



Notice of Regular Meeting
Oceano Community Services District - Board of Directors Agenda
WEDNESDAY, January 25, 2017 – 6:30 P.M.
Oceano Community Services District Board Room
1655 Front Street, Oceano, CA

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.

All persons desiring to speak during any Public Comment period are asked to fill out a "Board Appearance Form" to submit to the General Manager prior to the start of the meeting. 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.

1. CALL TO ORDER:
2. ROLL CALL:
3. FLAG SALUTE:
4. AGENDA REVIEW:
5. PUBLIC COMMENT FOR ITEMS 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.

6. SPECIAL PRESENTATIONS & REPORTS:

A. STAFF REPORTS:

- i. Operations - Field Supervisor Tony Marraccino
- ii. FCFA Operations - Chief Steve Lieberman
- iii. OCSD General Manager / Zone 3 Advisory Committee
- iv. Sheriff's South Station - Commander Jay Donovan OCSD

B. BOARD OF DIRECTORS AND OUTSIDE COMMITTEE REPORTS:

- i. Director Angello
- ii. Director Brunet
- iii. President White
- iv. Vice President Austin
- v. Director Coalwell

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 Agenda Item #6 – Special Presentations and Reports. If a member of the public wishes to speak at this time, Public comment is limited to three (3) minutes.

7. 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. To facilitate public comment we request persons wishing to speak to fill out a speak request form and give it to the General Manager. Public comment is limited to three (3) minutes.

- A. Review and Approval of Minutes for the Regular Meeting on December 14, 2016
- B. Review and Approval of Minutes for the Regular Meeting on January 11, 2017
- C. Review and Approval of Cash Disbursements
- D. Submittal for approval an Intent to Serve Letter to Timothy Nye; 1850 Strand Way; Assessor's Parcel No. 061-072-020
- E. Submittal for approval an Intent to Serve Letter to Rafael Mendoza; 2291 Cienaga; Assessor's Parcel No. 062-121-013
- F. Submittal for approval an Intent to Serve Letter to William Murphy; 2341 Ocean; Assessor's Parcel No. 062-098-014
- G. Approval of a Recommendation to Authorize the General Manager and Legal Counsel to amend the District's Conflict of Interest Code pursuant to County Review

8. BUSINESS ITEMS:

Public comment Members of the public wishing to speak on public hearing items may do so when recognized by the Presiding Officer. To facilitate public comment we request persons wishing to speak to fill out a speak request form and give it to the General Manager. Public comment is limited to three (3) minutes.

- A. Consideration of a request from the Five Cities Fire Authority to approve the purchase of a Second Replacement Fire Engine at an estimated cost of approximately \$555,000
- B. Consideration of a recommendation to approve a Utility Relocation Agreement with the County of San Luis Obispo in conjunction with the County's Highway One Drainage project, approve a budget adjustment and payment in the amount of \$109,868, authorize the General Manager to file a Notice of Exemption pursuant to the California Environmental Quality Act, and provide direction on alternative bidding procedures
- C. Introduction of Amendments to the District By-Laws with direction as the Board deems appropriate

9. UTILITY ITEMS:

10. HEARING ITEMS:

11. RECEIVED WRITTEN COMMUNICATIONS:

12. LATE RECEIVED WRITTEN COMMUNICATIONS:

13. CLOSED SESSION:

- A. Pursuant to Government Code §54957: Performance evaluation – General Manager
- B. Pursuant to Government Code §54956.9 (d)(2): Conference with District Counsel regarding anticipated litigation. Number of cases: one (1).

14. FUTURE AGENDA ITEMS: 2017 Goals; By-Laws Continued; Solid Waste Programs; Public Facilities fees; SSMP Audit & Update Emergency Generator; Professional Service Proposals

15. FUTURE HEARING ITEMS:

16. 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.

ASISTENCIA A DISCAPACITADO Si usted está incapacitado de ninguna manera y necesita alojamiento para participar en la reunión de la Junta, por favor llame a la Secretaría de la Junta al (805) 481-6730 para recibir asistencia por lo menos tres (3) días antes de la reunión para que los arreglos necesarios puedan ser hechos.



Oceano Community Services District

Summary Minutes

Regular Meeting Wednesday, December 14, 2016 – 6:30 P.M.

Oceano Community Services District Board Room

1655 Front Street, Oceano, CA

1. **CALL TO ORDER:** at 6:30 p.m. by President White
2. **FLAG SALUTE:** led by President White
3. **ROLL CALL:** All Board members present. Also present, General Manager Ogren, District Legal Counsel Jeff Minnery, Business and Accounting Manager Carey Casciola and Board Secretary Celia Ruiz.
4. **AGENDA REVIEW:** Agenda approved as presented.
5. **PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:** No public comment.
6. **SPECIAL PRESENTATIONS & REPORTS:**
 - a. **RECOGNITION OF OUT-GOING BOARD MEMBERS AND APPRECIATION FOR THEIR SERVICE TO THE COMMUNITY:**
 - i. Jennifer Blackburn- Recognition to Jennifer Blackburn was given along with a plaque for their service to the community of Oceano
 - ii. Matthew Guerrero- Recognition to Matthew Guerrero was given along with a plaque for their service to the community of Oceano
 - iii. Mary Lucey-McNeil- Recognition to Mary Lucey McNeil was given along with a plaque for their service to the community of Oceano
 - b. **STAFF REPORTS:**
 - i. Operations - Field Supervisor Tony Marraccino reported 18 work orders, 3 after hour call outs, 9 USA's, 15 customer service calls, daily rounds, Bac-T, door hangers, 22nd & Ocean hydrant hit, sewer jetting, Operators went to Salinas to prep for T-2 certification, 22nd & Paso line break, 2 new service lines installed on Casitas, Monterrey Waste Water Plant tour, meter swaps, fixed service truck that fell off lift, no SSO's for November.
 - ii. FCFA - Chief Steve Lieberman - None
 - iii. OCSD General Manager / Zone 3 Advisory Committee - General Manager Ogren informed the Board that tenting for termites in the Sheriff's building had been completed.
 - iv. Sheriff's South Station - Commander Jay Donovan - None
 - c. **BOARD OF DIRECTORS AND OUTSIDE COMMITTEE REPORTS:**
 - i. Director Angello - None
 - ii. Director Brunet - None
 - iii. President White - None
 - iv. Vice President Austin - reported on SSLOCSD and attended Monterey Wastewater Treatment Plant tour
 - v. Director Coalwell - attended Monterey Wastewater Treatment Plant tour
- c. **PUBLIC COMMENT ON SPECIAL PRESENTATIONS AND REPORTS:**

Public comment was received by Patricia Price.

7 CONSENT AGENDA:	ACTION:
<p>a. Review and Approval of Minutes for the Regular Meeting on November 9, 2016</p> <p>b. Review and Approval of Minutes for the Special Meeting on December 6, 2016</p> <p>c. Review and Approval of Cash Disbursements</p> <p>d. Submittal for approval an Intent to Serve Letter to Coker Ellsworth; Halcyon and Temple; Assessor's Parcel No. 075-011-041</p> <p>e. Submittal for approval an Intent to Serve Letter to Pace Homes; 340 Juanita; Assessor's Parcel No. 061-022-008</p> <p>f. Approval of a Water Fund Budget Adjustment in the amount of \$198,397 from grant revenues to develop a Water Resource Reliability Program</p> <p>g. Approval of Recommendations for General, Auto and other Liability Insurance Coverage for 2017 and authorize payment in an amount not to exceed \$20,967</p>	<p>After an opportunity for public comment and brief Board discussion, staff recommendations were approved with a motion from Director Angello, a second by Director Coalwell and a 5-0 vote. No public comment.</p>

8 A BUSINESS ITEM:	ACTION:
Consideration of a status presentation on Solid Waste Management efforts, draft program policies, and final direction as your Board deems appropriate	After an opportunity for public comment and brief Board discussion, no action was taken. No public comment.

8 B BUSINESS ITEM:	ACTION:
Update on the development of an Emergency Water program for the State Water Project and other Water Resource Policies Issues with policy direction that your Board deems appropriate	After an opportunity for public comment and brief Board discussion, no action was taken. No public comment.

8 C BUSINESS ITEM:	ACTION:
Creation, Deletion and/or Modification of District Committees; Approval of Committee Appointments	After comments from General Manager Ogren, an opportunity for public comment and brief Board discussion, the attached committee appointments were approved with a motion from Director Brunet, a second by Director Angello and a 5-0 roll call vote. No public comment.

9 HEARING ITEMS:	ACTION:
Consideration of a Recommendation to Approve an Ordinance to Provide Informal Bidding Procedures Pursuant to Section 22000 et seq. of the Public Contract Code	After an opportunity for public comment and brief Board discussion, staff recommendations were approved with a motion from Director Coalwell, a second by Director Angello and a 5-0 roll call vote. No public comment.

10. **UTILITY ITEMS:** None

11. **RECEIVED WRITTEN COMMUNICATIONS:** None

12. **LATE RECEIVED WRITTEN COMMUNICATIONS:** None

13. **FUTURE AGENDA ITEMS:** County utility relocation agreement, Board orientation, 2017 goals, By-laws

Motion to extend the meeting past 9:30pm but not pass 10pm with a motion from President White, a second by Director Brunet and a 5-0 vote.

14. **CLOSED SESSION:** No public comment
 - a. **Pursuant to Government Code §54956.9(e)(3):** Conference with District Counsel regarding receipt of a claim pursuant to the Government Claims Act. Number of cases: one (1).

Report out of Closed Session was no reportable action – direction given to staff and legal counsel.
 - b. **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.,

Report out of Closed Session was no reportable action.
15. **FUTURE HEARING ITEMS:** None
16. **ADJOURNMENT:** at approximately 9:50 pm

2017 COMMITTEE & SUBJECT MATTER ASSIGNMENTS

COMMITTEE ASSIGNMENTS TO OTHER AGENCY BOARDS AND COMMITTEES				Subject Matter Assignments / Expertise
SSLOCSD	Austin	White	1 st & 3 rd Wed/6:00/Jan.-June OCSD/July-Dec. Arroyo Grande City Council Chamber 215 E. Branch Arroyo Grande, CA 93420	Reclaimed Water
Five Cities Fire Authority	White	Coalwell	3 rd Fri./2:00/Grover Beach City Council Chamber 154 S. 8th St. Grover Beach, CA 93433	Emergency Services
Water Resource Advisory Comm. (WRAC)	Coalwell	Brunet	1 st Wed/1:30/SLO County Library Room 995 Palm St. San Luis Obispo, CA 93401	Regional Water Programs
Regional Water Mgt. Group (RWMG – IRWMP)	Brunet	Coalwell	9:00/SLO County Library Room 995 Palm St. San Luis Obispo, CA 93401	Regional Water Programs
Zone 3 (Lopez Water)	Brunet	Coalwell	3 rd Thurs Odd/6:30/ Varies	Water Supply Contracts
State Water	Coalwell	Brunet	Varies	Water Supply Contracts
Oceano Advisory	White	n/a	4 th Mon/4:00/OCSD	County Land Use

LIAISON AND SUBJECT MATTER ASSIGNMENTS		
Supervisor Liaison	Austin	Varies
Airport Land Use	Angello	3 rd Wed /1:30/County Government Center Board of Supervisors Chamber 1055 Monterey St Room D170 San Luis Obispo, CA 93401
CA (Local) Special District's Association	White	Varies (Usually Noon Fri) every other month
Zone 1/1A	White	3 rd Tues Odd/3:00/Sheriff South Patrol Station 1681 Front St. (Highway 1) Oceano, CA 93445
LAFCO	White	3 rd Thur/9:00/ County Government Center Board of Supervisors Chamber 1055 Monterey St San Luis Obispo, CA 93401
RWQCB	Angello	Odd Months/Varies
NCMA	Brunet	Subject Matter Assignment
RGSP (Regional Groundwater Sustainability Project)	Coalwell	Subject Matter Assignment; Meetings with other agencies varies
SLOCOG Sedimentation	White	Varies
Budgets, Fees and Customer Rates and Charges	Angello	Subject Matter Assignment
Real Property Lease and Franchises	Angello	Subject Matter Assignment
Capital Improvement Program	Angello	Subject Matter Assignment
Rules, Regulations, Policies and Procedures, including SEIU MOU	Brunet	Subject Matter Assignment



Oceano Community Services District
Summary Minutes
 Regular Meeting Wednesday, January 11, 2017 – 6:30 P.M.
 Oceano Community Services District Board Room
 1655 Front Street, Oceano, CA

1. **CALL TO ORDER:** at 6:30 p.m. by President White
2. **FLAG SALUTE:** led by President White
3. **ROLL CALL:** All Board members present. Also present, General Manager Ogren, District Legal Counsel Jeff Minnery, Business and Accounting Manager Carey Casciola and Board Secretary Celia Ruiz.
4. **AGENDA REVIEW:** Agenda approved as presented.
5. **PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:** Public comment was received by Julie Tacker.
6. **SPECIAL PRESENTATIONS & REPORTS:**
 - a. **STAFF REPORTS:**
 - i. Operations - Field Supervisor Tony Marraccino reported 18 work orders, 2 after hour call outs, 7 USA's, 12 customer service calls, lift station motor got clogged after hrs, inspection of residents in sewer lateral clean out is available, angle stop break on Paso Robles St, SSO occurred on clean out about 5 gallons were spilled and cleaned, first of month equipment checks, fire flow, last yr State water deliveries were a little under 700 AF, about 5 AF was pumped, Lopez is currently at 26.7% full
 - ii. FCFA - Chief Steve Lieberman - None
 - iii. OCSD General Manager / Zone 3 Advisory Committee - General Manager Ogren informed of strategic planning meeting on Friday with Sanitation District Consultant who will also be meeting with the other City Managers, Habitat for Humanity Program may assist home owners within 30-60% of the median household income for the County if home was to be flooded
 - iv. Sheriff's South Station - Commander Jay Donovan - None
 - b. **BOARD OF DIRECTORS AND OUTSIDE COMMITTEE REPORTS:**
 - i. Director Angello - None
 - ii. Director Brunet - None
 - iii. President White - None
 - iv. Vice President Austin - reported on SSLOCSD
 - v. Director Coalwell - None
 - c. **PUBLIC COMMENT ON SPECIAL PRESENTATIONS AND REPORTS:**
 Public comment was received by Julie Tacker and Mary Lucey.

7 CONSENT AGENDA:	ACTION:
a. Review and Approval of Cash Disbursements	After an opportunity for public comment and brief Board discussion, staff recommendations were approved with a modification addition of Matthew Guerrero for \$100 and removal of GSI in the amount of \$ 6,235.79 new cash disbursement approval was \$ 646,739.28 with a motion from Director Brunet, a second by Director Angello and a 5-0 vote. No public comment.

8 A BUSINESS ITEM:	ACTION:
Consideration of recommendations to support an Advocacy Platform on State Water and Reclaimed Water efforts by other local agencies and consideration of a Letter of Intent provided by the City of Pismo Beach for a Regional Groundwater Sustainability Project (RGSP)	After an opportunity for public comment and brief Board discussion, a motion to approve Advocacy Platform on State Water and Reclaimed Water efforts of other local agencies and table the letter of Intent provided by the City of Pismo Beach with a motion from Vice President Austin, a second by Director Coalwell and a 5-0 vote. Public comment was received by Julie Tacker and Mary Lucey.

8 B BUSINESS ITEM:	ACTION:
Review of the District's Budget Status as of December 31, 2016 and the approval of a Lighting Fund budget adjustment in the amount of \$3,300 from reserves.	After an opportunity for public comment and brief Board discussion, staff recommendations were approved with a motion from Director Brunet, a second by Vice President Austin and a 5-0 vote. Public comment was received by Julie Tacker.

9. **UTILITY ITEMS:** None
10. **HEARING ITEMS:** None
11. **RECEIVED WRITTEN COMMUNICATIONS:** Habitat for Humanity email from Stephanie Bristow
12. **LATE RECEIVED WRITTEN COMMUNICATIONS:** None
13. **CLOSED SESSION:** None
14. **FUTURE AGENDA ITEMS:** County agreement on Hwy 1 Project, GM midterm evaluation
15. **FUTURE HEARING ITEMS:** SSMP update
16. **ADJOURNMENT:** at approximately 8:25 pm



Oceano Community Services District

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

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

Date: January 25, 2017

To: Board of Directors

From: Carey Casciola, Business and Accounting Manager

Subject: **Agenda Item #7C: Consideration of a Recommendation to Approve Cash Disbursements**

Recommendation

It is recommended that your Board approve the attached cash disbursements.

Discussion

The following is a summary of the attached cash disbursements:

Description	Amounts	
<u>Disbursements Requiring Board Approval prior to Payment:</u>		
Regular Payable Register – 01/25/2017	\$	22,309.62
Direct Payable – CSDA Annual Meeting	\$	120.00
	\$	
	Sub-Total	\$ 22,429.62
<u>Reoccurring Payments for Board Review (authorized by Resolution 2016-07):</u>		
Payroll Gross Wages (period ending 01/07/2017)	\$	22,933.58
Reoccurring Health & Benefit Disbursements – Paid 01/11/2017	\$	5,872.91
Reoccurring Utility Disbursements – Paid 01/11/2017	\$	8,815.68
	Sub-Total	\$ 37,622.17
	Grand Total	\$ 60,051.79

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.

PACKET: 01276 Regular Payables 01252017
 VENDOR SET: 01 OCEANO CSD, CA
 SEQUENCE : ALPHABETIC
 DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-1676	AQUA-METRIC					
I-0063757-IN		AQUA-METRIC	164.01			
1/18/2017	AP	DUE: 2/17/2017 DISC: 2/17/2017		1099: N		
		AQUA-METRIC		02 5-4400-176	WATER METERS	164.01
		STUB COMMENTS: 15TH STREET				
=====						
I-0063759-IN		AQUA-METRIC	164.01			
1/18/2017	AP	DUE: 2/17/2017 DISC: 2/17/2017		1099: N		
		AQUA-METRIC		02 5-4400-176	WATER METERS	164.01
		STUB COMMENTS: LANCASTER DR.				
		=== VENDOR TOTALS ===	328.02			
=====						
01-0180	ARAMARK					
I-532059924		ARAMARK	62.26			
1/18/2017	AP	DUE: 1/18/2017 DISC: 1/18/2017		1099: N		
		ARAMARK		01 5-4100-100	CLOTHING	62.26
I-532094179		ARAMARK	67.54			
1/18/2017	AP	DUE: 1/18/2017 DISC: 1/18/2017		1099: N		
		ARAMARK		01 5-4100-100	CLOTHING	67.54
I-532128487		ARAMARK	60.50			
1/17/2017	AP	DUE: 1/17/2017 DISC: 1/17/2017		1099: N		
		ARAMARK		01 5-4100-100	CLOTHING	60.50
		=== VENDOR TOTALS ===	190.30			
=====						
01-0214	CENTRAL COAST TECHNOLOGY CONSU					
I-0000809		CENTRAL COAST TECHNOLOGY CONS	110.00			
1/17/2017	AP	DUE: 1/17/2017 DISC: 1/17/2017		1099: Y		
		CENTRAL COAST TECHNOLOGY CONSU		01 5-4100-221	INFORMATION TECHNOLOGY	110.00
I-0000812		CENTRAL COAST TECHNOLOGY CONS	210.00			
1/17/2017	AP	DUE: 1/17/2017 DISC: 1/17/2017		1099: Y		
		CENTRAL COAST TECHNOLOGY CONSU		01 5-4100-221	INFORMATION TECHNOLOGY	210.00
I-0000820		CENTRAL COAST TECHNOLOGY CONS	160.00			
1/19/2017	AP	DUE: 1/19/2017 DISC: 1/19/2017		1099: Y		
		CENTRAL COAST TECHNOLOGY CONSU		01 5-4100-221	INFORMATION TECHNOLOGY	160.00
		=== VENDOR TOTALS ===	480.00			

