of participation in Central Coast Blue promotes a well governed community.



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

(805) 481-6730 FAX (805) 481-6836

Date: December 9, 2020

To: Board of Directors

From: Will Clemens, General Manager

Subject: Agenda Item #10(D)— Election of District Officers and 2021 Committee Assignments

Recommendation

It is recommended that your Board:

1. Conduct the election of the President and Vice President in accordance with Government Code Section 61043(a) and the District's by-laws.

2. Appoint board members to Committee Assignments

Discussion

Government Code Section 61043(a) requires that the District Offices of President and Vice President are determined within 45 days after the general election and that a board of directors may elect the officers of the board annually. The District's by-laws provide that your Board will annually elect the President and Vice President during the first regular meeting in December. Also attached is the roster of the current year Committee Assignments.

There are four types of committee assignments:

- 1. Committee assignments to other agency Boards and Committees
- 2. OCSD Ad Hoc Committees
- 3. Liaison assignments with other Boards and Committees
- 4. OCSD Standing Committees None

Committee Assignments to other agency Boards and Committees

These assignments provide appointees with formal authority to act on behalf of the community. The roles are either as a final decision-maker or they represent an advisory role.

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Assignment	Final Making	Decision Role	Advisory Role
South San Luis Obispo County Sanitation District Board of Directors	х		
Five Cities Fire Authority Board of Directors	Х		
Water Resource Advisory Committee (WRAC) For the San Luis Obispo County Flood Control and Water Conservation District – Countywide Water Resources			х
Regional Water Management Group (RWMG) For the San Luis Obispo County Integrated Regional Water Management Plan (IRWMP)			Х
Zone 3 Advisory Committee For the San Luis Obispo County Flood Control and Water Conservation District (Lopez Water Supply Project)*			Х
State Water Sub Contractors Advisory Committee For the San Luis Obispo County Flood Control and Water Conservation District			Х
Oceano Advisory Committee For the County of San Luis Obispo			Х
Code Enforcement For the County of San Luis Obispo			Х
RFP Ad Hoc Committee For the District			Х
Social Media Ad Hoc Committee For the District			Х
Old Firehouse Art Ad Hoc Committee For the District			Х

^{*} Note: The Zone 3 Advisory Committee has formal decision-making role to modify delivery of water under the Low Reservoir Response Plan during drought emergencies.

Other Agency Involvement

n/a

Other Financial Considerations

n/a



Board of Directors Meeting

Results

Election of the President and Vice President in accordance with the District's by-laws helps to promote a well governed community.

Attachments: 2020 Committee Assignments as of February 26, 2020

2020 COMMITTEE & SUBJECT MATTER ASSIGNMENTS

As of February 26, 2020

COMMITTEE ASSIGNME	ENTS TO OTHER A	AGENCY BOAR		Subject Matter Assignments / Expertise	
SSLOCSD	Austin	Gibson	1st & 3rd Wed/6:00/JanJune OCSD/July-Dec. Arroyo Grande City Council Chamber 215 E. Branch Arroyo Grande, CA 93420	Wastewater	
Five Cities Fire Authority	White	3rd Fri./10:00/Grover Beach City Villa Council Chamber 154 S. 8th St. Grover Beach, CA 93433		Emergency Services	
Water Resource Advisory Comm. (WRAC)	Gibson	Austin	1st Wed/1:30/SLO County Library Room 995 Palm St. San Luis Obispo, CA 93401	Regional Water Programs	
Regional Water Mgt. Group (RWMG – IRWMP)	Villa	Gibson	1st Wed/9:00/SLO County Library Room 995 Palm St. San Luis Obispo, CA 93401	Regional Water Programs	
Zone 3 (Lopez Water)	Gibson	Villa	3 rd Thurs Odd/6:30/ Varies	Water Supply Contracts	
State Water	Gibson	Villa	Varies	Water Supply Contracts	
Oceano Advisory	Villa	White	3rd Thursday/5:30/OCSD	County Land Use	
OCSD AD HOC - COMM	ITTEE ASSIGNME	NTS			
RFP Ad Hoc Committee	Gibson	Austin	Approved 5/10/2017		
Code Enforcement	Villa	White			
Social Media Technology Outreach	Replogle	Villa			
Old Firehouse Art Ad Hoc Committee	Austin	Gibson Approved 6/26/2019			
LIAISON AND SUBJECT I	MATTER ASSIGN	MENTS			
Supervisor Liaison		Austin	Varies		
Airport Land Use		White	3 rd Wed /1:30/County Government Center Board of Supervisors Chaml 1055 Monterey St Room D170 San Luis Obispo, CA 93401		
CA (Local) Special Distric	ct's Association	Austin	Varies (Usually Noon Fri) every other m		
Zone 1/1A		Austin	3rd Tues Odd/3:00/Sheriff South Patrol Station 1681 Front St. (Highway Oceano, CA 93445		
LAFCO		White	3rd Thur/9:00/ County Government Center Board of Supervisors Chambel 1055 Monterey St San Luis Obispo, CA 93401		
RWQCB		Gibson	Odd Months/Varies		
NCMA		Gibson & White	Subject Matter Assignment		
SLOCOG Sedimentation		White	Varies		
Budgets, Fees and Custo Charges	omer Rates and	Villa & Gibson	Subject Matter Assignment		
IWMA (Integrated Waste Advisory)	Management	Replogle &Villa			

COMMITTEE ASSIGNMENTS IN GREEN ARE ELIGIBLE FOR OCSD COMPENSATION PER GOV'T CODE 61047