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-1540		CHAPARRAL BUSINESS MACHINES, I				
I-409615		CHAPARRAL BUSINESS MACHINES,	306.81			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: N		
		CHAPARRAL BUSINESS MACHINES, I		01 5-4100-220	PROFESSIONAL/SPECIAL SER	306.81
		=== VENDOR TOTALS ===	306.81			
=====						
01-1032		CITY OF ARROYO GRANDE				
I-17-002		CITY OF ARROYO GRANDE	2,456.02			
1/20/2017	AP	DUE: 2/19/2017 DISC: 2/19/2017		1099: N		
		CANYON CREST		02 5-4400-297	PASS-THRU: CREST/CHRISTI	1,704.24
		CHRISTIE FAMILY		02 5-4400-297	PASS-THRU: CREST/CHRISTI	149.14
		GRANDE MOBILE MANOR		02 5-4400-297	PASS-THRU: CREST/CHRISTI	285.12
		HALCYON ESTATES		02 5-4400-297	PASS-THRU: CREST/CHRISTI	317.52
		=== VENDOR TOTALS ===	2,456.02			
=====						
01-1094		CLINICAL LAB OF SAN BERNARDINO				
I-954150		CLINICAL LAB OF SAN BERNARDIN	550.00			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: N		
		CLINICAL LAB OF SAN BERNARDINO		02 5-4400-220	PROFESSIONAL/SPECIAL SER	550.00
		=== VENDOR TOTALS ===	550.00			
=====						
01-1150		FERGUSON ENTERPRISES, INC #135				
I-4132080		FERGUSON ENTERPRISES, INC #13	101.06			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: N		
		FERGUSON ENTERPRISES, INC #135		02 5-4400-175	SYSTEM PARTS/OPERATING S	50.53
		FERGUSON ENTERPRISES, INC #135		03 5-4500-175	SYSTEM PARTS/OPERATING S	50.53
I-4132080-1		FERGUSON ENTERPRISES, INC #13	39.95			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: N		
		FERGUSON ENTERPRISES, INC #135		02 5-4400-175	SYSTEM PARTS/OPERATING S	19.98
		FERGUSON ENTERPRISES, INC #135		03 5-4500-175	SYSTEM PARTS/OPERATING S	19.97
I-4195657		FERGUSON ENTERPRISES, INC #13	662.20			
1/18/2017	AP	DUE: 2/17/2017 DISC: 2/17/2017		1099: N		
		FERGUSON ENTERPRISES, INC #135		02 5-4400-226	ENGINEERING & OTHER REIM	662.20
		STUB COMMENTS: NORSWING				
I-4195706		FERGUSON ENTERPRISES, INC #13	704.77			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: N		
		FERGUSON ENTERPRISES, INC #135		02 5-4400-226	ENGINEERING & OTHER REIM	704.77
		STUB COMMENTS: 15TH ST - AFOBAKA				
		=== VENDOR TOTALS ===	1,507.98			

PACKET: 01276 Regular Payables 01252017
 VENDOR SET: 01 OCEANO CSD, CA
 SEQUENCE : ALPHABETIC
 DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
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01-0261		FRED PRYOR SEMINARS				
I-4698640		FRED PRYOR SEMINARS	199.00			
1/19/2017	AP	DUE: 1/19/2017 DISC: 1/19/2017		1099: N		
		FRED PRYOR SEMINARS		02 5-4400-285	CLASSES/SEMINARS/TRAININ	99.50
		FRED PRYOR SEMINARS		03 5-4500-285	CLASSES/SEMINARS/TRAININ	99.50
=====						
I-4698646		FRED PRYOR SEMINARS	199.00			
1/19/2017	AP	DUE: 1/19/2017 DISC: 1/19/2017		1099: N		
		FRED PRYOR SEMINARS		02 5-4400-285	CLASSES/SEMINARS/TRAININ	99.50
		FRED PRYOR SEMINARS		03 5-4500-285	CLASSES/SEMINARS/TRAININ	99.50
		=== VENDOR TOTALS ===	398.00			
=====						
01-1202		GROVER BEACH, CITY OF				
I-020117		GROVER BEACH, CITY OF	2,367.17			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: N		
		GROVER BEACH, CITY OF		01 5-4200-110	COMMUNICATIONS	2,367.17
		STUB COMMENTS: FEB 2017 DISPATCH FEES				
		=== VENDOR TOTALS ===	2,367.17			
=====						
01-1844		GSI SOILS, INC				
I-0672.001-2		GSI SOILS, INC	1,791.29			
1/20/2017	AP	DUE: 2/19/2017 DISC: 2/19/2017		1099: N		
		GSI SOILS, INC		02 5-4400-380	NCMA TEC	1,791.29
=====						
I-0672.001-3		GSI SOILS, INC	2,478.28			
1/20/2017	AP	DUE: 2/19/2017 DISC: 2/19/2017		1099: N		
		GSI SOILS, INC		02 5-4400-380	NCMA TEC	2,478.28
=====						
I-0672.002-3		GSI SOILS, INC	3,619.95			
1/20/2017	AP	DUE: 2/19/2017 DISC: 2/19/2017		1099: N		
		GSI SOILS, INC		02 5-4400-380	NCMA TEC	3,619.95
		STUB COMMENTS: PO #: 2016-2017-15				
		=== VENDOR TOTALS ===	7,889.52			

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
01-1136	J.B. DEWAR, INC.					
I-835726		J.B. DEWAR, INC.	187.13			
1/18/2017	AP	DUE: 2/17/2017 DISC: 2/17/2017		1099: N		
		J.B. DEWAR, INC.		12 5-4350-172	FUEL	187.13
		=== VENDOR TOTALS ===	187.13			
01-1272	LUCEY, MARY K.					
I-APR2016		LUCEY, MARY K.	300.00			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: Y		
		LUCEY, MARY K.		01 5-4100-225	BOARD STIPENDS	200.00
		LUCEY, MARY K.		01 5-4100-225	BOARD STIPENDS	100.00
		STUB COMMENTS: APR 2016 BOD & COMM MTGS				
I-AUG2016		LUCEY, MARY K.	200.00			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: Y		
		LUCEY, MARY K.		01 5-4100-225	BOARD STIPENDS	200.00
		STUB COMMENTS: AUG 2016 BOD MTGS				
I-JUL2016		LUCEY, MARY K.	200.00			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: Y		
		LUCEY, MARY K.		01 5-4100-225	BOARD STIPENDS	200.00
		STUB COMMENTS: JUL 2016 BOD MTGS				
I-JUN2016		LUCEY, MARY K.	300.00			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: Y		
		LUCEY, MARY K.		01 5-4100-225	BOARD STIPENDS	300.00
		STUB COMMENTS: JUN 2016 BOD & SPECIAL MTG				
I-MAY2016		LUCEY, MARY K.	200.00			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: Y		
		LUCEY, MARY K.		01 5-4100-225	BOARD STIPENDS	100.00
		LUCEY, MARY K.		01 5-4100-225	BOARD STIPENDS	100.00
		STUB COMMENTS: MAY 2016 BOD & COMM MTGS				
I-SEP2016		LUCEY, MARY K.	250.00			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: Y		
		LUCEY, MARY K.		01 5-4100-225	BOARD STIPENDS	200.00
		LUCEY, MARY K.		01 5-4100-225	BOARD STIPENDS	50.00
		STUB COMMENTS: SEP 2016 BOD & COMM MTGS				
		=== VENDOR TOTALS ===	1,450.00			

PACKET: 01276 Regular Payables 01252017
 VENDOR SET: 01 OCEANO CSD, CA
 SEQUENCE : ALPHABETIC
 DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-1288	MIER BROS.					
I-259942		MIER BROS.	86.40			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: N		
		MIER BROS.		02 5-4400-226	ENGINEERING & OTHER REIM	86.40
		STUB COMMENTS: NORSWING				
		=== VENDOR TOTALS ===	86.40			
=====						
01-0027	PETTY CASH					
I-201701171780		PETTY CASH	47.57			
1/17/2017	AP	DUE: 1/17/2017 DISC: 1/17/2017		1099: N		
		PETTY CASH		01 5-4100-210	POSTAGE	47.57
I-201701201782		PETTY CASH	32.35			
1/20/2017	AP	DUE: 1/20/2017 DISC: 1/20/2017		1099: N		
		PETTY CASH		06 5-4900-210	POSTAGE	32.35
		=== VENDOR TOTALS ===	79.92			
=====						
01-1114	RABOBANK VISA CARD					
I-01282017		RABOBANK VISA CARD	158.50			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: N		
		RABOBANK VISA CARD		12 5-4350-171	MAINTENANCE: VEHICLES	158.50
		=== VENDOR TOTALS ===	158.50			
=====						
01-1476	SHORELINE LANDSCAPE & MAINT. I					
I-27521		SHORELINE LANDSCAPE & MAINT.	410.00			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: Y		
		SHORELINE LANDSCAPE & MAINT. I		01 5-4100-173	MAINT:STRUCTURES/IMPROVE	205.00
		SHORELINE LANDSCAPE & MAINT. I		01 5-4200-173	MAINT:STRUCTURES/IMPROVE	102.50
		SHORELINE LANDSCAPE & MAINT. I		10 5-4300-173	SO: MAINT. STRUCTURES/IM	102.50
		=== VENDOR TOTALS ===	410.00			
=====						
01-0260	SIERRA BODY SHOP, LLC.					
I-5449		SIERRA BODY SHOP, LLC.	2,629.55			
1/18/2017	AP	DUE: 1/18/2017 DISC: 1/18/2017		1099: N		
		SIERRA BODY SHOP, LLC.		12 5-4350-171	MAINTENANCE: VEHICLES	2,629.55
		STUB COMMENTS: FORD F550 REPAIRS				
		=== VENDOR TOTALS ===	2,629.55			

PACKET: 01276 Regular Payables 01252017
 VENDOR SET: 01 OCEANO CSD, CA
 SEQUENCE : ALPHABETIC
 DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
01-1444	SLO CO	PUBLIC HEALTH DEPT.				
I-IN0408541		SLO CO PUBLIC HEALTH DEPT.	474.30			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: N		
		SLO CO PUBLIC HEALTH DEPT.		02 5-4400-220	PROFESSIONAL/SPECIAL SER	176.80
		SLO CO PUBLIC HEALTH DEPT.		02 5-4400-220	PROFESSIONAL/SPECIAL SER	297.50
		STUB COMMENTS: NOV/DEC 2016 CROSS CONNECTION FEES				
		=== VENDOR TOTALS ===	474.30			
01-1488	SSLOCS					
I-2016-165		SSLOCS	210.00			
1/17/2017	AP	DUE: 2/16/2017 DISC: 2/16/2017		1099: N		
		SSLOCS		03 5-4500-220	PROFESSIONAL/SPECIAL SER	210.00
		STUB COMMENTS: FOG FEES - 4TH QTR 2016				
		=== VENDOR TOTALS ===	210.00			
01-1650	TEMPLETON CSD					
I-201701181781		TEMPLETON CSD	150.00			
1/18/2017	AP	DUE: 2/17/2017 DISC: 2/17/2017		1099: N		
		TEMPLETON CSD		01 5-4100-285	CLASSES/SEMINARS/TRAININ	150.00
		STUB COMMENTS: SEXUAL HARASSMENT PREVENTION TRAINING				
		=== VENDOR TOTALS ===	150.00			
		=== PACKET TOTALS ===	22,309.62			

PACKET: 01279 CSDA ANNUAL MEETING 2017

VENDOR SET: 01 OCEANO CSD, CA

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----	ITM DATE	BANK CODE	-----DESCRIPTION-----	GROSS DISCOUNT	P.O. # G/L ACCOUNT	--ACCOUNT NAME--	DISTRIBUTION
01-1	ONE TIME VENDOR						
I-CSDAANNUAL2017	1/20/2017	AP	CSDA: SAN LUIS OBISPO CHAPTER DUE: 1/20/2017 DISC: 1/20/2017	120.00	1099: N		
	STUB COMMENTS: 2017 CSDA ANNUAL MEETING						
			CSDA: SAN LUIS OBISPO CHAPTER		01 5-4100-286	BOARD MEMBER TR	80.00
			CSDA: SAN LUIS OBISPO CHAPTER		01 5-4100-285	CLASSES/SEMINAR	40.00
			=== VENDOR TOTALS ===	120.00			
			=== PACKET TOTALS ===	120.00			

Oceano Community Services District
 Fiscal Year 2016-2017
 Payroll Hours Summary

Payroll Period 12/25/16 to 1/7/17

Pay Date 1/12/17

	HOURS PER TIMESHEET										GROSS WAGES	RATE	PERS HOURS	PERS EE	PERS ER	TOTAL PERS	
	REG	VAC/ ADMIN	SICK	HOLI DAY	FLOAT HOLIDAY	OT	OT2	CTO EARN	CTO USE	TOTAL HOURS							STAND BY *
Account Administrator III	24.00	12.00	24.00	20.00	0.00	0.00	0.00	0.00	0.00	80.00		2,141.60	26.77	80.00	149.91	179.40	329.31
General Manager (salary)	43.00	17.00	0.00	20.00	0.00	0.00	0.00	0.00	0.00	80.00		7,920.00	99.00	80.00	554.40	663.46	1,217.86
Account Administrator I	32.00	24.00	0.00	20.00	4.00	0.25	0.00	0.00	0.00	80.25		1,773.07	22.06	80.00	110.30	115.68	225.98
Business and Accounting Manager I	60.00	0.00	0.00	20.00	0.00	0.00	0.00	0.00	0.00	80.00		2,355.20	29.44	80.00	147.20	154.38	301.58
Solid Waste Coordinator	47.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	47.50		712.50	15.00				
Utility Field Supervisor	32.00	28.00	0.00	20.00	0.00	3.00	0.00	0.00	0.00	83.00	100.00	3,029.62	34.67	80.00	194.15	232.34	426.49
Utility Systems Operator	48.00	9.50	0.00	20.00	1.00	4.00	0.00	2.50	1.50	86.50	250.00	2,406.02	25.07	80.00	140.39	168.01	308.40
Utility Systems Operator	56.00	4.00	0.00	20.00	0.00	12.50	0.00	0.00	0.00	92.50	350.00	2,595.58	22.74	80.00	113.70	119.25	232.95
Total Wages												22,933.58		560.00	1,410.06	1,632.52	3,042.58

* Stand by hours are paid at \$50.00 per day.

700.00

SUBTOTAL 342.50 94.50 24.00 140.00 5.00 19.75 2.50 1.50 629.75 629.75

Prepared By: Celia Ruiz Date: 1/12/17

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT	DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-0060	THE LINCOLN NATIONAL LIFE I									
I	DNT201611301766	DENTAL	AP		R	12/01/2016		285.60 285.60	285.60CR	
I	DNT201612141771	DENTAL	AP		R	12/15/2016		331.30 331.30	331.30CR	
I	INS201611301766	LONG TERM DISABILITY	AP		R	12/01/2016		91.34 91.34	91.34CR	
I	INS201612141771	LONG TERM DISABILITY	AP		R	12/15/2016		91.34 91.34	91.34CR	
I	LIF201611301766	LIFE INS.	AP		R	12/01/2016		98.65 98.65	98.65CR	
I	LIF201612141771	LIFE INS.	AP		R	12/15/2016		98.65 98.65	98.65CR	
				REG. CHECK				996.88 996.88	996.88CR 0.00	0.00

01-0063	VSP VISION									
I	VIS201611301766	VISION INS.	AP		R	12/01/2016		50.83 50.83	50.83CR	
I	VIS201612141771	VISION INS.	AP		R	12/15/2016		54.93 54.93	54.93CR	
				REG. CHECK				105.76 105.76	105.76CR 0.00	0.00

01-0194	SEIU LOCAL 620									
I	SEI201612281774	UNION DUES	AP		R	12/29/2016		110.15 110.15	110.15CR	
				REG. CHECK				110.15 110.15	110.15CR 0.00	0.00

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT	DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-1056	ANTHEM BLUE CROSS									
I	HEA201611301766	HEALTH INSURANCE	AP		R	12/01/2016		2,044.07 2,044.07	2,044.07CR	
I	HEA201612141771	HEALTH INSURANCE	AP		R	12/15/2016		2,616.05 2,616.05	2,616.05CR	
				REG. CHECK				4,660.12 4,660.12	4,660.12CR 0.00	0.00

===== R E P O R T T O T A L S =====

F U N D D I S T R I B U T I O N

FUND NO#	FUND NAME	AMOUNT
01	GENERAL FUND	3,220.34CR
02	WATER FUND	2,127.23CR
03	SEWER	508.22CR
06	GARBAGE FUND	7.54CR
10	FACILITIES FUND	9.58CR
** TOTALS **		5,872.91CR

----- TYPE OF CHECK TOTALS -----

	NUMBER	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
HAND CHECKS		0.00	0.00	0.00
		0.00	0.00	
DRAFTS		0.00	0.00	0.00
		0.00	0.00	
REG-CHECKS		5,872.91	5,872.91CR	0.00
		5,872.91	0.00	
EFT		0.00	0.00	0.00
		0.00	0.00	
NON-CHECKS		0.00	0.00	0.00
		0.00	0.00	
ALL CHECKS		5,872.91	5,872.91CR	0.00
		5,872.91	0.00	

TOTAL CHECKS TO PRINT: 4

ERRORS: 0 WARNINGS: 0

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-1010		ADVANTAGE ANSWERING PLUS, INC				
I-676501012017		ADVANTAGE ANSWERING PLUS, INC	152.00			
1/05/2017	AP	DUE: 2/04/2017 DISC: 2/04/2017		1099: N		
		ADVANTAGE ANSWERING PLUS, INC		01 5-4100-110	COMMUNICATIONS	152.00
		STUB COMMENTS: JAN 2017 SERVICES				
		=== VENDOR TOTALS ===	152.00			
=====						
01-1012		AGP VIDEO INC.				
I-6822		AGP VIDEO INC.	660.00			
1/04/2017	AP	DUE: 2/03/2017 DISC: 2/03/2017		1099: N		
		AGP VIDEO INC.		01 5-4100-220	PROFESSIONAL/SPECIAL SER	660.00
		STUB COMMENTS: DEC 2016 BOD MTG				
		=== VENDOR TOTALS ===	660.00			
=====						
01-1090		CHARTER COMMUNICATIONS				
I-12012016		CHARTER COMMUNICATIONS	110.00			
1/04/2017	AP	DUE: 2/03/2017 DISC: 2/03/2017		1099: N		
		CHARTER COMMUNICATIONS		01 5-4100-110	COMMUNICATIONS	110.00
		STUB COMMENTS: DEC 14, 2016 - JAN 13, 2017 SERVICE				
		=== VENDOR TOTALS ===	110.00			
=====						
01-1138		DIGITAL WEST NETWORKS, INC.				
I-1003005		DIGITAL WEST NETWORKS, INC.	50.00			
1/04/2017	AP	DUE: 2/03/2017 DISC: 2/03/2017		1099: N		
		DIGITAL WEST NETWORKS, INC.		01 5-4100-221	INFORMATION TECHNOLOGY	50.00
		STUB COMMENTS: JAN 2017 WEB HOSTING				
		=== VENDOR TOTALS ===	50.00			

PACKET: 01266 REOCCURRING UTILITY
 VENDOR SET: 01 OCEANO CSD, CA
 SEQUENCE : ALPHABETIC
 DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-1802		ELECSYS INTERNATIONAL CORP				
I-158463		ELECSYS INTERNATIONAL CORP	163.00			
1/04/2017	AP	DUE: 2/03/2017 DISC: 2/03/2017		1099: N		
		ELECSYS INTERNATIONAL CORP		02 5-4400-170	MAINTENANCE: EQUIPMENT	163.00
		STUB COMMENTS: FEB 2017 MAINTENANCE CHARGE				
		=== VENDOR TOTALS ===	163.00			
=====						
01-0172		HIRIARTE'S INDOOR CLEANING SER				
I-Q42016		HIRIARTE'S INDOOR CLEANING SE	825.00			
1/04/2017	AP	DUE: 1/04/2017 DISC: 1/04/2017		1099: Y		
		HIRIARTE'S INDOOR CLEANING SER		01 5-4100-173	MAINT:STRUCTURES/IMPROVE	825.00
		STUB COMMENTS: 4TH QTR 2016 OCT-DEC				
		=== VENDOR TOTALS ===	825.00			
=====						
01-0190		NORCAST TELECOM NETWORKS				
I-1893170101		NORCAST TELECOM NETWORKS	381.46			
1/05/2017	AP	DUE: 1/05/2017 DISC: 1/05/2017		1099: N		
		NORCAST TELECOM NETWORKS		01 5-4100-110	COMMUNICATIONS	381.46
		STUB COMMENTS: JAN 2017				
		=== VENDOR TOTALS ===	381.46			
=====						
01-1340		PACIFIC GAS & ELECTRIC				
I-12162016		PACIFIC GAS & ELECTRIC	4,441.06			
1/04/2017	AP	DUE: 2/03/2017 DISC: 2/03/2017		1099: N		
		STREET LIGHTS		01 5-4195-295	STREET LIGHTING	2,902.57
		WATER		02 5-4400-290	UTILITIES	753.62
		SEWER		03 5-4500-290	UTILITIES	86.63
		OLD FIRE STATION		01 5-4200-290	UTILITIES	52.58
		MODULAR		01 5-4200-290	UTILITIES	83.41
		1655 FRONT		01 5-4200-290	UTILITIES	112.45
		1655 FRONT		01 5-4100-290	UTILITIES	449.80
		=== VENDOR TOTALS ===	4,441.06			

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-0206		RABOBANK EQUIPMENT LEASE				
I-52322100		RABOBANK EQUIPMENT LEASE	755.60			
1/04/2017	AP	DUE: 1/04/2017 DISC: 1/04/2017		1099: N		
		RABOBANK EQUIPMENT LEASE		12 5-4350-320	EQUIPMENT LEASE	755.60
		STUB COMMENTS: DEC 2016				
=====						
I-52700274		RABOBANK EQUIPMENT LEASE	755.60			
1/04/2017	AP	DUE: 1/04/2017 DISC: 1/04/2017		1099: N		
		RABOBANK EQUIPMENT LEASE		12 5-4350-320	EQUIPMENT LEASE	755.60
		STUB COMMENTS: JAN 2017				
		=== VENDOR TOTALS ===	1,511.20			
=====						
01-1504		STANLEY CONVERGENT SECURITY SO				
I-14201461		STANLEY CONVERGENT SECURITY S	86.52			
1/09/2017	AP	DUE: 2/08/2017 DISC: 2/08/2017		1099: N		
		STANLEY CONVERGENT SECURITY SO		01 5-4200-110	COMMUNICATIONS	42.00
		STANLEY CONVERGENT SECURITY SO		02 5-4400-110	COMMUNICATIONS	44.52
		STUB COMMENTS: FEB 2017				
		=== VENDOR TOTALS ===	86.52			
=====						
01-1484		THE GAS COMPANY				
I-JAN1655-17		THE GAS COMPANY	143.95			
1/05/2017	AP	DUE: 2/04/2017 DISC: 2/04/2017		1099: N		
		THE GAS COMPANY		01 5-4100-290	UTILITIES	143.95
		STUB COMMENTS: OCSD				
=====						
I-JAN1689-17		THE GAS COMPANY	67.77			
1/05/2017	AP	DUE: 2/04/2017 DISC: 2/04/2017		1099: N		
		THE GAS COMPANY		01 5-4100-290	UTILITIES	67.77
		STUB COMMENTS: VILLAGE AA GROUP UTIL 11/30/16 - 01/02/17				
=====						
I-JAN1935-17		THE GAS COMPANY	17.33			
1/09/2017	AP	DUE: 2/08/2017 DISC: 2/08/2017		1099: N		
		THE GAS COMPANY		01 5-4100-290	UTILITIES	17.33
		STUB COMMENTS: OCSD YARD				

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
01-1206		VERIZON WIRELESS				
I-9777461429		VERIZON WIRELESS	206.39			
1/04/2017	AP	DUE: 2/03/2017 DISC: 2/03/2017		1099: N		
		VERIZON WIRELESS		02 5-4400-110	COMMUNICATIONS	165.11
		VERIZON WIRELESS		03 5-4500-110	COMMUNICATIONS	26.83
		VERIZON WIRELESS		06 5-4900-110	COMMUNICATIONS	12.38
		VERIZON WIRELESS		10 5-4300-110	COMMUNICATIONS	2.07
STUB COMMENTS: NOV 23-DEC 22, 2016 SERVICE PERIOD						
=== VENDOR TOTALS ===			206.39			
=== PACKET TOTALS ===			8,815.68			



Oceano Community Services District

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

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

Date: January 25, 2017

To: Board of Directors

From: Celia Ruiz, Will Serve Coordinator

Via: Paavo Ogren, General Manager

Subject: **Agenda Item #7(D):** Submittal for approval an Intent to Serve Letter to Timothy Nye; 1850 Strand Way; Assessor's Parcel No. 061-072-020

Recommendation

That your Board authorize the General Manager or his designee to send the attached Intent to Serve Letter to Timothy Nye; 1850 Strand Way; Assessor's Parcel No. 061-072-020

Discussion

Mr. Nye submitted a request for a will-serve letter on November 11, 2016 attached and staff has prepared the attached "intent to serve" letter for your Board's consideration. Staff has not identified any special concerns for the proposed development that would require any special conditions or denial of the request.

Current Status

The owner is in process of obtaining building permit from the County. Owner is proposing a new Single Family Residence.

Other Agency Involvement

The County of San Luis Obispo issues building permits for land development in Oceano. The issuance of will-serve letters and conditions of development is also

NAME OF APPLICANT	TIMOTHY NYE
APPLICATION DATE RECEIVED	NOVEMBER 11, 2016
ADDRESS	1850 STRAND WAY
ASSESSORS PARCEL NUMBER	061-072-020
TYPE OF USE	SFR
CONFIRMATION OF OWNERSHIP	YES
OFFSITE IMPROVEMENTS ?	YES
REIMBURSEMENT AGREEMENT ?	
PREVIOUS WILL SERVE ISSUED	NO
EXPIRATION DATE	
FEES REQUIRED	\$ 12,494.96
SSLOCS D FEE SIGN-OFF REQUIRED?	YES
FOG PROGRAM REQUIRED?	NO
SSLOCS D SIUP REQUIRED?	NO
LETTER FROM FCFA?	STILL NEEDED



Oceano Community Services District

Board of Directors Meeting

coordinated with the Five Cities Fire Authority and the South San Luis Obispo County Sanitation District.

Other Financial Considerations

Owner may need to install separate water line and 1" meter per FCFA to meet NFPA 13D Fire Protection System requirement.

Fees due before building permit.

Description	Estimate
<i>Water Connection Fees</i>	
Meter 1"	\$ 1,350.00
Front Footage Charge(50 feet at \$81.60/ft of \$ 4.080 minimum)	\$ 4,080.00
State Water Project/Lopez Dam	\$ 1,000.00
Inspection Fee	\$ 25.00
Capacity Charge	\$ 5,514.96
Estimated Water Fees	\$ 11,969.96
<i>Sewer Connection Fees</i>	
Sewer Connection Fee	\$ 500.00
Inspection Fee	\$ 25.00
Estimated Sewer Fees	\$ 525.00
<i>Total Estimated Water and Sewer Fees</i>	<i>\$ 12,494.96</i>

Results

Providing will serve letters for new development is consistent with the County's General Plan and the interests of the property owner.

Attachments:

- Will serve request from Timothy Nye
- Intent to Serve Letter



Oceano Community Services District

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

(805) 481-6730

FAX (805) 481-6836

INTENT-TO-SERVE APPLICATION

1. This is an application for: **Water and Sewer**

2. SLO County Planning Department/Tract or Development No.: OCEANO BEACH SUB 2
BLOCK 36
LOT 18

3. Attach a copy of SLO County application.

Note: District Intent-to-Serve letters expire twelve (12) months from date of issue, unless the project's County application is deemed complete.

4. Project location: 1850 STRAND WAY

5. Assessor's Parcel Number (APN) of lot(s) to be served: 061-072-020

6. Owner Name: TIMOTHY & MARGARET NYE

7. Mailing Address: 2828 DOTY DRIVE; ARROYO GRANDE, CA
93420-5334

8. Email: —

9. Phone: 805-481-2323 FAX: SAME

10. Agent's Information (Architect or Engineer):

Name: CLINTON M. IWANICHA

Address: 2456 HEMLOCK AVENUE; MORRO BAY, CA 93442

Email: cmiarchitect@gmail.com

Phone: 805-2544051 FAX: 866-271-1155

11. Type of Project: (check box)

- Single-family dwelling unit
- Multi-family dwelling units
- Commercial
- Mixed use (Commercial and Residential)

12. Site Plan:

All projects, submit full set of plans. Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

13. Agreement:

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782.

Comply with all District Rules and Regulations.

Application Processing Fee.....\$ 30.00 per structure and/or separate residential unit, whichever is greater.

Date 11-11-16 Signed Margaret J. Nye
(Must be signed by owner or owner's agent)

Print Name MARGARET J. NYE

January 25, 2016

Timothy Nye
2828 Doty Drive
Arroyo Grande, CA 93420

**SUBJECT: Intent to Serve Letter – Water and Wastewater Collection
APN 061-072-020; OCSD PROJECT #6512 OWNER/PROJECT: NYE / SFR**

Dear Mr. Nye:

The purpose of this letter is in response to your request for a will serve letter dated November 11, 2016 and to provide you with a confirmation that it is the intent of the Oceano Community Services District (OCSD) to serve you water and provide you wastewater collections services for the project described in this letter.

Please understand that prior to obtaining any building permit from the County of San Luis Obispo for the project, you must obtain a final will-serve letter from the District. In order to obtain a final will-serve letter, the conditions of this "intent to serve" letter must be fully satisfied, or otherwise waived or modified by the Board of Directors unless the General Manager is authorized to modify or waive. In addition, other agencies related to the OCSD, specifically the Five Cities Fire Authority (FCFA) and the South San Luis Obispo County Sanitation District (SSLOCSD) may also have conditions that you must satisfy and provide proof of doing so to the OCSD.

In the event that facts and circumstances associated with your application include errors or omissions, or for other reasons needed to ensure compliance with the OCSD ordinances, resolutions and/or rules and regulations, the OCSD reserves the right to modify the conditions prior to approval of the final will serve letter. In the event of non-compliance with the OCSD requirements, the OCSD reserves the right to take any and all actions necessary to ensure compliance and to also request that the County of San Luis Obispo take any and all actions to help ensure compliance, including but not limited to stop notices on construction activities.

Oceano Community Services District intends to serve the single family residence development proposed for 1850 Strand Way subject to the following conditions:

1. Payment of \$ 12,494.96 is due to OCSD.
2. Approval by OCSD of the following items on the project's plans and specifications submitted to the County of San Luis Obispo:
 - a. Onsite water and sewer services and cleanouts.
 - b. Offsite improvements if applicable. If off-site improvements are required, you must provide engineered plans and submit them to the District for review and approval, which may also include requirements from the FCFA and street lighting. You will also be required to execute a reimbursement agreement to cover costs of the OCSD on a time and materials basis.

3. If any of the OCSD facilities are required to be modified because of required conditions of the District or any other agency having jurisdiction over the proposed development, you are responsible for providing plans and specifications to the District for review and approval and for paying the costs of those modifications whether the work is done under your control or by the OCSD. You will also be required to execute a reimbursement agreement to cover costs of the OCSD on a time and materials basis.
4. If District facilities (such as water and/or sewer lines) extend into or across the subject property, you will be required to prepare and submit appropriate easement documents and/or encroachment permits for acceptance by the District's Board of Directors and recording with the County Clerk-Recorder.
5. You must provide letters from FCFA and SSLOCSD that indicates that they have reviewed your project and identifies any conditions that they require of the project. If no conditions are required by FCFA and/or SSLOCSD, the letter(s) must clearly state that no conditions are required.
6. All project improvements approved by OCSD will require final inspections by OCSD prior to the issuance of a final will serve letter.

This intent to serve letter will expire January 25, 2018 and is nontransferable. If you have any questions, please contact the office at (805) 481-6730.

Respectfully submitted,

OCEANO COMMUNITY SERVICES DISTRICT

Celia Ruiz, Will Serve Coordinator



Oceano Community Services District

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

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

Date: January 25, 2017
To: Board of Directors
From: Celia Ruiz, Will Serve Coordinator
Via: Paavo Ogren, General Manager
Subject: **Agenda Item #7(E):** Submittal for approval an Intent to Serve Letter to Rafael Mendoza; 2291 Cienaga; Assessor's Parcel No. 062-121-013

Recommendation

That your Board authorize the General Manager or his designee to send the attached Intent to Serve Letter to Rafael Mendoza; 2291 Cienaga; Assessor's Parcel No. 062-121-013

Discussion

Mr. Mendoza submitted a request for a will-serve letter on August 25, 2016 attached and staff has prepared the attached "intent to serve" letter for your Board's consideration. Staff has not identified any special concerns for the proposed development that would require any special conditions or denial of the request.

Current Status

The owner is in process of obtaining building permit from the County. Currently there is an existing Single Family Residence on the parcel. Owner is proposing to add an additional Single Family Residence.

NAME OF APPLICANT	RAFAEL MENDOZA
APPLICATION DATE RECEIVED	AUGUST 25, 2016
ADDRESS	2291 CIENAGA
ASSESSORS PARCEL NUMBER	062-121-013
TYPE OF USE	SFR
CONFIRMATION OF OWNERSHIP	YES
OFFSITE IMPROVEMENTS ?	YES
REIMBURSEMENT AGREEMENT ?	
PREVIOUS WILL SERVE ISSUED	NO
EXPIRATION DATE	
FEES REQUIRED	\$ 8,414.96
SSLOCD FEE SIGN-OFF REQUIRED?	YES
FOG PROGRAM REQUIRED?	NO
SSLOCD SIUP REQUIRED?	NO
LETTER FROM FCFA?	STILL NEEDED

Other Agency Involvement

The County of San Luis Obispo issues building permits for land development in Oceano. The issuance of will-serve letters and conditions of development is also



Oceano Community Services District

Board of Directors Meeting

coordinated with the Five Cities Fire Authority and the South San Luis Obispo County Sanitation District.

Other Financial Considerations

Owner may need to install separate water line and 1" meter per FCFA to meet NFPA 13D Fire Protection System requirement.

Fees due before building permit.

Description	Estimate
Water Connection Fees	
Meter 1"	\$ 1,350.00
Front Footage Charge(50 feet at \$81.60/ft of \$ 4.080 minimum)	\$ 0.00
State Water Project/Lopez Dam	\$ 1,000.00
Inspection Fee	\$ 25.00
Capacity Charge	\$ 5,514.96
Estimated Water Fees	\$ 7,889.96
Sewer Connection Fees	
Sewer Connection Fee	\$ 500.00
Inspection Fee	\$ 25.00
Estimated Sewer Fees	\$ 525.00
Total Estimated Water and Sewer Fees	\$ 8,414.96

The fee estimated does not include an amount for "Front Footage" fees because the parcel already has an existing dwelling unit and water service from pipes fronting the property.

Results

Providing will serve letters for new development is consistent with the County's General Plan and the interests of the property owner.

Attachments:

- Will serve request from Rafael Mendoza
- Intent to Serve Letter



Oceano Community Services District

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

(805) 481-6780

FAX (805) 481-6886

INTENT-TO-SERVE APPLICATION

1. This is an application for: **Water and Sewer**
2. SLO County Planning Department/Tract or Development No.: _____
3. Attach a copy of SLO County application.
Note: District Intent-to-Serve letters expire twelve (12) months from date of issue, unless the project's County application is deemed complete.
4. Project location: 2291 CIGUAGA OCEANO, CA - 93445
5. Assessor's Parcel Number (APN) of lot(s) to be served: 062121013
6. Owner Name: RAFAEL MENDOZA
7. Mailing Address: 1473 DEL MAR AVE. GROVER BEACH, CA 93433
8. Email: Central2061@msn.com
9. Phone: (805) 431-0034 FAX: _____
10. Agent's Information (Architect or Engineer):
Name: ARIEL ZARATE
Address: _____
Email: _____
Phone: _____ FAX: _____
11. Type of Project: (check box)
 - Single-family dwelling units
 - Multi-family dwelling units
 - Commercial
 - Mixed use (Commercial and Residential)

12. Site Plan:

All projects, submit full set of plans. Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

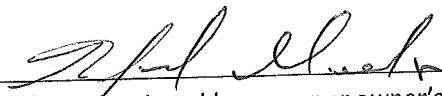
13. Agreement:

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782.

Comply with all District Rules and Regulations.

Application Processing Fee.....\$ 30.00 per structure and/or separate residential unit, whichever is greater.

Date 8/25/2016 Signed 
(Must be signed by owner or owner's agent)

Print Name RAFAEL NEWJORN

January 25, 2016

Rafael Mendoza
2291 Cienaga
Oceano, CA 93445

**SUBJECT: Intent to Serve Letter – Water and Wastewater Collection
APN 062-121-013; OCSD PROJECT #6510 OWNER/PROJECT: MENDOZA / SFR**

Dear Mr. Mendoza:

The purpose of this letter is in response to your request for a will serve letter dated August 25, 2016 and to provide you with a confirmation that it is the intent of the Oceano Community Services District (OCSD) to serve you water and provide you wastewater collections services for the project described in this letter.

Please understand that prior to obtaining any building permit from the County of San Luis Obispo for the project, you must obtain a final will-serve letter from the District. In order to obtain a final will-serve letter, the conditions of this "intent to serve" letter must be fully satisfied, or otherwise waived or modified by the Board of Directors unless the General Manager is authorized to modify or waive. In addition, other agencies related to the OCSD, specifically the Five Cities Fire Authority (FCFA) and the South San Luis Obispo County Sanitation District (SSLOCSD) may also have conditions that you must satisfy and provide proof of doing so to the OCSD.

In the event that facts and circumstances associated with your application include errors or omissions, or for other reasons needed to ensure compliance with the OCSD ordinances, resolutions and/or rules and regulations, the OCSD reserves the right to modify the conditions prior to approval of the final will serve letter. In the event of non-compliance with the OCSD requirements, the OCSD reserves the right to take any and all actions necessary to ensure compliance and to also request that the County of San Luis Obispo take any and all actions to help ensure compliance, including but not limited to stop notices on construction activities.

Oceano Community Services District intends to serve the single family residence development proposed for 2291 Cienaga subject to the following conditions:

1. Payment of \$ 8,414.96 is due to OCSD.
2. Approval by OCSD of the following items on the project's plans and specifications submitted to the County of San Luis Obispo:
 - a. Onsite water and sewer services and cleanouts.
 - b. Offsite improvements if applicable. If off-site improvements are required, you must provide engineered plans and submit them to the District for review and approval, which may also include requirements from the FCFA and street lighting. You will also be required to execute a reimbursement agreement to cover costs of the OCSD on a time and materials basis.

3. If any of the OCSD facilities are required to be modified because of required conditions of the District or any other agency having jurisdiction over the proposed development, you are responsible for providing plans and specifications to the District for review and approval and for paying the costs of those modifications whether the work is done under your control or by the OCSD. You will also be required to execute a reimbursement agreement to cover costs of the OCSD on a time and materials basis.
4. If District facilities (such as water and/or sewer lines) extend into or across the subject property, you will be required to prepare and submit appropriate easement documents and/or encroachment permits for acceptance by the District's Board of Directors and recording with the County Clerk-Recorder.
5. You must provide letters from FCFA and SSLOCSD that indicates that they have reviewed your project and identifies any conditions that they require of the project. If no conditions are required by FCFA and/or SSLOCSD, the letter(s) must clearly state that no conditions are required.
6. All project improvements approved by OCSD will require final inspections by OCSD prior to the issuance of a final will serve letter.

This intent to serve letter will expire January 25, 2018 and is nontransferable. If you have any questions, please contact the office at (805) 481-6730.

Respectfully submitted,

OCEANO COMMUNITY SERVICES DISTRICT

Celia Ruiz, Will Serve Coordinator



Oceano Community Services District

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

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

Date: January 25, 2017
To: Board of Directors
From: Celia Ruiz, Will Serve Coordinator
Via: Paavo Ogren, General Manager
Subject: **Agenda Item #7(F):** Submittal for approval an Intent to Serve Letter to William Murphy; 2341 Ocean; Assessor's Parcel No. 062-098-014

Recommendation

That your Board authorize the General Manager or his designee to send the attached Intent to Serve Letter to William Murphy; 2341 Ocean; Assessor's Parcel No. 062-098-014

Discussion

Mr. Murphy submitted a request for a will-serve letter on June 14, 2016 attached and staff has prepared the attached "intent to serve" letter for your Board's consideration. Staff has not identified any special concerns for the proposed development that would require any special conditions or denial of the request.

Current Status

The owner is in process of obtaining building permit from the County. Currently there is an existing Single Family Residence on the parcel. Owner is proposing to add an additional Single Family Residence.

NAME OF APPLICANT	WILLIAM MURPHY
APPLICATION DATE RECEIVED	JUNE 14, 2016
ADDRESS	2341 OCEAN
ASSESSORS PARCEL NUMBER	062-098-014
TYPE OF USE	SFR
CONFIRMATION OF OWNERSHIP	YES
OFFSITE IMPROVEMENTS ?	YES
REIMBURSEMENT AGREEMENT ?	
PREVIOUS WILL SERVE ISSUED	NO
EXPIRATION DATE	
FEES REQUIRED	\$ 8,414.96
SSLOCD FEE SIGN-OFF REQUIRED?	YES
FOG PROGRAM REQUIRED?	NO
SSLOCD SIUP REQUIRED?	NO
LETTER FROM FCFA?	STILL NEEDED

Other Agency Involvement

The County of San Luis Obispo issues building permits for land development in Oceano. The issuance of will-serve letters and conditions of development is also



coordinated with the Five Cities Fire Authority and the South San Luis Obispo County Sanitation District.

Other Financial Considerations

Owner may need to install separate water line and 1" meter per FCFA to meet NFPA 13D Fire Protection System requirement.

Fees due before building permit.

Description	Estimate
Water Connection Fees	
Meter 1"	\$ 1,350.00
Front Footage Charge(50 feet at \$81.60/ft of \$ 4.080 minimum)	\$ 0.00
State Water Project/Lopez Dam	\$ 1,000.00
Inspection Fee	\$ 25.00
Capacity Charge	\$ 5,514.96
Estimated Water Fees	\$ 7,889.96
Sewer Connection Fees	
Sewer Connection Fee	\$ 500.00
Inspection Fee	\$ 25.00
Estimated Sewer Fees	\$ 525.00
Total Estimated Water and Sewer Fees	\$ 8,414.96

The fee estimated does not include an amount for "Front Footage" fees because the parcel already has an existing dwelling unit and water service from pipes fronting the property.

Results

Providing will serve letters for new development is consistent with the County’s General Plan and the interests of the property owner.

Attachments:

- Will serve request from William Murphy
- Intent to Serve Letter



Oceano Community Services District

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

(805) 481-6780

FAX (805) 481-6836

INTENT-TO-SERVE APPLICATION

1. This is an application for: Water and Sewer
2. SLO County Planning Department/Tract or Development No.: Block 18
A/MB/148
3. Attach a copy of SLO County application.
Note: District Intent-to-Serve letters expire twelve (12) months from date of issue, unless the project's County application is deemed complete.
4. Project location: 2341 Ocean St Oceano CA 93445
5. Assessor's Parcel Number (APN) of lot(s) to be served: 062-098-014 ; 062-098-015
6. Owner Name: William Murphy
7. Mailing Address: 2347 Ocean St Ocean CA 93445
8. Email: William_murphy1983@hotmail.com
9. Phone: 503-332-4291 FAX: _____
10. Agent's Information (Architect or Engineer):
Name: _____
Address: _____
Email: _____
Phone: _____ FAX: _____
11. Type of Project: (check box)
 - Single-family dwelling units
 - Multi-family dwelling units
 - Commercial
 - Mixed use (Commercial and Residential)

12. Site Plan:

All projects, submit full set of plans. Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

13. Agreement:

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782.

Comply with all District Rules and Regulations.

Application Processing Fee.....\$ 30.00 per structure and/or separate residential unit, whichever is greater.

Date 6-14-16 Signed William Murphy
(Must be signed by owner or owner's agent)

Print Name William Murphy

Lot Line adjustment was done and would like to ~~to~~ separate the lots with a new water meter, currently has 1 meter for both parcels/buildings. Also planning to remove existing house on ARN 062-098-014 and replace with newer slightly larger home

January 25, 2016

William Murphy
2341 Ocean
Oceano, CA 93445

**SUBJECT: Intent to Serve Letter – Water and Wastewater Collection
APN 062-098-014; OCSD PROJECT #6496 OWNER/PROJECT: MURPHY / SFR**

Dear Mr. Murphy:

The purpose of this letter is in response to your request for a will serve letter dated June 14, 2016 and to provide you with a confirmation that it is the intent of the Oceano Community Services District (OCSD) to serve you water and provide you wastewater collections services for the project described in this letter.

Please understand that prior to obtaining any building permit from the County of San Luis Obispo for the project, you must obtain a final will-serve letter from the District. In order to obtain a final will-serve letter, the conditions of this "intent to serve" letter must be fully satisfied, or otherwise waived or modified by the Board of Directors unless the General Manager is authorized to modify or waive. In addition, other agencies related to the OCSD, specifically the Five Cities Fire Authority (FCFA) and the South San Luis Obispo County Sanitation District (SSLOCSD) may also have conditions that you must satisfy and provide proof of doing so to the OCSD.

In the event that facts and circumstances associated with your application include errors or omissions, or for other reasons needed to ensure compliance with the OCSD ordinances, resolutions and/or rules and regulations, the OCSD reserves the right to modify the conditions prior to approval of the final will serve letter. In the event of non-compliance with the OCSD requirements, the OCSD reserves the right to take any and all actions necessary to ensure compliance and to also request that the County of San Luis Obispo take any and all actions to help ensure compliance, including but not limited to stop notices on construction activities.

Oceano Community Services District intends to serve the single family residence development proposed for 2341 Ocean subject to the following conditions:

1. Payment of \$ 8,414.96 is due to OCSD.
2. Approval by OCSD of the following items on the project's plans and specifications submitted to the County of San Luis Obispo:
 - a. Onsite water and sewer services and cleanouts.
 - b. Offsite improvements if applicable. If off-site improvements are required, you must provide engineered plans and submit them to the District for review and approval, which may also include requirements from the FCFA and street lighting. You will also be required to execute a reimbursement agreement to cover costs of the OCSD on a time and materials basis.

3. If any of the OCSD facilities are required to be modified because of required conditions of the District or any other agency having jurisdiction over the proposed development, you are responsible for providing plans and specifications to the District for review and approval and for paying the costs of those modifications whether the work is done under your control or by the OCSD. You will also be required to execute a reimbursement agreement to cover costs of the OCSD on a time and materials basis.
4. If District facilities (such as water and/or sewer lines) extend into or across the subject property, you will be required to prepare and submit appropriate easement documents and/or encroachment permits for acceptance by the District's Board of Directors and recording with the County Clerk-Recorder.
5. You must provide letters from FCFA and SSLOCSD that indicates that they have reviewed your project and identifies any conditions that they require of the project. If no conditions are required by FCFA and/or SSLOCSD, the letter(s) must clearly state that no conditions are required.
6. All project improvements approved by OCSD will require final inspections by OCSD prior to the issuance of a final will serve letter.

This intent to serve letter will expire January 25, 2018 and is nontransferable. If you have any questions, please contact the office at (805) 481-6730.

Respectfully submitted,

OCEANO COMMUNITY SERVICES DISTRICT

Celia Ruiz, Will Serve Coordinator



Oceano Community Services District

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

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

Date: January 25, 2017

To: Board of Directors

From: Paavo Ogren, General Manager

Subject: **Agenda Item #7(G): Approval of a Recommendation to Authorize the General Manager and Legal Counsel to amend the District's Conflict of Interest Code pursuant to County Review**

Recommendation

It is recommended that your Board authorize the General Manager and Legal Counsel to amend the District's Conflict of Interest Code pursuant to the attached correspondence with the County of San Luis Obispo by adding "Consultants" to the List of Designated Positions in Appendix "1."

Discussion

Attached is the agenda item from July 27, 2016, when the District's Conflict of Interest Code was amended to include the Business and Accounting Manager as a Designated Position. Subsequently, the County reviewed and provided the attached correspondence regarding the Code, which needs to be revised to include "Consultants" as a Designated Position in Appendix 1. Consultants are already identified as Designated Positions in Appendix 2, and as a result, the amendment will clarify the current requirement.

Other Agency Involvement

The Board of Supervisors approves the District's Conflict of Interest Code.

Other Financial Considerations

n/a

Results

Updating and adopting a District Conflict of Interest Code promotes a well governed community.

Attachments:

- Correspondence with County
- July 27, 2016 Agenda Item 8(c) – Amended Conflict of Interest Code

From: [Jeffrey Minnery](mailto:Jeffrey.Minnery@oceanocsd.org)
To: paavo@oceanocsd.org
Subject: RE: Question on Conflict of Interest Codes
Date: Friday, January 20, 2017 2:58:30 PM

Paavo –

The County is requesting that we add “consultants” to Appendix 1 (list of designated positions). The County is also suggestion that we allow each Consultant to determine whether or not they are required to file, subject to the General Manager’s authority to waive the requirement. Let’s simply amend to reflect County requirements.

Jeff

From: Paavo [<mailto:paavo@oceanocsd.org>]
Sent: Thursday, January 12, 2017 11:53 AM
To: Jeffrey Minnery
Subject: FW: Question on Conflict of Interest Codes

Jeff

We should address the County comments next week so we can make any needed changes on the 1/25 agenda.

Paavo

From: Ann Duggan [<mailto:aduggan@co.slo.ca.us>]
Sent: Monday, December 19, 2016 5:14 PM
To: Tami Bisantz; paavo_oceanocsd.org
Cc: Elaina Cano; Catrina Christensen
Subject: RE: Question on Conflict of Interest Codes

Tami,

I concur with your observation. The designated position list does not actually list “consultants” and it sounds as though it should. I would also recommend that when the consultant is listed, it should include a footnote or some other reference to the definition of consultant listed on the Disclosure Category page. So that any person who is a consultant of the district may review the definition to determine whether he/she needs to file based on the duties the consultant performs for the district. In addition, as is stated in the disclosure categories, the General Manager of the district may waive the requirement that a consultant file a Form 700 statement.

Ann C. Duggan | Deputy County Counsel | San Luis Obispo County
1055 Monterey Street, Suite D320 | San Luis Obispo, CA 93408
Tel: (805) 781-5400 | Fax: (805) 781-4221 | Email: aduggan@co.slo.ca.us

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transmission. Please contact the sender of this email at the above e-mail address and permanently delete the message and any attachments from your system.

From: Tami Bisantz

Sent: Monday, December 19, 2016 12:10 PM

To: paavo_oceanocsd.org <paavo@oceanocsd.org>

Cc: Elaina Cano <ecano@co.slo.ca.us>; Catrina Christensen <cchristensen@co.slo.ca.us>

Subject: Question on Conflict of Interest Codes

Hi Paavo,

I was looking over your resolution with the changes and have a question. On appendix "2", the last paragraph states "Consultants" are included in the **list of designated positions** and must disclose interest and investments, etc. When I look at Appendix "1" (list of designated positions), it doesn't have Consultants listed. Is this an error or was it intended to be this way? I have been taking a lot of cold medicine so I may be totally reading this wrong. It did pass by our council David Stotland with no changes needed. Just wanted to run it by you.

Thanks

Tami Bisantz

County of San Luis Obispo

Division Supervisor – Clerk-Recorder

805-781-5226

tbisantz@co.slo.ca.us

Website: www.SLOvote.com

Like Us: www.facebook.com/slocountyclerkrec

Follow Us: www.twitter.com/slocountyclerk

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Oceano Community Services District

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

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

Date: July 27, 2016

To: Board of Directors

From: Paavo Ogren, General Manager

Subject: **Agenda Item 8(c) – 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 in November 2014, with technical corrections in December 2014.

The edit identified in Appendix 1 of the code (which is Exhibit “A” to the resolution) deletes the position of Office Manager and replaces it with the position of Business and Accounting Manager.

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.



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 well governed communities.

Attachments:

- Resolution Amending and Restating the District's Conflict of Interest Code
 - Exhibit "A"- Code Provisions
 - Appendix "1" – Designated Officers and Employees with Disclosure Categories
 - Appendix "2" – Disclosure Categories
- Correspondence from the Office of the County Clerk

OCEANO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2016- __

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OCEANO
COMMUNITY SERVICES DISTRICT AMENDING AND RESTATING ITS
CONFLICT OF INTEREST CODE

WHEREAS, the Oceano Community Services District (herein "District") is a Local Governmental Agency formed and authorized to provide services within its jurisdiction pursuant to Section §61000 et seq. of the California Government Code; and

WHEREAS, Government Code Section §87307 authorizes a local public agency to amend its Conflict of Interest Code at any time; and

WHEREAS, the District's existing Conflict of Interest Code requires amendment as a result of the Board of Directors' deletion of the Office Manager position and the creation of the Business and Accounting Manager position; and

WHEREAS, the District's Board of Directors has reviewed and amended its Conflict of Interest Code attached hereto as Exhibit "A," including Appendix "1" and Appendix "2" thereto.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors as follows:

1. The District hereby adopts the revised Conflict of Interest Code attached hereto, which supersedes the Conflict of Interest Code adopted by District Resolution No. 2014-19 on November 12, 2014 and amended by District Resolution 2014-20 on December 10, 2014.
2. The terms of California Code of Regulation, Title 2, Section §18730, as set forth in the attached Exhibit "A," and any amendments to Section §18730 duly adopted, are hereby incorporated by reference as the main body of the District Conflict of Interest Code.
3. The District amends Appendix "1" of Appendix "A" deleting the position of "Office Manager" and replacing it with the position of "Business and Accounting Manager."
4. This Conflict of Interest Code shall not take effect until the San Luis Obispo County Board of Supervisors approves it in its capacity as the code reviewing body under the Political Reform Act.

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 _____ day of _____, 2016.

President of the Board of Directors

ATTEST:

Secretary for the Board of Directors

(SEAL)

APPROVED AS TO FORM AND LEGAL EFFECT:

Jeffrey A. Minnery
District Counsel

By: _____

EXHIBIT "A" OF RESOLUTION 2016 - __
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 2016-__**

**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
Office Manager Business and Accounting Manager	1, 2, 3
Utility System Supervisor	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 2016-__
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.

From: [Tami Bisantz](#)
To: paavo_oceanocsd.org
Subject: Biennial Conflict of Interest Code Review
Date: Thursday, July 21, 2016 9:37:24 AM
Attachments: [Local_Agency_Biennial_Notice_Instructions.pdf](#)
[2016 Local_Agency_Biennial_Notice.pdf](#)

TO: SCHOOL DISTRICTS, SPECIAL DISTRICTS, LOCAL GOVERNMENT AGENCIES AND COMMISSIONS

FROM: TAMI BISANTZ, CLERK-RECORDER'S OFFICE

DATE: July 15, 2016

RE: 2016 BIENNIAL NOTICE FOR CONFLICT-OF-INTEREST CODES

BACKGROUND INFORMATION:

The Political Reform Act requires every local government agency to review its conflict-of-interest code biennially. After review, each agency must submit to the County Clerk-Recorder a notice indicating whether or not an amendment is necessary. The enclosed "2016 Local Agency Biennial Notice" form must be returned to this office no later than **October 3, 2016**.

WHAT THIS MEANS TO YOU:

- Review the attached FPPC fact sheet and notice of instructions.
- For additional information on amending a code, the FPPC website contains a wealth of information about Conflict of interest Codes and has webinars with information on amending a code. Visit www.fppc.ca.gov for more information or to sign up for a webinar.
- Determine if your code needs to be amended.
- If amendments are necessary, please submit the following:
 - A letter outlining any changes
 - The Agency resolution adopting the code or a letter stating the date the Code was adopted
 - A "red-line/strike out" (track changes) version showing the changes to your current conflict-of-interest code
 - A "final" clean copy of your new conflict-of-interest code
- **Complete and return the 2016 Local Agency Biennial Notice at your earliest opportunity but no later than October 3, 2016 whether or not you will be making changes to your code.**

All codes must be reviewed by County Counsel prior to approval. If your agency is amending your code, please submit it to our office **as soon as possible**. County Counsel will return any Agency Code that does not comply with Government Code Section 87309, which states:

No Conflict of Interest Code or amendment shall be approved by the code reviewing body or upheld by a court if it:

- (a) Fails to provide reasonable assurance that all foreseeable potential conflict of interest situations will be disclosed or prevented;
- (b) Fails to provide to each affected person a clear and specific statement of his duties

under the Code; or
(c) Fails to adequately differentiate between designated employees with different powers and responsibilities.

An agency's code is not effective until it has been reviewed by Counsel and approved by the Board of Supervisors. Clerk-Recorder staff can be reached at 781-5080 if you have any questions.

Thank you.
Tami Bisantz
Deputy Clerk-Recorder

Tami Bisantz

County of San Luis Obispo
Division Supervisor – Clerk-Recorder
805-781-5226
tbisantz@co.slo.ca.us

Website: www.SLOvote.com
Like Us: www.facebook.com/slocountyclerkrec
Follow Us: www.twitter.com/slocountyclerk

2016 Conflict of Interest Code Biennial Notice Instructions for Local Agencies

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. A conflict of interest code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Statement of Economic Interests (Form 700).

The City Council is the code reviewing body for city agencies. The County Board of Supervisors is the code reviewing body for county agencies and any other local government agency whose jurisdiction is determined to be solely within the county (e.g., school districts, including certain charter schools). The FPPC is the code reviewing body for any agency with jurisdiction in more than one county and will contact them.

July 1, 2016: The code reviewing body must notify agencies and special districts within its jurisdiction to review their conflict of interest codes.

October 3, 2016: The biennial notice must be filed with the agency's code reviewing body.

We prepared a 2016 Local Agency Biennial Notice form for local agencies to use. **The Local Agency Biennial Notice is not forwarded to the FPPC.**

If amendments to an agency's conflict of interest code are necessary, the amended code must be forwarded to the code reviewing body for approval within 90 days. An agency's amended code is not effective until it has been approved by the code reviewing body.

If you answer yes, to any of the questions below, your agency's code probably needs to be amended.

- Is the current code more than five years old?
- Have there been any substantial changes to the agency's organizational structure since the last code was approved?
- Have any positions been eliminated or re-named since the last code was approved?
- Have any new positions been added since the last code was approved?
- Have there been any substantial changes in duties or responsibilities for any positions since the last code was approved?

If you have any questions, or you are still not sure if you should amend your agency's conflict of interest code, please contact the FPPC.

Attend a Workshop or Webinar

Schedules and information about seminars and webinars are available at www.fppc.ca.gov.

FPPC Advice: advice@fppc.ca.gov (866.275.3772)
www.fppc.ca.gov
Page 1 of 1

2016 Local Agency Biennial Notice

Name of Agency: Oceano Community Services District

Mailing Address: 1655 Front Street, Oceano, Ca 93445

Contact Person: _____ Phone No. _____

Email: _____ Alternate Email: _____

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.

Signature of Chief Executive Officer

Date

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 3, 2016**, or by the date specified by your agency, if earlier, to:

(*PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE*)

County Clerk-Recorder
1055 Monterey St. Ste. D120
San Luis Obispo CA 93408

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.



Oceano Community Services District

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

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

Date: January 25, 2017

To: Board of Directors

From: Paavo Ogren, General Manager

Subject: **Agenda Item #8(A) : Consideration of a request from the Five Cities Fire Authority to approve the purchase of a Second Replacement Fire Engine at an estimated cost of approximately \$555,000.**

Recommendation

It is recommended that your Board consider authorizing President White, as the Chair of the Five Cities Fire Authority (FCFA) Board, to vote in favor of purchasing a Second Replacement Fire Engine at an estimated cost of approximately \$555,000, with financing over a ten year period.

Discussion

Attached are agenda documents from the January 13, 2017 meeting of the FCFA Board of Directors regarding the purchase of a second replacement fire engine. The FCFA Fire Chief has requested the purchase to take advantage of the opportunity to save approximately \$50,000 by ordering a "clone" of the current engine that is being built. Doing so will reduce the cost of a second replacement engine from approximately \$605,000 to approximately \$555,000.

In general, FCFA is finding it difficult to fund important replacement of apparatus and other vital equipment. For example, replacement of breathing apparatus is becoming a budget priority with an estimated cost of \$330,000. FCFA is seeking grant revenues but uncertainty exists whether the grants can be obtained. Other equipment is also nearing the end of "useful life" estimates, maintenance costs are increasing, and current efforts to address the issue are being included in the strategic plan. The plan is not yet complete but the discounted purchase price for a second replacement engine expires February 1, 2017.

Other Agency Involvement

The cities of Arroyo Grande and Grover Beach are the other local agencies that fund and obtain services from the Five Cities Fire Authority.

Other Financial Considerations

OCSD's share of the costs incurred by the FCFA is based on a four-part formula including 1) population, 2) assessed values, 3) service calls and 4) a fixed formula 36.5% (A.G.) / 36.5% (G.B.) / 27% (OCSD).



Altogether, OCSD's share of estimated costs is approximately 19%. The cost sharing percentage can change from year to year based on the funding formula.

For the second replacement engine, with total costs of approximately \$555,000, OCSD's share is approximately \$105,000. With financing, annual costs over a ten year period will be between \$12,600 and \$13,700 depending on interest rates. Based on the District's current year costs paid to FCFA of \$779,965, the second engine will result in a 1.67% increase in annual costs. In addition, other annual increases are anticipated, including those resulting from recent employee negotiations, which will likely have a similar or greater increase in annual costs. Without grant revenues for the breathing apparatus, a one-time annual cost of \$330,000 would cost OCSD approximately \$62,700, or an 8% increase over the District's current year cost. Altogether, the items could increase OCSD costs for FCFA next year by more than 12% over the current year.

The District's fiscal resources that are available to pay for costs of FCFA are property tax revenues. Proposition 13 provides for a 2% annual increase. Additional increases can result when property values increase more than 2% and homes sales result in revaluations. It would be highly unlikely to realize a 12% increase.

Approximately 94% of OCSD property tax revenues are utilized for FCFA, and 6% for community street lighting services. The total fire budget is \$853,321, including direct payments to FCFA of \$779,965 (91.4%), direct payments to Grover Beach for dispatch services of \$29,900 (3.5%), and direct payments to CalPERS for unfunded fire personnel pension liabilities of \$4,851. Total direct payments to others of \$814,716 represent 95.5% of the Fire Budget for OCSD. The remaining 4.5% pays for the District's administrative cost overhead, utilities, and miscellaneous direct time charged to the Fire Budget. The current year's project to replace flooring in the living quarters was funded from prior year budget savings since the current year property taxes was fully allocated in the budget.

In summary, FCFA is potentially facing multiple funding challenges and the District's ability to pay all of them is not foreseeable. The FCFA fiscal challenges have been understood for several years, and the FCFA previously proposed additional funding under Proposition 218, but the vote did not pass. Funding of a second replacement engine therefore needs to be considered in light of FCFA priorities, upcoming strategic planning efforts, and a clear need for funding augmentations for FCFA unmet needs.

Results

Approving the second replacement engine will support the ongoing need to replace emergency service equipment that is quickly aging and promotes healthy and safe communities.

Attachments:

FCFA Agenda Material – January 13, 2017 Board Meeting



STAFF REPORT

TO: Chair and Board Members **REVISED January 13, 2017**
MEETING DATE: January 13, 2017

FROM: Stephen C. Lieberman, Fire Chief

SUBJECT: Consideration of the Purchase of a Second Replacement Fire Engine

RECOMMENDATION

Pierce Manufacturing has offered a discount of an additional fire engine if the order is placed by February 1, 2017. It is staff's recommendation that the Board discuss this opportunity and if there is consensus, that Board members present this opportunity to their council/board and City/District Managers to determine whether to move forward with this capital purchase.

BACKGROUND

As previously discussed with the Board, the fire engines in service with the Five Cities Fire Authority (FCFA) are the original apparatus that were contributed to the FCFA at the inception of the Joint Powers Agreement (JPA) in June 2010. Three of the fire engines are in need of immediate replacement, and one new replacement engine is in manufacturing with an estimated delivery in March 2017. The JPA was created without an apparatus replacement funding mechanism. The current budget includes \$55,000 in dedicated reserves for apparatus replacement which was established by the Board utilizing reimbursement funds from the California Master Mutual Aid system.

Pierce Manufacturing is the vendor building the current fire engine. A representative of Pierce has offered a discount of \$50,000.00 should the FCFA order a "clone" of the engine currently in production no later than February 1, 2017. The discount being offered is approximately a 9% discount off of the purchase price of approximately \$580,000.00.

Staff acknowledges that this deadline affords a very compressed timeline for the needed discussions and deliberations with the member communities. The fire engine is a critical need, and will be included in the Fiscal Year 2017/2018 budget requests.

Financing strategies for the purchase include the following options:

- Pay for the fire engine using general fund reserves from the member communities
- Enter into a similar lease purchase agreement (10 years) with a financing institution
- Select a "hybrid" model based on a cash down payment supplemented with financing

Staff is working on conceptual timelines that would define the needed requirements to potentially issue a Purchase Order to Pierce Manufacturing by February 1, 2017. This will include needed time to secure financing if directed by the Board.

FISCAL IMPACT

Listed below are estimated costs for the second fire engine. The first column reflects the discount if ordered by February 1, 2017. The second column reflects the cost after February 1, 2017.

	<u>Pre 2/1/17</u>	<u>Post 2/1/17</u>
List Price	\$558,655.71	\$578,208.63
2/1/17 Discount	(\$20,000.00)	
Pre-Payment Discount	(\$20,000.00)	(\$20,000.00)
Trip Reductions, misc.	(\$7,000.00)	
Sub-Total	\$511,655.71	\$558,208.63
8% Sales Tax	\$40,932.46	\$44,656.69
Performance Bond	\$1,675.97	\$1,675.97
California Tire Fee	\$10.50	\$10.50
Grand Total	\$554,274.64	\$604,551.79
Projected Savings	(\$50,277.15)	

Cash Payment by Community		
Arroyo Grande	47.0%	\$260,509.08
Grover Beach	34.0%	\$188,453.38
Oceano	19.0%	\$105,312.18

Staff has not made formal requests for financing scenarios at this time. Initial discussions with Chase have indicated that current interest rates could range from 2% to 5%. As reflected on the attached payment schedule for the previously ordered fire engine, the rate was 2.5%, and the annual payment will be \$66,366.40. Based on a rate of 5.0%, the estimated payment on the second engine would be approximately \$xx.xxx.xx. Utilizing the budget allocation percentages from the current budget cycle, the ten (10) annual payments would be split among the communities as detailed below:

<u>Interest Rate</u>	<u>Annual Payment</u>	<u>Arroyo Grande (47%)</u>	<u>Grover Beach (34%)</u>	<u>Oceano (19%)</u>
2.50%	\$66,366.40	\$31,192.21	\$22,564.58	\$12,609.62
5.00%	\$71,781.10	\$33,737.12	\$24,405.57	\$13,638.41

ALTERNATIVES

The following alternatives are provided for the Board's consideration:

1. Board members place this opportunity on community agendas for discussion and guidance, returning to a potential special meeting to provide direction to the Fire Chief.
2. Direct staff to delay the order of the replacement fire engine until the 2017/2018 budget cycle.
3. Provide other direction to staff.

Staff Report:
January 7, 2017
Revised January 13, 2017

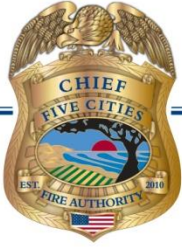
Page 2

ATTACHMENTS

1. Payment Schedule for initial Fire Engine - Chase

PREPARED BY

S. Lieberman



FIVE CITIES FIRE AUTHORITY

January 13, 2017

The Board of the Five Cities Fire Authority will consider approving financing a replacement fire engine at a special meeting (date to be announced shortly).

Please provide financing options based on the following information:

Purchase Price: \$554,274.64

Down Payment: \$0

Financing Model: Lease Purchase

Term: 10 Years

Payments: Annually, beginning April 1, 2018. First payment due upon acceptance of vehicle (13 month estimated build time)

Tax Status: Interest under the financing will be tax-exempt and shall be designated by the Lessee as a Qualified Tax Exempt Obligation pursuant to Section 265(b)(3) of the IRS Code.

Protecting Life, Property and the Environment



Oceano Community Services District

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

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

Date: January 25, 2017

To: Board of Directors

From: Paavo Ogren, General Manager

Subject: **Agenda Item # 8(B): Consideration of a recommendation to approve a Utility Relocation Agreement with the County of San Luis Obispo in conjunction with the County's Highway One Drainage project, approve a budget adjustment and payment in the amount of \$109,868, authorize the General Manager to file a Notice of Exemption pursuant to the California Environmental Quality Act, and provide direction on alternative bidding procedures.**

Recommendation

It is recommended that your Board:

1. Approve the attached Utility Relocation Agreement with the County of San Luis Obispo relating to the County's Highway One Drainage project and direct the President to execute with any final non-substantive changes that may be edited and approved by legal counsel.
2. Approve Budget Adjustment in the amount of \$71,390 increasing Water Fund expenditures; in the amount of \$38,478 increasing Sewer Fund Expenditures; and authorizing a payment in the total amount of \$109,868 to the County of San Luis Obispo.
3. Authorize the General Manager to file a Notice of Exemption pursuant to the California Environmental Quality Act with the San Luis Obispo County Clerk Recorder.
4. Authorize the General Manager to proceed with the following alternative bidding procedures:
 - a. Obtain bids for the work pursuant to the California's Uniform Public Construction Cost Accounting Act.
 - b. Schedule a Special Meeting if County bids exceed \$115,000, within 7 days of the Notice of Low Bid, to consider alternative award of construction work.



Discussion

Previously, on November 10, 2015, your Board approved similar actions for utility relocations needed as a result of the County’s road asphalt overlay project constructed in early 2016. In most situations when the County is reconstructing a road, bridge or related project, the utilities that are located within the County’s road rights-of-way must be relocated to conform to County design specifications - at the utility owners expense. The County’s Highway One drainage project requires the District to relocate certain existing water and wastewater infrastructure which conflict with the County’s project design.

The District’s cost burden has been reviewed by legal counsel, which involves both statutory law and case law. The exception identified for the utility relocations needed at this time involve District utilities in Dolphin Avenue. The District’s facilities pre-date the County acceptance of Dolphin Avenue into the County road maintenance system, and the District essentially has senior rights. Dolphin Avenue relocation costs are therefore the burden of the County to pay, and have been appropriately identified in the attached agreement as a County cost.

The following is a list of the utility relocations that are required at District cost. Attachment “A” provides a vicinity map and the District Engineer’s Opinion of Probable Construction Cost.

1	SR-1 STA 10+90 12" WATERLINE MODIFICATION	\$24,455.
2	RAILROAD STREET 6" SEWER MODIFICATION	\$31,800.
3	15TH STREET STA. 13+85 12" WATERLINE MODIFICATION	\$17,060.
4	PASO ROBLES STREET STA. 10+15 6" WATERLINE	\$7,495.
5	RAILROAD STREET STA. 13+45 6" WATERLINE	\$9,990.
	SUBTOTAL =	<u>\$90,800.00</u>
	10% contingency =	9,080.00
	GRAND TOTAL =	<u>\$99,880.00</u>

In summary, the attached agreement has been negotiated with the County so that the District utility modifications can be included in the County contractor’s scope of work for the upcoming County drainage project. The agreement provides the District with the ability to reject the work from the County’s construction contract if the District provides notification of its decision to reject the bids within 7 days if receiving the County’s “Notice of Low Bid.” In such an event, a special meeting may be required for your Board. To reject the bids, the District will need to secure alternative bids, in advance,



from contractors that can complete the work in an expeditious manner. Since there will be additional costs and risks if the District procures the contractor, the recommendations would only provide this option to your Board if County bids exceed \$115,000, or 15% above the District Engineer's estimate.

Other Agency Involvement

The General Manager will file a Notice of Exemption pursuant to the California Environmental Quality Act with the San Luis Obispo County Clerk Recorder. Some work is required in Highway One, which is maintained by Caltrans.

Other Financial Considerations

The attached agreement also provides that the District pay a pro-rata share of County's general project administration costs. The agreement, however, requires the District to inspect the contractor's work associated with District utilities. As a result, the County has agreed to a fixed fee of 10% of construction costs for their general administrative costs. As a reference, a 15% administrative charge was applicable to the 2016 asphalt overlay project. The County agreed that a reduction to 10% for this project is appropriate to reflect non-construction costs incurred by the District relating to the Dolphin Avenue relocation.

The water fund portion of estimated costs, including contingencies, and County administrative costs is approximately \$71,390 and the sewer fund portion is \$38,478. Both funds have sufficient capital improvement financial reserve to fund the adjustments.

The following is a summary of total project costs.

Description			
Estimated Construction Costs	\$ 90,800		
Construction Contingencies	9,080		
Total Construction Estimate		\$ 99,800	
County Admin at 10%	9,988		
Total County Costs			\$ 109,868
District Engineering costs	21,500		
Other	\$ 8,500		
District "soft" Costs			30,000
Total Estimated Costs			<u>\$ 139,868</u>



Oceano Community Services District

Board of Directors Meeting

Sufficient funding in the water and sewer budgets should cover the District's soft costs. The third quarter budget update will monitor and provide any additional recommendations for budget adjustments, if needed.

Results

Coordination of work with the County on the required utility modifications will help to ensure that the District is proceeding in a cost effective manner and promotes well governed communities.

Attachments:

- A. Project Vicinity Map
- B. Engineer's Opinion of Probable Costs
- C. Utility Relocation Agreement with County of San Luis Obispo

OCEANO COMMUNITY SERVICES DISTRICT OCEANO DRAINAGE IMPROVEMENTS OCEANO, CA

SHEET INDEX

SHEET 1	TITLE SHEET
SHEET 2	PLAN AND PROFILE
SHEET 3	PLAN AND PROFILE
SHEET 4	RELOCATIONS

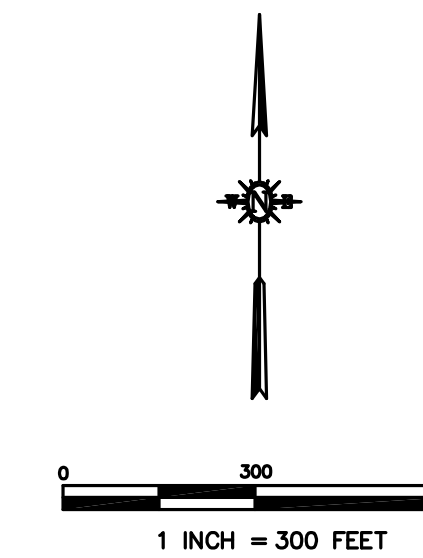
LEGEND

EXISTING	PROPOSED
PROPERTY LINE	---
RIGHT-OF-WAY	---
CURB	---
CURB & GUTTER	---
FENCE	X
DAYLIGHT LINE	---
EASEMENT	---
FLOWLINE	---
RETAINING WALL	---
SLOPE	---
CONTOURS	---
WATER MAIN	W
FIRE WATER LINE	FW
SANITARY SEWER LINE	SS
STORM DRAIN LINE	SD
GAS LINE	G
ELECTRIC LINE	E
OVERHEAD WIRES	OH
FIBER OPTICS	FO
TELEPHONE	T
UNDERGROUND TELEPHONE	UT
JOINT TRENCH	JT
TYPICAL LATERALS	XX
WATER VALVE	⊗
WATER METER	⊗
GAS METER	⊗
FIRE HYDRANT	⊗
STREET LAMP	⊗
STREET LIGHT	⊗
PG&E BOX	⊗
TRANSFORMER	⊗
MONUMENT	⊗
STORM DRAIN INLET	⊗
CURB INLET	⊗
FIRE DEPARTMENT CONNECTION	⊗
POWER POLE	⊗
FOUR-WAY SIGN	⊗
TWO-WAY SIGN	⊗
CLEANOUT	⊗
SDMH	⊗
SSMH	⊗
AIR RELEASE VALVE	⊗
ASPHALT CONCRETE	ARV
BEGIN CURB RETURN	BCR
BEGIN CURVE	BC
BEGIN VERTICAL CURVE	BVC
CATCH BASIN	CB
CENTERLINE	CL
END CURB RETURN	ECR
END CURVE	EC
END VERTICAL CURVE	EVC
FINISHED GRADE	FG
FINISHED SURFACE	FS
FINISH FLOOR	FF
FIRE DEPARTMENT CONNECTION	FDC
FLOW LINE	FL
GRADE BREAK	GB
HIGH POINT	HP
INVERT	INV
OUTSIDE GRADE	OG
POINT OF CONNECTION	POC
POINT OF REVERSE CURVE	PRC
POINT OF REVERSE VERTICAL CURVE	PRVC
PROPERTY LINE	PL
PUBLIC UTILITY EASEMENT	PUE
RIGHT-OF-WAY	ROW
TOP OF BERM	TB
TOP OF CURB	TC
TOP OF FOOTING	TF
TOP OF GRATE	TG
TOP OF WALL	TW
AC PAVING	---
CONCRETE	---



LOCATION MAP

SCALE HORIZ 1"=300'

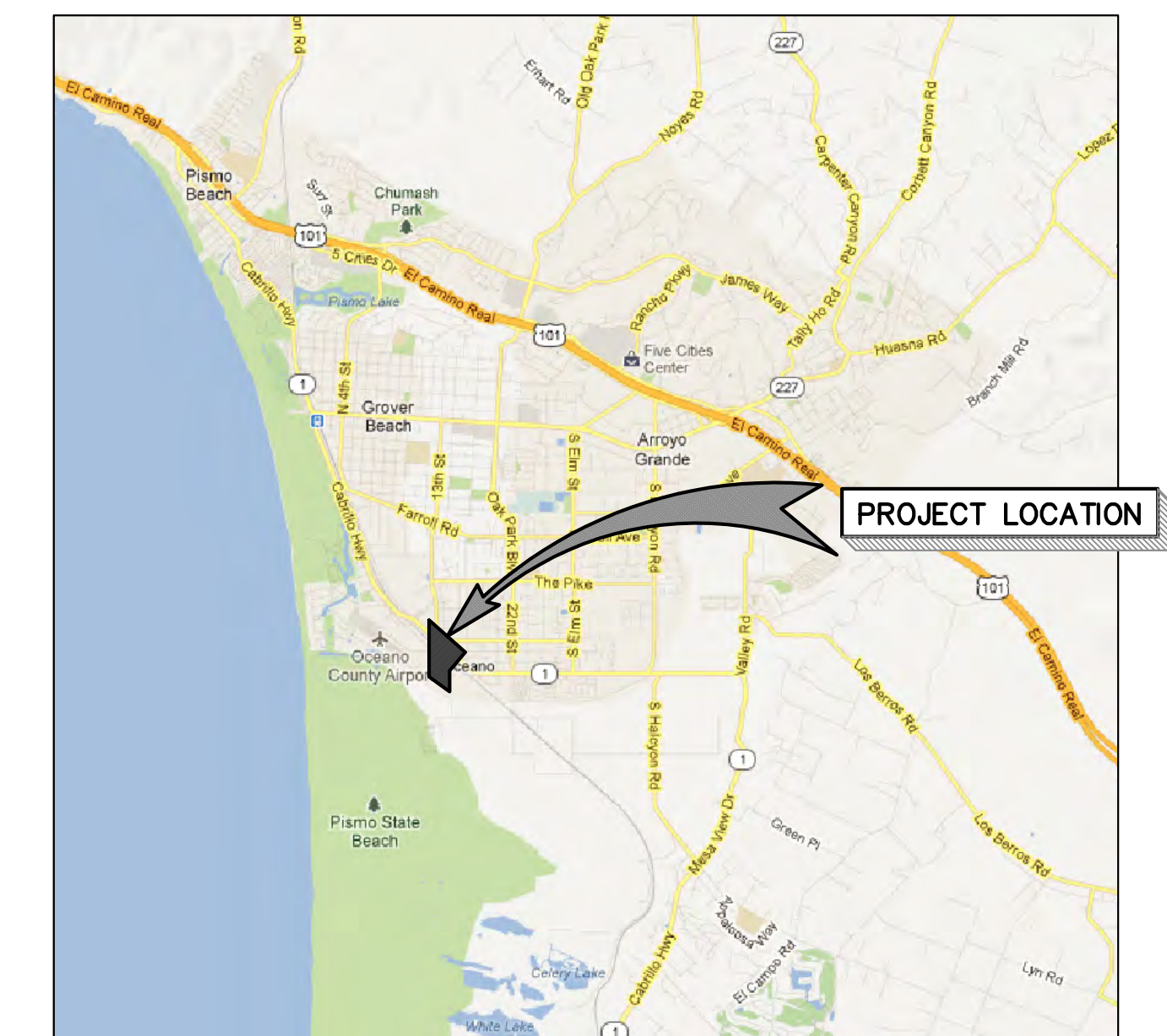


APPROVED: _____, 20 _____

_____ OCEANO COMMUNITY SERVICES DISTRICT – GENERAL MANAGER

SECTION AND DETAIL NUMBERING SYSTEM

- SECTION CUT ON DRAWING SHEET X.
- ON SHEET X, THIS SECTION IS IDENTIFIED AS
- DETAILS ARE CROSS-REFERENCED IN A SIMILAR MANNER; EXCEPT THAT DETAILS ARE IDENTIFIED BY NUMBER RATHER THAN LETTER.



VICINITY MAP

NTS



REV. NO.	DATE	REVISED	DESTROY ALL PRINTS BEARING EARLIER DATE	REV. BY	OKD. BY	APRD. BY

1050 Southwood Drive
San Luis Obispo, CA 93401
P 805.544.7407 F 805.544.3863

THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND ARE THE PROPERTY OF CANNON. ALL DESIGNS AND INFORMATION ON THESE DRAWINGS ARE FOR USE OF THE SPECIFIED PROJECT AND SHALL NOT BE USED OTHERWISE OR REPRODUCED WITHOUT THE EXPRESSED WRITTEN PERMISSION OF CANNON.

OCEANO COMMUNITY SERVICES DISTRICT OCEANO DRAINAGE IMPROVEMENTS		
TITLE SHEET		
OCEANO, CA		
DRAWN BY KM	DATE 09/07/2016	CA JOB NO. 160355.01
CHECKED BY	SCALE AS SHOWN	SHEET 1 OF 4

**Oceano Drainage Improvements
Oceano, Ca**

**ENGINEERS OPINION OF PROBABLE CONSTRUCTION COST
Oceano Community Services District Improvements
October 17, 2016**

ITEM NO.	ITEM CODE	ITEM DESCRIPTION	APPROXIMATE QUANTITY	UNIT OF MEASURE	UNIT COST	TOTAL
1	N/A	SR-1 STA 10+90 12" WATERLINE MODIFICATION	1	LS	\$24,455.00	\$24,455.00
2	N/A	RAILROAD STREET 6" SEWER MODIFICATION	1	LS	\$31,800.00	\$31,800.00
3	N/A	15TH STREET STA. 13+85 12" WATERLINE MODIFICATION	1	LS	\$17,060.00	\$17,060.00
4	N/A	PASO ROBLES STREET STA. 10+15 6" WATERLINE MODIFICATION	1	LS	\$7,495.00	\$7,495.00
5	N/A	RAILROAD STREET STA. 13+45 6" WATERLINE MODIFICATION	1	LS	\$9,990.00	\$9,990.00

SUBTOTAL = \$90,800.00

APPROVED: October 20, 2016



OCEANO COMMUNITY SERVICES DISTRICT, DISTRICT ENGINEER

Contingency - 10% of Total = \$9,080.00
GRAND TOTAL = \$99,880.00

In providing opinions of probable construction costs, the DISTRICT must understand that Cannon has no control over the costs or the price of labor, equipment or materials, or over the Contractor's method of pricing, and that the opinions of probable costs provided herein are made on the basis of Cannon's qualifications and experience. Cannon makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual costs.

EA = Each, LS = Lump Sum, LF = Lineal Feet, SF= Square Feet, SY = Square Yard, CY = Cubic Yard

UTILITY RELOCATION AGREEMENT

Oceano Drainage Improvement Project Oceano, California

THIS UTILITY RELOCATION AGREEMENT (“Agreement”) is made by and between the **OCEANO COMMUNITY SERVICES DISTRICT**, a community services district, hereinafter referred to as “District,” and the **COUNTY OF SAN LUIS OBISPO**, a political subdivision of the State of California, hereinafter referred to as “County.” (Hereafter, the District and the County may also be referred to as the “Parties.”)

WITNESSETH:

WHEREAS, the County is preparing to install storm drain improvements associated with the Oceano Drainage Improvement Project (WBS 300465) in Oceano, California (hereinafter the “Project”); and

WHEREAS, the plans, specifications, and estimates (PS&E) for the construction of the Project shall hereinafter be referred to as the “Project Plans”; and

WHEREAS, the County has provided the District a copy of the Project Plans; dated September 5, 2016; and

WHEREAS, the area within ten (10) feet of any digging or excavation work contemplated by the Project Plans shall hereinafter be referred to as the “Conflict Area;” and

WHEREAS, the District's water and sewer pipelines and related facilities (hereinafter “District Utility Lines”) that are within the Conflict Area need to be relocated; and

WHEREAS, the Project Plans show approximately sixty (60) linear feet of District Utility Lines located within the Conflict Area for work shown along Dolphin Ave. (hereinafter the “Dolphin Avenue Facilities”); and

WHEREAS, District Utility Lines located within the Conflict Area for work on any other portion of the Project (i.e., any work other than the Dolphin Ave. work) shall hereinafter be referred to as the “Other District Facilities;” and

WHEREAS, the Other District Facilities include the District Utility Lines located within the Project areas described in the attached Exhibit “A” (which constitute approximately four hundred (400) linear feet of District Utility Lines); and

WHEREAS, the District hereby represents that it is not aware of any other District Utility Lines that would constitute Other District Facilities other than those located within the Project areas described in the attached Exhibit A; and

WHEREAS, the Parties desire to work together to coordinate the relocation work with the Project's construction contract (hereafter, "Construction Contract") pursuant to the terms of the Agreement; and

WHEREAS, the Parties acknowledge that the Project's Construction Contract will be performed in highways and funded with federal funds; and

WHEREAS, it is understood that said highway is a Federal aid highway and accordingly, 23 CFR, Chapter 1, Part 645 is hereby incorporated into this Agreement. In addition, the provisions of 23 CFR 635.410, Buy America, are also incorporated into this Agreement. The Buy America requirements are further specified in Moving Ahead for Progress in the 21st Century (MAP-21), section 1518; 23 CFR 635.410 requires that all manufacturing processes have occurred in the United States for steel and iron products (including the application of coatings) installed on a project receiving Federal funding; and

WHEREAS, the Parties understand and acknowledge that this Project is subject to the requirements of the Buy America law (23 U.S.C., Section 313) and applicable regulations, including 23 CFR 635.410 and FHWA guidance. The County hereby certifies that in the performance of this Agreement, for products where Buy America requirements apply, it shall use only such products for which it has received a certification from its supplier, or provider of construction services that procures the product certifying Buy America compliance. This does not include products for which waivers have been granted under 23 CFR 635.410 or other applicable provisions or excluded material cited in the Department's guidelines for the implementation of Buy America requirements for utility relocations issued on December 3, 2013.

NOW, THEREFORE, the Parties hereto agree as follows:

A. Recitals

1. The above recitals are incorporated herein by reference as though fully set forth herein.

B. Allocation of Costs

1. "Relocation Work" shall mean all design, construction, inspection, and Project administration work relating to the relocation of any District Utility Lines within the Conflict Area pursuant to the Project's Construction Contract.
2. Except as otherwise expressly provided for in this Agreement, the District shall be responsible for all reasonable costs of the Relocation Work associated with the Other District Facilities.
3. Except as otherwise expressly provided for in this Agreement, the County shall be responsible for all reasonable costs of the Relocation Work associated with the Dolphin Avenue Facilities.

4. The Parties acknowledge that, to the extent the construction of the relocation of any District Utility Lines is performed as part of the Project's Construction Contract, the construction work shall be performed by the independent contractor (hereafter "Contractor") that is awarded said Construction Contract based upon the lowest responsive bid on the base contract under Public Contract Code Section 20103.8(a). The Parties agree that, as between the District and the County, the Contractor's bid price for any additive bid item regarding the relocation of Other District Facilities shall be deemed reasonable subject to the terms of this Agreement.
5. The Parties further acknowledge that neither the County nor the District guarantees the performance of the Contractor, and neither Party insures or indemnifies the other Party for any breaches of the Construction Contract by the Contractor. Except as otherwise expressly provided for in this Agreement, neither the County nor the District are responsible for any costs or damages incurred by the other Party arising from a breach of the Construction Contract by the Contractor.

C. Preconstruction Work

1. The parties acknowledge that the County shall not be responsible for the design of any Relocation Work. As the owner of the District Utility Lines, the District shall be solely responsible for preparation of all necessary plans, specifications, and estimates (PS&E) for the relocation of any District Utility Lines.
2. In order to facilitate the timely completion of the Project, the County has retained a design engineer to prepare plans, specifications, and estimates (PS&E) for the relocation of the Dolphin Avenue Facilities, which have been included in the Project Plans. The portions of the Project Plans regarding the relocation of the Dolphin Avenue Facilities have already been reviewed and approved by the District's retained engineer, and the District hereby approves those portions of the Project Plans regarding the relocation of the Dolphin Avenue Facilities.
3. The District has provided the County the District's final PS&E for the construction of the relocation of the Other District Facilities. Said PS&E are dated September 7, 2016, and were prepared by the District's retained engineer. Pursuant to the latest approved County construction standards, any above grade facilities included in said PS&E shall ensure 10-foot clearance and any affected valves or covers shall be adjusted to finish grade. The District shall be responsible for ensuring that said PS&E are in compliance with any applicable laws and regulations, including any State Health Department utility separation requirements.
4. The District is responsible for the accuracy and completeness of all documents and information submitted to the County relating to the design, bidding, and/or construction of the relocation of any District Utility Lines. The County assumes no responsibility for the accuracy or completeness of any documents or information submitted on behalf of the District relating to the design, bidding,

and construction of Relocation Work. The District shall defend, indemnify and hold harmless the County, its officers, agents, and employees from any and all claims, demands, damages, costs, expenses, judgments or liability (hereafter "Claims") arising from any assertions regarding the inaccuracy or incompleteness of any documents and information submitted to the County relating to the design, bidding, and/or construction of the Relocation Work, including but not limited to any Claims by the construction Contractor that said inaccuracy or incompleteness caused the Contractor to incur delays, additional costs or monetary damages.

5. The County agrees that it will satisfy all preconstruction environmental planning requirements of the Project under the California Environmental Quality Act, National Environmental Policy Act, and related environmental regulations with respect to any Relocation Work performed under the County's Construction Contract. However, the District shall remain responsible for all reasonable costs relating to any construction work addressing and/or mitigating any environmental or related matters associated with any Relocation Work regarding the Other District Facilities. (For example, if any Native American artifacts or remains are located in any areas where said Relocation Work is to be performed, the District shall remain responsible for all reasonable costs incurred in addressing and/or mitigating said matters, regardless of whether or not said Native American artifacts or remains were addressed in any preconstruction environmental planning documents.)

D. Required Deposit of Funds by District

1. The District shall pay the County an initial deposit of \$109,868.00 for the Relocation Work relating to the Other District Facilities within seven (7) days of receiving a written demand therefor from the County Public Works Dept. If said deposit is not received by County by said date, the Relocation Work relating to the Other District Facilities will not be part of the Project and the District shall independently relocate the Other District Facilities at its own expense no later than May 31, 2017. (Hereafter, the term "Deposit Amount" shall refer to the amount of said initial deposit, plus any subsequent deposits and less any deposit refunds made under this Agreement.)
- 2.

If the District does pay the County the initial Deposit Amount of \$109,868.00 within seven (7) days of receiving a written demand therefor from the County Public Works Dept., the District's PS&E for the construction of the relocation of the Other District Facilities shall be incorporated into the Project Plans for the purpose of including the relocation of the Other District Facilities as an additive bid item when the Construction Contract for the County's Project is advertised for bids pursuant to Public Contract Code Section 20103.8(a). (If the County elects to advertise the Construction Contract for bids before said seven (7) day period expires, and said deposit is not received within said seven (7) day period, the County will issue an addendum to the Construction Contract deleting the inclusion of the relocation of the Other District Facilities as an additive bid item, the Relocation Work relating to the Other District

Facilities will not be part of the Project, and the District shall independently relocate the Other District Facilities at its own expense no later than May 31, 2017.)

E. Award of County Project Construction Contract

1. The below subsections of this Section E are applicable only if the relocation of the Other District Facilities is included as an additive bid item in the Construction Contract for the County's Project pursuant to this Agreement.
2. If the relocation of the Other District Facilities is included as an additive bid item pursuant to this Agreement, the lowest bid shall be the lowest responsive bid price on the base contract for the Project without consideration of the bid prices on any additive or deductive items included in the County's bid solicitation pursuant to subdivision (a) of Public Contract Code Section 20103.8. In other words, any amount(s) bid as the bid price for the additive bid item for constructing the relocation of the Other District Facilities shall be irrelevant to the County's determination of the lowest responsive bid.
3. After the bids are opened, the County will provide the District with written notice of which bid has been determined to be the lowest responsive bid by the County's Public Works Department pursuant to the criteria set forth in subdivision (a) of Public Contract Code Section 20103.8. (Said written notice by the County shall hereafter be referred to as the "Low Bid Notice.") The County will try to send out the Low Bid Notice within five business days of the bid opening date, but the notice may be delayed if any bidder(s) submit a bid protest (or to allow the time for submitting a protest to lapse). If the District has any objection to the County's determination of the lowest responsive bid, the District's sole remedy is to timely provide the County with written notice that the District is rejecting having the relocation of the Other District Facilities performed as part of the Project's Construction Contract as set forth below. The District hereby waives any right(s) it may have to protest or challenge in any forum (including any administrative procedures of the County or judicial proceedings of the courts) the County's determination of the lowest responsive bid. The District further waives any claims for damages against the County arising from any alleged erroneous determination by the County of the lowest responsive bid.
4. The District shall have seven (7) days from the date the County provided the Low Bid Notice to the District to provide the County written notice of the District's decision to reject having the relocation of the Other District Facilities performed as part of the Project's Construction Contract. If the County does not receive such written notice of rejection within seven (7) days of the Low Bid Notice, and the District timely pays any supplemental deposit amounts required in Section E.6 below, then (a) the District shall be deemed to have approved the additive bid amount for the relocation of the Other District Facilities submitted by the lowest responsive bid (as determined by the County), (b) the County shall accept said additive bid item, and (c) said relocation of the Other District Facilities shall be performed as part of the Project's Construction Contract. If the District does provide such written notice

of rejection within seven (7) days after date the County provided the Low Bid Notice to the District, or fails to timely pay any supplemental deposit amounts required in Section E.6. below, this shall result in the following: (a) the Deposit Amount shall be promptly returned to the District (less any reasonable costs incurred by the County for any Relocation Work regarding the Other District Facilities); (b) the County will not include the additive bid item as part of the Project Construction Contract; and (c) the District shall independently relocate the Other District Facilities at its own expense no later than May 31, 2017, or as otherwise agreed in a separate written agreement signed by the District's General Manager and the County Director of Public Works.

5. In the event the County's Public Works Department ever later sends the District a subsequent Low Bid Notice as a result of a bid protest or any other reason whatsoever, the last Low Bid Notice provided to the District shall be considered the only Low Bid Notice for purposes of this Section E, any prior versions of the Low Bid Notice shall be deemed null and void, and all District deadlines identified in this Section E shall be reset based upon the last Low Bid Notice.
6. If the bid amount for the additive bid item for the Other District Facilities on the lowest responsive bid (as determined by the County) is greater than \$99,880.00, the District must pay the supplemental deposit described in this paragraph in order for the County to be obliged to accept that additive bid. If the bid amount for the additive bid item for the Other District Facilities on the lowest responsive bid (as determined by the County) is greater than \$99,880.00, the District must pay the County a supplemental deposit in an amount equal to 110% of the amount in excess of \$99,880.00 within fourteen (14) calendar days of the date the County provided the Low Bid Notice to the District. If said supplemental deposit is not received by County by that date, the relocation of the Other District Facilities will not be part of the Project and the District shall independently relocate the Other District Facilities at its own expense no later than May 31, 2017. The District's obligation to pay a supplemental deposit under this paragraph shall not be conditioned upon a written request by the County, but shall automatically arise from the date the County provided a Low Bid Notice to the District that indicated that the bid price on the additive bid item for the Other District Facilities on the lowest responsive bid is greater than \$99,880.00.
7. Notwithstanding the foregoing, the County reserves its right to reject all bids for the Project (including the Relocation Work), and to not award any Construction Contract at all. If the County does exercise this right, each Party shall be responsible for bearing its own costs, expenses, and damages relating to this Agreement.
8. If the District does independently relocate the Other District Facilities, the District shall comply with all applicable laws and regulations, including the obligation to obtain an encroachment permit from the County for any relocation work within any County right-of-way.

F. Adjustments To Deposit Amount

1. In the event the Deposit Amount ever falls below 110% of the County's Third Party Costs ("County 3P Costs") relating to the Other District Facilities, the County shall have the right to request in writing that the District pay an additional deposit to the County in an amount that would make the Deposit Amount equal to 110% of said County 3P Costs. (For purposes of this Agreement, "County 3P Costs" shall refer to the Contractor's total bid price for the additive bid item for the relocation of the Other District Facilities, plus/minus any increases/decreases in the contract price for said work under the Construction Contract per change orders executed by the County in a manner consistent with this Agreement, plus any reasonable costs the County pays an outside consultant for any services relating to said Relocation Work). Within 10 days of being provided such written request from the County, the District shall pay to the County an amount that would make the District's Deposit Amount equal to 110% of said 3P Costs. If the County does not receive a District payment within said time period in an amount sufficient to make the Deposit Amount equal to at least 110% of said County 3P Costs, the County shall be entitled to recover interest from the District on the amount the District failed to so timely pay at the rate of 2% per month.
2. In the event the Deposit Amount ever exceeds 110% of the County 3P Costs for the Relocation Work relating to the Other District Facilities, the District shall have the right to request in writing a refund of the amount by which the Deposit Amount exceeds 110% of said County 3P Costs. Within 10 days of being provided such written request from the District, the County shall refund to the District an amount that would make the District's Deposit Amount equal to 110% of said County 3P Costs. If the District does not receive a refund payment from the County within said time period in an amount sufficient to make the Deposit Amount equal to no more than 110% of said County 3P Costs, the District shall be entitled to recover interest from the County on the amount the District failed to so timely pay at the rate of 2% per month.

G. Construction of Relocation Work

1. The parties acknowledge that the County shall not be responsible for inspecting any work under the Construction Contract relating to the relocation of any District Utility Lines, including but not limited to, any testing of any District Utility Lines relocated pursuant to the Construction Contract. As between the District and the County, the District shall be solely responsible for any and all such inspections.
2. The County will forward to the District any Request for Information ("RFI") it receives from the Contractor pertaining to the construction of the relocation of any District Utility Lines, and the District shall be obliged to provide a timely response to the County regarding the RFI.

3. The District shall provide, in a timely manner, all inspections necessary to verify that any work under the Construction Contract relating to the relocation of any District Utility Lines is constructed in conformance with the Construction Contract. The District shall coordinate any such inspections with the Contractor, and shall have access to the job site to inspect the construction and testing of any such work.
4. The District acknowledges that the Contractor is responsible for the safety of the job site. The District shall hold the County harmless of any claim arising from any injury to District property or personnel which may occur on the job site that is not caused by an act of negligence of the County, a County employee, or an agent of the County. Similarly, if an independent consultant or contractor of the District suffers any injury to person or property while on the job site, the District shall defend and indemnify the County from any and all such claims related thereto unless an act of negligence of the County, a County employee, or an agent of the County caused the injury.
5. The District shall immediately report to the County any substandard or defective work or materials discovered by the District relating to the relocation of any District Utility Lines that is not in compliance with the Construction Contract. If the County receives such a timely report from the District, the County shall direct the Contractor to repair or replace any such materials or work which the County agrees is substandard or defective. The Parties acknowledge that no inspection performed by the District under this Agreement shall relieve the Contractor of its obligation to perform any work in accordance with the Construction Contract. The District acknowledges that the County's sole and exclusive obligations with respect to any substandard or defective work or materials are set forth in this Agreement. In the event the District fails to immediately report any substandard or defective work or materials to the County, or later discovers any substandard or defective work or materials, the District shall have no claims against the County for any District damages relating to any such substandard or defective work or materials.
6. Prior to making any payment to the Contractor for any work under the Construction Contract relating to the relocation of any District Utility Lines, the County shall provide written notice to the District regarding the proposed payment amount for work relating to the relocation of any District Utility Lines. Within five (5) days of being provided said notice, the District shall notify the County in writing of any reasonable objections it has to the proposed payment amount with sufficient particularity so that the Contractor and/or the County can take whatever appropriate actions may be necessary to address the District's objection(s). The District will be deemed to have approved any payment items which are not so objected to in writing within said five (5) day period. In the event the District provides a timely written objection to any payment items, and a payment to the Contractor is denied, delayed or reduced by the County in response to a District objection, the District shall hereby defend, indemnify and hold harmless the County from any and all liability, damages, claims, demands, and costs (including costs of defense and attorney fees) relating to, or arising from, any claims by the Contractor that said denial, delay or reduction in payment was improper or unlawful. Although the County reserves the right to disregard

any objection it receives from the District that the County deems to be unreasonable, the District's above obligation to defend, indemnify and hold harmless the County shall apply regardless of the reasonableness of the District's objection.

7. Prior to giving its final approval of any proposed change order for any work under the Construction Contract relating to the relocation of any District Utility Lines, the County shall notify the District in writing by providing the District a copy of the proposed change order. As expeditiously as reasonably possible, and no later than 48 hours of being provided said notice by email and facsimile, the District shall notify the County in writing (by email and facsimile) of any reasonable objections it has to the proposed change order with sufficient particularity so that the Contractor and/or the County can take whatever appropriate actions may be necessary to address the District's objection(s). It is understood and agreed by the Parties that any District approval regarding proposed change orders to the Dolphin Avenue Facilities shall be only in regards to the Relocation Work and not as to cost of the change in work, as any such change in cost shall be paid by the County pursuant to this Agreement. The District will be deemed to have approved any proposed change orders which are not so timely objected to in writing. In the event the District provides a timely written objection to any proposed change order, and the proposed change order is denied, delayed or reduced by the County in response to a District objection, the District shall hereby defend, indemnify and hold harmless the County from any and all liability, damages, claims, demands, and costs (including costs of defense and attorney fees) relating to, or arising from, any claims by the Contractor that said denial, delay or reduction was improper or unlawful. Although the County reserves the right to disregard any objection it receives from the District that the County deems to be unreasonable, the District's above obligation to defend, indemnify and hold harmless the County shall apply regardless of the reasonableness of the District's objection.
8. Notwithstanding the foregoing, the Parties recognize that exigent circumstances may arise at the job site where it would be impractical for the County to provide written notice to the District before the County ordered the Contractor to perform work relating to the relocation of District Utility Lines that is different than that set forth in the Construction Contract. Under such exigent circumstances, the County is not obliged to providing the District with any written notice before ordering the Contractor to perform the changed work. To the extent it is practical, the County shall try to consult with the District under such circumstances.
9. The construction of the relocation of any District Utility Lines performed under the Construction Contract shall be deemed completed on the earliest "completion" date under Public Contract Code Section 7107(c)). Upon such completion date, the District shall automatically assume full, complete, and sole ownership and control over the District Utility Lines installed as part of the Construction Contract, and shall be solely responsible for the operation and maintenance of said facilities. The County shall not be responsible for any costs incurred for any Relocation Work on any District Utility Lines after said

completion date, unless said costs are incurred as a result of a breach of an express obligation of the County provided for in this Agreement.

10. The District's failure to provide the County a timely written objection to a proposed payment to the Contractor under Section G.6. above shall constitute an acknowledgement by the District that it is not aware of any substandard or defective work or materials regarding any of the Relocation Work relating to the proposed payment. Prior to making a final payment to the Contractor, the County reserves the right to require that the District provide the County a list of any and all written objections it has provided the County pursuant to Sections G.5. and G.6. above that the District does not believe have been properly resolved. The District shall provide the County a written response within 5 (five) days of being provided a written notice by the County that the County is exercising its rights under this subsection. The District's written response shall either list and describe any such objections, or simply state that no such objections exist. If the District does not respond within said 5 (five) day period, the District shall be deemed to have acknowledged that no such objections exist.
11. The County's Construction Contract shall require that the District, its directors, officers, and employees be named as additional insured's for the Relocation Work under the general liability and automobile insurance policies of the construction Contractor.
12. The County's Construction Contract shall identify the District as an expressed third-party beneficiary of any and all terms, provisions, plans, specifications and drawings in the Construction Contract relating to any work and materials regarding any District Utility Lines and the District shall have all rights and remedies against the Contractor for latent and other defects.
13. The Construction Contract shall require the Contractor to defend, indemnify, and save harmless the District, its directors, officers, and employees in the same manner as the County under the Construction Contract.
14. Upon completion of the Project, the District will apply for an encroachment permit from County for any District Utility Lines within the County right of way. The District will be responsible for all general provisions of the encroachment permit, and the County agrees to issue the District said encroachment permit.

H. District Reimbursement of County Costs

1. The District shall reimburse the County for all reasonable costs incurred by the County relating to the the Relocation Work associated with the Other District Facilities including but not limited to (a) any Relocation Work relating to change orders approved by the County in a manner consistent with the terms of this Agreement, and (b) any amounts the County deems reasonable to pay the Contractor to settle any claims made by the Contractor regarding work under the Construction Contract relating to the relocation of any Other District Facilities.

2. The Parties agree that the portion of the County's internal costs (i.e. County Staff time) for Project administration work attributable to the Relocation Work (including, but not limited to costs relating to reviewing and assembling the bid package, advertising and evaluating bids, award of contract, pre-construction environmental planning and compliance, processing payments to the Contractor, and other Construction Contract administration) shall be calculated as 10 percent of the construction cost of the relocation of the Other District Facilities. The District shall reimburse the County for all of the County's 3P Costs (as defined in Section F.1. above).
3. In the event any reimbursable costs of the County exceed the Deposit Amount, the County shall provide to the District an invoice for said costs relating to the Relocation Work. The District shall remit payment to the County for each such invoice so that payment is received by the County within 20 days of the District's receipt of the invoice. The District shall owe the County interest on late payments in accordance with Public Contract Code Section 20104.50 (just as if the District was the "local agency" and the County was the "Contractor" under that statute).

I. General Provisions

1. Time is of the essence. If the District fails to act in a timely manner, and said failure causes the County to incur additional cost under the Construction Contract, the District shall reimburse the County for any and all such costs. Unless otherwise specified, whenever the term "day" or "days" is used herein, it shall mean calendar days.
2. The County reserves the right to not proceed with the Project, or any portion thereof, for any reason. In the event the County exercises such right in writing, no Relocation Work shall be required under this Agreement, and the District shall be obliged to reimburse the County for all costs incurred by the County relating to the Relocation Work up to the date the County provides such written notice.
3. The District shall defend, indemnify and save harmless the County, its officers, agents, and employees from any and all claims, demands, damages, costs, expenses, judgments or liability arising from any act or omission of the District that is negligent or otherwise in breach of this Agreement.
4. The County shall defend, indemnify and save harmless the District, its officers, agents, and employees from any and all claims, demands, damages, costs, expenses, judgments or liability arising from any act or omission of the County that is negligent or otherwise in breach of this Agreement.
5. This Agreement shall not be changed or modified except upon written consent of the parties hereto.
6. Non-enforcement of any term, covenant or provision of the Agreement by either party shall not be considered a waiver by that party of rights under that

Agreement or a waiver of any breach of the Agreement. To the extent any conduct of a party is construed as a waiver, the party's waiver of the breach of any one term, covenant or provision of this Agreement shall not be a waiver or a subsequent breach of the same term, covenant or provision of this Agreement or of the breach of any other term, covenant or provision of this Agreement.

7. This Agreement has been executed and delivered in, and shall be interpreted, construed, and enforced pursuant to and in accordance with the laws of the State of California. All duties and obligations of the parties created hereunder are performable in the County of San Luis Obispo; and such County shall be that venue for any action or proceeding that may be brought or arise out of, in connection with, or by reason of, this Agreement. If any action or other proceeding is filed to enforce or interpret this Agreement or any provision herein, the prevailing party shall be entitled to recover from the non-prevailing party, in addition to all other relief, its reasonable attorneys' and expert witnesses' fees, expenses and costs incurred in preparation for such action or proceeding, in pursuing such action or proceeding, on appeal from any such action or proceeding, and in collecting any monetary award resulting from such action or proceeding.
8. If any term, covenant, condition, or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby.
9. Unless otherwise provided, all notices herein required shall be in writing, shall be delivered either by email or United States first class mail, postage prepaid. Notices required to be given to County shall be addressed as follows:

First Class Mail Delivery
Department of Public Works
Room 207 County Government Center
San Luis Obispo, CA 93408
Attn: Dave Flynn, Deputy Director

-Or-

Email Delivery
dflynn@co.slo.ca.us
pwd@co.slo.ca.us

-Or-

Facsimile (Fax)
805-781-1229

Notices required to be given to District shall be addressed as follows:

First Class Mail Delivery
Oceano Community Services District
1655 Front Street
Oceano, CA 93445
Attn: Paavo Ogren, General Manager

-Or-

Email Delivery

paavo@oceanocsd.org

office@oceanocsd.org

-Or-

Facsimile (Fax)

805-481-6836

Notices sent by email or facsimile (fax) shall be deemed provided to, and received by, the other Party when the the email or facsimile (fax) was properly sent. Notices sent by first-class U.S. mail shall be deemed provided to the other Party on the third business day after it was sent. If this Agreement specifically provides notice by email and facsimile, such notices will not be deemed provided by any other means.

10. This Agreement is intended by the parties as a final expression of their understanding with respect to the matters contained herein and is a complete and exclusive statement of the terms and conditions thereof.
11. The time for the parties to commence and/or complete their obligations required by this Agreement shall be extended for such period reasonably necessary to take into account any delays caused by riots, insurrections, martial law, civil commotion, war, flood, earthquakes or other acts of God.
12. Each party to this Agreement agrees to do all things that may be necessary, including without limitation, the execution of all documents which may be required hereunder, in order to implement and effectuate this Agreement.
13. The parties acknowledge that each party and its attorneys have reviewed, negotiated and revised this Agreement; and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or any document executed and delivered by any party in connection with the transactions contemplated by this Agreement.
14. Unless this Agreement (or other applicable law) specifically requires an action by the County Board of Supervisors, all County actions under this Agreement are delegated to the County Director of Public Works (or the Director's designee). Unless this Agreement (or other applicable law) specifically requires an action by the District's Board, all District actions under this Agreement are delegated to the District's General Manager (or the General Manager's designee).
15. This Agreement is effective as of the date it is fully executed by the Parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year set forth below.

Oceano Community Services District

BY: _____

DATE: _____

ATTEST:

BY: _____
Clerk of the District

DATE: _____

COUNTY OF SAN LUIS OBISPO

BY: _____
Chairperson of the Board of Supervisors
County of San Luis Obispo
State of California

DATE: _____

ATTEST:

BY: _____
County Clerk and Ex-Officio Clerk
of the Board of Supervisors
County of San Luis Obispo
State of California

DATE: _____

APPROVED AS TO FORM AND LEGAL EFFECT

RITA NEAL
COUNTY COUNSEL

BY: _____
Deputy County Counsel

DATE: _____

BY: _____
District Counsel

DATE: _____

Exhibit A to Reimbursement Agreement

Other District Utilities

1. Paso Robles Street: relocate the waterline at project station 10+65; 15' right as shown on Sheet 8 of the project plans.
2. State Route 1: relocate the waterline at project station 10+90 as shown on Sheet 8 of the project plans.
3. Railroad Street: relocate the sewer line at project station 13+55 as shown on Sheet 12 of the project plans. Atlas information is different from pothole information obtained along the sewer line.
4. 15th Street: relocate the waterline at project station 13+80 as shown on Sheet 10 of the project plans.
5. 15th Street at Paso Robles Street: relocate the waterline at project station 10+15 as shown on Sheet 11 of the project plans.
6. Relocate any surface facilities or markers not yet identified to ensure 10-foot clearance from the edges of the proposed storm drain line and any appurtenances thereto.
7. Adjust to finished grade any valve or vault covers not yet identified.
8. Railroad Street: relocate waterline at station 13+45 as marked on Sheet 12 of plans

EXHIBIT A



Oceano Community Services District

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

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

Date: January 25, 2017

To: Board of Directors

From: Paavo Ogren, General Manager

Subject: **Agenda Item #8(C) : Introduction of Amendments to the District By-Laws with direction as the Board deems appropriate**

Recommendation

It is recommended that your Board consider amendments to the District By-Laws and provide direction as your Board deems appropriate.

Discussion

Attached are the District's current by-laws, which were most recently revised on September 25, 2013. Also attached are sample policies published by the California Special District's Association (CSDA), which include many of the provisions incorporated into the District By-Laws, plus more. Attached policy details from the CSDA include the following:

Series 1000 – General

Series 4000 – Board of Directors

Series 5000 – Board Meetings

Attachment "A" provides a quick comparison of the District By-Laws to the Series 4000 and 5000 CSDA policies. Those items "checked" indicate which policies in the CSDA Policy Handbook are addressed, to some extent, in the District By-Laws. The items with an "open box" indicate which policies in the CSDA Policy Handbook are not addressed in the District's current By-Laws.

Attachment "B" provides the complete Table of Contents from the CSDA Policy Handbook. It includes additional policies relating to Personnel, Operations, Facilities Development, and Environmental. Separately, the CSDA also has specific policies handbooks relating to finances and financial reserves, as examples.

Introduction of the amendments to the By-Laws, at this time, is intended as the first step in updating the District's policies and procedures manual and completing the District's codification. Some policy revisions may require comparison to the Memorandum of Understanding with the Service Employees International Union, Local 620, and may require "meet and confer" with Union Representatives.



Overall, staff proposes the following two-step effort for reviewing the By-Laws and possible amendments.

Step #1: Review existing By-Laws and provide direction on possible amendments.

Step #2: Compare By-Laws to CSDA Policy Handbook and provide direction on possible amendments.

Regarding Step #1, Attachment "C" identifies items within the existing By-Laws that staff has identified for discussion with your Board. The following is a list of those items:

- Time and Date of Regular Meetings
- Agenda items relating to quasi-judicial and enforcement actions pertaining to specific properties
- Director requests for agenda items
- Communication between the General Manager and individual Board Members, including distribution of information and analysis
- Evaluation of consultants
- Board Member training for NIMS (National Incident Management System)

Regarding Step #2, the applicable sections of the CSDA Policy Handbook are included as Attachment "D." Additional comparison of the existing By-Laws to CSDA Policy Handbook will be provided at a subsequent Board meeting. The question at this time regarding the CSDA Policy Handbook is whether to conform the District By-Laws to the CSDA policies.

Conforming District By-Laws to the CSDA Policy Handbook

The advantage of conforming the District By-Laws to the CSDA Policy Handbook is that doing so will support a consistent and systematic approach for reviewing and updating the District's By-Law. It will also promote administrative efficiencies by creating a framework for updates. Conforming to the CSDA Policy Handbook does not, however, suggest that the policy handbook will be used verbatim.

Several examples exist of local agencies adopting ordinances, codes, policies and manuals produced by the State of California or other associations. For example, adopting the Uniform Fire Code, the Uniform Building Code and other related codes is common practice by local agencies. Often, in doing so, local agencies will adopt modifications to those codes to tailor them to the preferences of the local agencies. Recently, your Board opted into the Uniform Public Construction Cost Accounting Act and in doing so agreed to utilize the Cost Accounting Policies and Procedures Manual approved by the State Controller. Utilizing the manual eliminated District costs that would have been incurred to develop construction related policies and promotes consistency between District policy and State and industry standards.



In a similar manner, utilizing the CSDA Policy Handbook will help ensure that the District is comparing its By-Laws (and other policies at a later date) to general industry standards. Undoubtedly, there are provisions in the CSDA Policy Handbook that are non-applicable to OCSD and others would be edited to reflect existing OCSD policy. The initial task of conforming the District's By-Laws to the CSDA format, and providing a comparative analysis for Board review, will take some additional up-front effort. In the long run, as the CSDA Policy Handbook is updated (currently in its 5th edition), the District's effort will be less time consuming, and consistency with industry standards will be promoted.

In summary, attachment "C" includes items for Board discussion and direction for Step #1. Other items that Board members may wish to discuss relating to the existing By-Laws would also be appropriate. With Board concurrence, staff will also initiate Step #2 for Board consideration in February 2017.

Other Agency Involvement

Staff reviewed the by-laws of the South San Luis Obispo County Sanitation District and the Cambria Community Services District, the later which was posted on the CSDA website. Both had similar formatting to the OCSD By-Laws although content varied.

Other Financial Considerations

n/a

Results

Review and update to the District's By-Laws promotes a well governed community.

Attachments:

- A. Quick comparison of OCSD By-Laws to the CSDA Policy Handbook.
- B. CSDA Policy Handbook, Table of Contents, 5th Edition
- C. Step 1 & Review of By-Law items
- D. CSDA Policy Handbook, select sections, 5th Edition
- E. District By-Laws (Adopted September 2013)
- F. NIMS(National Incident Management System) FAQs

“Quick” Comparison OCSD By-Laws to CSDA Policy Handbook

SERIES 4000: BOARD OF DIRECTORS

POLICY # POLICY TITLE

- ✓ 4005 Operating Principles of the Board (Norms)
- ✓ 4010 Code of Ethics
- 4015 Voluntary Candidate Expenditure Ceiling
- ✓ 4020 Attendance at Meetings
- ✓ 4025 Expenditure Reimbursement
- ✓ 4030 Remuneration
- 4035 Directors' Health Insurance
- ✓ 4040 Duties of Board President
- 4045 Board Secretary
- 4047 Clerk of the Board
- ✓ 4048 Legal Counsel and Auditor
- ✓ 4050 Members of the Board of Directors
- ✓ 4060 Committees of the Board of Directors
- ✓ 4070 Basis of Authority
- 4080 Membership in Associations
- ✓ 4090 Training, Education and Conferences
- ✓ 4095 Ethics Training
- ✓ 4097 Filling of Vacancy(s) on Board of Directors (Trustees)

SERIES 5000: BOARD MEETINGS

POLICY # POLICY TITLE

- ✓ 5010 Board Meetings
- ✓ 5020 Board Meeting Agenda
- ✓ 5030 Board Meeting Conduct
- ✓ 5040 Board Actions and Decisions
- 5050 Review of Administrative Decisions
- ✓ 5060 Minutes of Board Meetings
- ✓ 5070 Rules of Order for Board and Committee Meetings

California Special Districts Association

SAMPLE POLICY HANDBOOK

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SERIES 4000: BOARD OF DIRECTORS

<u>POLICY #</u>	<u>POLICY TITLE</u>
4005	Operating Principles of the Board (Norms)
4010	Code of Ethics
4015	Voluntary Candidate Expenditure Ceiling

4020	Attendance at Meetings
4025	Expenditure Reimbursement
4030	Remuneration
4035	Directors' Health Insurance
4040	Duties of Board President
4045	Board Secretary
4047	Clerk of the Board
4048	Legal Counsel and Auditor
4050	Members of the Board of Directors
4060	Committees of the Board of Directors
4070	Basis of Authority
4080	Membership in Associations
4090	Training, Education and Conferences
4095	Ethics Training
4097	Filling of Vacancy(s) on Board of Directors (Trustees)

SERIES 5000: BOARD MEETINGS

<u>POLICY #</u>	<u>POLICY TITLE</u>
5010	Board Meetings
5020	Board Meeting Agenda
5030	Board Meeting Conduct
5040	Board Actions and Decisions
5050	Review of Administrative Decisions
5060	Minutes of Board Meetings
5070	Rules of Order for Board and Committee Meetings

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9060	Environmental Policy - Purchasing
9070	Environmental Policy - Meeting Planning
9080	Environmental Policy - Transportation
9090	Indoor Environment



2017 OCSD By-Law Review

Step #1

The following items have been identified for Board discussion as part of the 2017 By-Law review.

- Time and Date of Regular Meetings
- Agenda items relating to quasi-judicial and enforcement actions pertaining to specific properties
- Director requests for agenda items
- Communication between the General Manager and individual Board Members, including distribution of information and analysis
- Evaluation of consultants
- Board Member training for NIMS (National Incident Management System)

Time and Date of Regular Meetings and Cancellation of Meetings

Does the Board wish to consider a different start time for regular meetings?

Should the General Manager and President have the ability to cancel a meeting?

Agenda items relating to quasi-judicial and enforcement actions pertaining to specific properties

Does the Board wish to conduct quasi-judicial and enforcement actions pertaining to specific properties during special meetings?

Discussion – Quasi-judicial and enforcement issues can often be sensitive issues pertaining to specific property owners and involve important consideration of facts. The time needed can often exceed the agenda time during regular meetings. In addition, scheduling these issues as part of special meetings will increase the ability to coordinate timing with other parties and enhances the ability to conduct the meetings during regular business hours.



Director requests for agenda items

The existing By-Laws include multiple provisions for agenda item requests:

Section 2.3 - The General Manager, in cooperation with the Board at the prior meeting shall prepare an agenda for each regular and special meeting of the Board. Any Director, before or during a regular meeting, may request that the General Manager place an item on the agenda. The General Manager may also put emergent District business on the agenda. Items being placed on any agenda are subject to Brown Act regulations

Section 2.4 - (c) The President or a majority of the Board itself may direct staff to place a matter on a future agenda.

Section 7.3 (Pertaining to information requests of the General Manager) If the information still cannot be provided the General Manager shall, or the Board Members shall direct the General Manager to, place an item on the Board agenda for direction as to the Board's desire and method of providing the information.

Altogether, the items could be combined into a single provision that addresses existing language.

Proposed Language:

The General Manager is responsible for preparing the agenda for each regular and special meeting of the Board. During each regular meeting, the agenda will include an item entitled "Future Agenda Items" that will provide the General Manager with the opportunity to discuss anticipated future agenda items, and will provide the Board the opportunity to direct the General Manager to include specific items on future agendas. In addition, between Regular Meetings, any Board member may request the General Manager to include an item on an agenda without concurrence of other Board members. In consideration of an individual Board member's request, it shall be the General Manager's discretion whether the item is scheduled on the agenda as a separate and distinct item, with a staff report, or whether the request is specifically listed on the agenda under "Future Agenda Items," which shall also identify the Board member requesting the agenda item. In deciding whether to create a separate and distinct item for the agenda, including a staff report, the General Manager shall consider the timing of the request, how the request compares to existing work and priorities, and whether the item should be considered by the Board as a whole. In the event that the General Manager concludes that the item should be listed under "Future Agenda Items," the Board member making the request will be provided an opportunity to discuss the request with the Board as a whole and seek majority support for the future agenda item. The Board as a whole will consider the request while also considering the District's priorities, impacts on workloads, the needs of the District, and other factors deemed appropriate by the Board.



Communication between the General Manager and individual Board Members, including distribution of information and analysis

Language should be considered that would prohibit the General Manager from sharing with any Board member the opinions and conversations that the General Manager has with other Board members, except as otherwise provided in the By-Laws, because doing so could restrict Board members ability to discuss issues with another Board member of their choice.

Language should be considered requiring the General Manager to distribute information and other correspondence to Board members through email blind copies in order to reduce the likelihood that Board members inadvertently exchange emails between each other that could violate the Brown Act.

Language should also be considered that distinguishes between Board Member requests for information versus Board Member requests for analysis. Distribution of existing information should be provided to Board members as soon as practical, with copies to all Board members. In contrast, requests for analysis may be deemed as a de-facto request for a Future Agenda Item.

Evaluation of Consultants

Section 12 provides that the District consultants, including the District's legal counsel and Consulting Engineer, shall be evaluated annually during the months of May or June. It does not specify if the evaluations are conducted by the Board or the General Manager.

Formal evaluations of consultants is not normally performed by governing Boards. Consultant contracts are performance based and termination of consultants does not require progressive disciplinary measures. Instead, poor performance is usually considered by a governing Board in closed session if a concern exists that the consultant is not adhering to the terms of the consultant agreement – which would be a potential breach of contract and procedurally addressed different from a performance evaluation. In addition, the District consulting engineering agreements are not “exclusive,” there is no guarantee of work, and if workload or other concerns arise regarding a consulting engineer, the District may engage with another consulting engineer, as needed.

District legal counsel does provide advise directly to the Governing Board.



Oceano Community Services District

Board of Directors Meeting

Board Member training for NIMS (National Incident Management System)

Section 13.1 requires that Board members are trained on the National Incident Management System.

Some specificity on training may be appropriate. The following is a link to the NIMS training

https://www.fema.gov/pdf/emergency/nims/nims_training_program.pdf

Figure 8, Page 20 has specific recommendations for "Senior Elected and Appointed Officials Training Needs," including:

G-402 - Incident Command System (ICS) Overview for Executives/Senior Officials; and,

G-191 Training based on jurisdiction risk and/or specific interest

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Purpose of Board Policies

POLICY NUMBER: 1000

1000.1 It is the intent of the Board of Directors of the [DISTRICT] to maintain a Manual of Policies. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board from time to time. The Manual of Policies will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of District business are to be conducted.

1000.2 If any policy or portion of a policy contained within the Manual of Policies is in conflict with rules, regulations or legislation having authority over [DISTRICT], said rules, regulations or legislation shall prevail.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Adoption/Amendment of Policies
POLICY NUMBER: 1010

1010.1 Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director or the General Manager. The proposed adoption or amendment shall be initiated by a Director or the General Manager submitting a written draft of the proposed new or amended policy to the Board Chairperson and the General Manager by way of the District office, and requesting that the item be included for consideration on the agenda of the next appropriate regular meeting of the Board of Directors.

1010.2 Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors in accordance with the district's state statutes regarding the constitution of a majority vote.

1010.3 Copies of the proposed new or amended policy shall be included in the agenda-information packet for any meeting in which they are scheduled for consideration (listed on the agenda). A copy of the proposed new or amended policy(ies) shall be made available to each Director for review at least 72 hours, per the Brown Act, prior to any meeting at which the policy(ies) are to be considered.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Conflict of Interest
POLICY NUMBER: 1020

1020.1 The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. §18730) which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A in which members of the Board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the conflict of interest code of the [DISTRICT] District.

1020.2 Designated employees shall file statements of economic interests with the Clerk of the County of [name of county].

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Public Complaints

POLICY NUMBER: 1030

1030.1 The Board of Directors desires that public complaints be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic.

1030.2 A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state, or federal statute of which the individual has been adversely affected.

1030.3 The method of resolving complaints shall be as follows:

1030.3.1 The individual with a complaint shall first discuss the matter with the Office Manager [or other responsible employee] with the objective of resolving the matter informally.

1030.3.2 If the individual registering the complaint is not satisfied with the disposition of the complaint by the Office Manager [or other responsible employee], it shall be forwarded to the General Manager [or other responsible managing employee]. At the option of the General Manager [or other responsible managing employee], he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The General Manager [or other responsible managing employee] shall memorialize his/her decision in writing, with the individual registering the complaint being provided a copy.

1030.3.3 If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager [or other responsible managing employee], they may request consideration by the Board of Directors by filing said request in writing within ten (10) days of receiving the General Manager's [or other responsible managing employee's] decision. The Board may consider the matter at its next regular meeting, or call a special meeting. In making a decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. The Board's final decision shall be memorialized in writing with the individual registering the complaint being provided a copy.

1030.4 This policy is not intended to prohibit or deter a member of the community or staff member from appearing before the Board to verbally present a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Claims Against the District

POLICY NUMBER: 1040

The purpose of this policy is to provide direction to District staff for processing and resolving (if possible) account adjustment requests and property damage claims against the District. Inherent in this policy is the recognition that every adjustment request or claim will be unique, and that guidelines cannot be written to accommodate every case. Therefore, staff must use discretion and good sense in handling each claim.

1040.1 Property (Land and Improvements) Damage Claims

In the course of the District's operations – [*list several examples of routine district operations or services*] – damage to land and improvements thereon occasionally occurs due to the proximity of the District's facilities to the private property. When District employees are aware that property has been damaged in the course of their work, restorative measures are to be taken to return the property as close to its original condition as possible.

When a property owner informs a District employee of damage to their property (by telephone or in person), the employee receiving the claim will document in writing the time and date, and a description of the stated circumstances and allegations. Employees should respond to questions, be cordial and respectful, but refrain from commenting on liability questions.

As soon as possible after information about the damage has been received, it shall be given to the appropriate division manager [*replace position title with appropriate position title for your district*]. The division manager, or his/her designee, shall investigate the property owner's allegations

If the owner of damaged property informs a member of the Board of Directors, the information will be given to the General Manager. Directors should not independently investigate claims, but may go with staff to observe.

Investigations shall be done in a timely fashion and documented with a written report, including photographs and/or interviews, when appropriate. A copy of the report shall be submitted to the General Manager.

If the investigating staff person is convinced that the damage was caused by District personnel, equipment, or infrastructure, he/she shall prepare a work order to have the damage repaired, subject to the following conditions:

- (a) Property owner agrees that the proposed repairs are appropriate and adequate;
- (b) Property owner agrees to allow District personnel access to their property to perform the repair work;
- (c) District personnel have the necessary tools, equipment, and expertise to perform the necessary work;
- (d) Repair work can be accomplished within a reasonable amount of time; and,
- (e) Cost of material for the repairs will not exceed \$500.

If the cost of material for repairs is stated by claimant or estimated by staff to exceed \$500, the owner will be asked to submit their claim in writing on a District claim form [*attached hereto as Appendix A*].

The General Manager shall review the damage claim and the proposed repair work. If he/she determines that the damage is the District's responsibility and that the proposed repair work is appropriate, he/she may authorize the work if the cost of material for the repairs will not exceed \$1,500. A report shall be submitted to the Claims Committee [*standing board committee assigned to review claims of this nature*] describing the damage claim, including a description of the manner in which it was resolved.

If the cost of material for repairs is stated by claimant or estimated to exceed \$1,500, the claim will be submitted to the Claims Committee. The Claims Committee shall review the claim and receive input from staff in closed session [*qualifies as "anticipated litigation" under the Brown Act*]. After reviewing the damage claim, the Committee may authorize the work if the cost of material for the repairs will not exceed \$3,000, or may make a recommendation to the Board of Directors. A report shall be submitted to the Board describing the damage claim, including a description of the manner in which it was resolved, or a recommendation for Board action. The claimant shall be notified of any action by the Committee regarding their claim.

If the cost of material for repairs is stated by claimant or estimated to exceed \$3,000, the claim will be submitted to the Board of Directors for its consideration. The Board will consider the claim during a closed session [*"anticipated litigation"*] of a regular or special meeting. Action to accept or reject the claim may be taken in open or closed session. The claimant shall be notified of the Board's action regarding their claim. Notification that a claim has been rejected shall be accompanied by proof of service.

The Board will not consider a claim of an amount in excess of the insurance deductible (currently \$10,000), including the cost of investigation, without prior written approval of the District's insurance company.

Claims in excess of the District's insurance deductible shall be forwarded to the insurance company, and the claimant shall be advised of this action.

Claims for personal injury/wrongful death shall not be investigated by District staff or directors but shall be immediately forwarded to the District's insurance company.

1040.2 Property (Vehicles and Unsecured Property) Damage Claims

All claims of damage to vehicles or other unsecured property shall be submitted to the General Manager. He/she shall review the damage claim and the requested restitution. If he/she determines that the damage is the District's responsibility, he/she may authorize repairs or reimbursement of expenses to an amount not to exceed \$1,500. A report shall be submitted to the Claims Committee describing the damage claim, including a description of the manner in which it was resolved.

The claim will be processed as described above if the cost of material for repairs is estimated to exceed \$1,500.

1040.3 Property Damage Claims On District Form

Except for damage to land and improvements estimated to cost less than \$500, all damage claims must be submitted in writing on a District claim form. This will ensure that a claim is valid and protect important rights of the District.

If an individual does not wish to file a claim on the District form, he/she may present the claim by letter if it conforms to Section 910 and Section 910.2, California Government Code. Section 910 specifies that a claim needs to show all of the following:

- (a) The name and post office address of the claimant.
- (b) The post office address to which the person presenting the claim desires notices to be sent.
- (c) The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted.
- (d) A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known as the time of presentation of the claim.
- (e) The name or names of the public employee or employees causing the injury, damage, or loss, if known.
- (f) The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.

Section 910.2 of the California Government Code specifies the following:

The claim shall be signed by the claimant or by some person on his behalf. Claims against local public entities for supplies, materials, equipment or services need not be signed by the claimant or on his behalf if presented on a billhead or invoice regularly used in the conduct of the business of the claimant.

If the filed letter/claim does not meet the requirements of the California Government Code §910 and §910.2, then a letter shall be sent to the claimant informing them of this fact.

District staff shall provide no assistance to the claimant in filling out the claim form. Claimant must fill out the claim form in its entirety and submit it via mail, FAX, or personal delivery to the District office. Upon receipt, office staff shall date-stamp the document.

1040.4 Account Adjustment Requests [*APPROPRIATE FOR UTILITY-TYPE DISTRICTS*]

The General Manager, or the Finance Division Manager [*Business Manager, Chief Financial Officer, Treasurer or other appropriate position title*] in his/her absence, is authorized to adjust a customer's water service [*sewer, garbage, electricity, etc.*] account when their bill reflects usage that is significantly greater than normal, due to accidental loss of water through broken pipes or when faucets are turned on in the owner's absence, etc. [*or other type of abnormal account cost*], subject to the following conditions:

- (a) the customer requests the account adjustment in writing;
- (b) a similar request has not been made within the past 12 months; and,
- (c) the account shows no record of being delinquent for more than 60 days during the past 24 months.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Copying Public Documents
POLICY NUMBER: 1050

1050.1 Individuals requesting copies of public documents shall be charged a reasonable fee based upon the cost to produce the copy (\$.___ per sheet) to defray expenses associated with the copying process.

1050.2 Copies of agendas and other writings (except for privileged documents) distributed to a majority of the Board of Directors at open Board meetings shall be made available to the public. A limited quantity of such documents (based on normal audience attendance) shall be copied in advance of each meeting and made available to the public in attendance at no charge. Individuals requesting copies of such documents prior to the Board meeting will be charged \$.___ per sheet. The copy charge may be levied at Board meetings for copies of documents if more are needed and/or requested in addition to those normally prepared for the public at Board meetings.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Public Contributions

POLICY NUMBER: 1060

1060.1 Donations from members of the public to the District for a public purpose that is within the scope of the District's responsibilities will be accepted. The Finance Division Manager will provide a receipt for said donation and include the District's tax identification number thereon.

1060.2 Donations must be clearly marked as such. Deposits by a property owner with a service account will be assumed to be a payment toward their account's unpaid balance, or payment in advance of billing in the event the account does not have an unpaid balance, if the deposit is not clearly marked as a being a donation for a specific public purpose.

1060.3 By accepting donations, the District is not claiming to be qualified by the Internal Revenue Service as being a charitable organization for which donations may be considered tax deductible. Determination of how donations to the District are to be treated relative to the donor's tax liability is strictly the responsibility of the donor.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Operating Principles of the Board (Norms)

POLICY NUMBER: 4005

4005.1 IMPLEMENTATION

- The [DISTRICT] is committed to practice these norms, whereupon we will evaluate, learn, and adjust according to what we learn.
- Upon the occasion of the occurrence of what appears to be a breach of these norms, we are committed to addressing this perception first to the individual(s) involved, before raising the issue with the Board itself. Because we value learning and improvement, we are committed to debriefing each of these at each of our Board meetings.

4005.2 COMMUNICATION NORMS

- All communication will be accurate and brief.
- Board and staff will attempt to describe our behavior before we engage in it, and actively listen when communicated with.
- Always Check Your Assumptions (C.Y.A.).
- Revisit and display these norms at each Board meeting.

4005.3 PROCESS NORMS

- The Board needs to address and resolve policy issues and set priorities. The Team is committed to doing this by practicing the building of consensus and orderly implementation.
- The Team is committed to [DISTRICT]'s mission and to work as a team.
- The Team needs to monitor and respond to changes in the market and environment.
- Staff needs to make available all information and analysis of alternatives so that the Board can make "reasoned decisions."
- The Board will jointly discuss and identify its interest(s) prior to establishing a position and negotiating with external organizations.
- All requests from the Board for information/agenda items will be funneled through the General Manager and distributed to all Board members.

4005.3 RELATIONSHIP NORMS

- Create an environment that promotes respect and appreciation between the Board, Staff, Consultants, and customers.
- Fundamental agreement that the focus of [DISTRICT]'s mission is its accomplishments and future vision that meets the needs of its customers.
- Establish, accept and support common purpose and vision.
- The "Team" includes the Board, Staff, Consultants and Membership.

4005.4 CAPACITY NORMS

- Continue the process of hiring qualified personnel.
- Expand education for the Board, Staff and Consultants.
- Expect creative decision-making.
- Maintain competitive advantage by adhering to a policy of updating technology and resources.
- Ensure a cooperative and open work environment.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Code of Ethics
POLICY NUMBER: 4010

4010.1 The Board of Directors of [DISTRICT NAME] is committed to providing excellence in legislative leadership that results in the provision of the highest quality services to its constituents and to comply with State laws including AB 1234 (Salinas) approved in 2006.(copy attached as reference)

In order to assist in the governance of the behavior between and among members of the Board of Directors and District staff, the following rules shall be observed.

4010.1.1 The dignity, style, values and opinions of each Director shall be respected.

4010.1.2 Responsiveness and attentive listening in communication is encouraged.

4010.1.3 The needs of the District's constituents should be the priority of the Board of Directors. When a Director believes he/she may have a conflict of interest, the legal counsel shall be requested to make a determination if one exists or not.

4010.1.4 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

4010.1.5 Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

4010.1.6 Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.

4010.1.7 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

4010.1.8 Directors should practice the following procedures:

4010.1.8.1 In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement,

upgrade, or enhance their knowledge to improve legislative decision-making.

4010.1.8.2 In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.

4010.1.8.3 In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.

4010.1.8.4 In presenting items for discussion at Board meetings, See Policy #5020.

4010.1.8.5 In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager or legal counsel.

4010.1.9 If approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor or General Manager. The chain of command should be followed.

4010.2 The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

4010.2.1 When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

4010.2.2 Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.

4010.2.3 Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.

4010.2.4 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Voluntary Candidate Expenditure Ceiling
POLICY NUMBER: 4015

4015.1 In accordance with *Government Code §85400* (Proposition 208), the voluntary expenditure ceiling for candidates for the Board of Directors of [DISTRICT NAME], and controlled committees of such candidates, shall be one dollar (\$1) per resident for each election in which the candidate is seeking election to the Board of Directors.

4015.2 Proposition 208 establishes a two-tiered scheme of campaign contribution limitations applicable to candidates running for local office based on whether the recipient candidate accepts or rejects the voluntary expenditure ceiling established by the local jurisdiction. The decision by a candidate as to whether to accept the ceiling must be made before a candidate accepts any contributions.

4015.2.1 If a candidate for the Board of Directors elects to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to \$250.

4015.2.2 If a candidate for the Board of Directors elects not to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to \$100.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Attendance at Meetings

POLICY NUMBER: 4020

4020.1 Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Expenditure Reimbursement

POLICY NUMBER: 4025

4025.1 Purpose. The purpose of this policy is to prescribe the manner in which District employees and directors may be reimbursed for expenditures related to District business.

4025.2 Scope. This policy applies to all employees and members of the Board of Directors and is intended to result in no personal gain or loss to an employee or director.

4025.3 Implementation. Whenever District employees or directors desire to be reimbursed for out-of-pocket expenses for item(s) or service(s) appropriately relating to District business, they shall submit their requests on a reimbursement form approved by the General Manager. Included on the reimbursement form will be an explanation of the District-related purpose for the expenditure(s), and receipts evidencing each expense shall be attached.

4025.4.1 The Finance Division Manager or the General Manager will review and approve reimbursement requests. Reimbursement requests by the Finance Division Manager will be reviewed and approved by the General Manager. Reimbursement requests by the General Manager will be reviewed and approved by the Finance Division Manager.

4025.4.2 All expenses must be reasonable and necessary, and employees and directors are encouraged to exercise prudence in all expenditures.

4025.4.3 The most economical mode and class of transportation reasonably consistent with scheduling requirements will be used. In the event a more expensive class of transportation is used, the reimbursable amount will be limited to the cost of the most economical class of transportation available. Reimbursement for use of personal vehicles will be at the applicable IRS-approved rate.

4025.4.4 Expenditures for food and lodging will be moderate and reasonable.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Remuneration

POLICY NUMBER: 4030

4030.1 Members of the Board of Directors shall receive a monthly "Director's Fee," the amount of which shall be established annually by the Board at its regular meeting in July and be consistent with applicable state law.

[refer to *Special Districts: Compensation for Directors and Trustees* for individual district type government code sections.]

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Directors' Health Insurance
POLICY NUMBER: 4035

4035.1 Members of the Board of Directors of the *[insert district name]* may participate in the health benefits plan provided by the District through the Public Employees Retirement System *[specify name of district's program if different]* on a self-pay basis. The District will pay the minimum monthly enrollment fee – currently set at \$___ - for each enrolled Director required of it by the Public Employees' Medical and Hospital Care Act. *[Specify details of district's payment on behalf of directors if different than the foregoing.]*

4035.2 In accordance with Government Code §53208.5, the benefits provided to Directors by the health benefits plan may not be greater than the most generous schedule of benefits being received by any group of District employees. Family members of the Director are also eligible for enrollment in the health benefits plan in accordance with the Act and Regulations of the PERS Board of Administration.

4035.3 The health benefits plan for Directors will be available only to active members of the Board of Directors, and shall not be available after a Director is no longer an elected or appointed official of the District.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Duties of Board President

POLICY NUMBER: 4040

4040.1 The President of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

4040.2 In the absence of the President, the Vice President of the Board of Directors shall serve as chairperson over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining members present shall select one of themselves to act as chairperson of the meeting.

4040.3 DUTIES Regarding Meetings of the Board

The president shall preside over and conduct all meetings of the Board of Directors, and shall carry out the resolution and orders of the Board of Directors and shall exercise such other powers and perform such other duties as the Board of Directors shall prescribe including the following:

1. Call the meeting to order at the appointed time;
2. Announce the business to come before the Board in its proper order;
3. Enforce the Board's policies in relation to the order of business and the conduct of meetings;
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
5. Explain what the effect of a motion would be if it is not clear to every member;
6. Restrict discussion to the question when a motion is before the Board;
7. Rule on parliamentary procedure; and
8. Put motions to a vote, and state clearly the results of the vote.

4040.4 RESPONSIBILITIES

The president shall have all the rights to discuss and vote on any issues before the Board, but not to move or second any motion. If the president wishes to move or second a motion he/she must pass the gavel to the Vice-President and step down as the presiding officer for that particular agenda item. Responsibilities of the President include:

1. Sign all instruments, act, and carry out stated requirements and the will of the Board;
2. Sign the minutes of the Board meeting following their approval;
3. Appoint and disband all committees, subject to Board ratification;
4. Call such meetings of the Board as he/she may deem necessary, giving notice as prescribed by

- law;
5. Coordinate the preparation of meeting agendas with the General Manager;
 6. Confer with the General Manager or designee on crucial matters which may occur between Board of Directors meetings;
 7. Be responsible for the orderly conduct of all Board meetings;
 8. Be the Spokesperson for the Board; and
 9. Perform other duties as authorized by the Board.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Board Secretary

POLICY NUMBER: 4045

4045 The position of Secretary of the Board of Directors is required by state law. The Secretary performs duties including recording of minutes and actions of the Board of Directors and certifying all actions and resolutions of the Board.

4045.1 If for any reason the President and Vice-President resign or are absent or disabled, the Secretary shall perform the President's duties until the position of President is filled.

4045.2 If for any reason the President and Vice-President disqualify themselves from participating in an agenda item or become partisan in the debate on any such item, the Secretary shall perform the duties of the presiding officer.

4045.3 DUTIES of the Secretary

The secretary of the Governing Board shall have the following duties:

1. Certify or attest to actions taken by the Board when required;
2. Sign the minutes of the Board meeting following their approval;
3. Sign the documents as directed by the Board on behalf of the Authority, and sign all other items which require the signature of the Secretary; and
4. Perform any other duties assigned by the Board.

4045.4 RESPONSIBILITIES of the Secretary

It is the responsibility of the Secretary with assistance of the agency Executive Officer to ensure:

1. Minutes of the Board of Directors meetings are recorded. These recordings are for use by the Secretary only for the purpose of preparing minutes for adoption at the next regularly scheduled meeting of the Board. Upon adoption of these minutes the recording media will be reused;
2. Minutes of each Board meeting are prepared and maintained;
3. Board records and other documents & reports are maintained, as required by law; and
4. Board officers receive the correspondence addressed to them.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Clerk of the Board

POLICY NUMBER: 4047

4047.1 The Clerk of the Board shall be responsible for performing the duties imposed by law or District Resolution. Additionally, the duties of the Clerk of the Board include:

1. May provide input in formulating the budget of the office of the Board and have the authority to expend funds in accordance with the annual budget of the Board.
2. Manage the office of the Board and responsibility for maintaining confidential information and files; prepare the Board agenda, minutes, resolutions, ordinances, notices and other related matters.
3. Attend Regular, Special, Emergency, and Adjourned Board meetings and other meetings as required, taking non-verbatim notes of business transacted and prepare minutes; post/publish all notices and agendas required by law.
4. Prepare reports, memoranda and other documents; act as custodian of the District seal; serve as filing officer or filing official.
5. Be responsible for receiving, forwarding or retaining statements of economic interest or campaign statements in accordance with California Code of Regulations, Title 2, Section 18227;.
6. Maintain resolutions, ordinances, Board approved policies and District agreements; attest to ordinances and resolutions, and accept correspondence on behalf of the Board.

4047.2 The Board may appoint an Assistant to the Clerk of the Board to perform the duties of the Clerk of the Board in the absence of the Clerk.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Legal Counsel and Auditor
POLICY NUMBER: 4048

4048 The Board of Directors shall appoint a Legal Counsel to assist the Board and District in all applicable issues and activities.

4048.1 Legal Counsel shall be the legal adviser of the District and shall perform such duties as may be prescribed by the Board of Directors. Legal Counsel is required to review and approve as to form District legal documents, i.e. contracts, agreements, etc. The Legal Counsel shall present and report on all legal issues and Closed Session items before the Board. The Legal Counsel shall serve at the pleasure of the Board, and shall be compensated for services as determined by the Board.

4048.1.2 The Legal Counsel reports to the Board as a whole but is available to each director for consultation regarding legal matters particular to that Board members participation. No Board member may request a legal opinion of legal counsel without concurrence by the Board except as such requests relate to questions regarding that member's participation. The Legal Counsel shall be available to the District General Manager for consultation on applicable issues and activities.

4048.2 The District Auditor shall be appointed by the Board by a majority vote in a public meeting. The Board shall determine the duties and compensation of the Auditor. The Auditor shall serve at the pleasure of the Board. Selection of the Auditor shall be done in a noticed public meeting and at least every five years.

4048.2.1 The Board may appoint a committee to oversee the work of an independent auditor, who will report to the Board, to conduct an annual audit of the District's books, records, and financial affairs in accordance with state law and the Finance Committee Charter for Audit Compliance. The Chief Financial Officer/General Manager will install and maintain an accounting system that will completely and at all times show the financial condition of the District.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Members of the Board of Directors

POLICY NUMBER: 4050

4050.1 Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings.

4050.1.1 Information exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

4050.1.2 Copies of information exchanged before meetings shall be available at the meeting for members of the public in attendance, and shall also be provided to anyone not present upon their request.

4050.2 Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.

4050.3 Directors shall defer to the chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.

4050.4 Directors may request for inclusion into minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

4050.5 Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities.

4050.6 Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Committees of the Board of Directors

POLICY NUMBER: 4060

4060.1 The Board President shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

4060.2 The following shall be standing committees of the Board:

4060.2.1 Planning Committee;

4060.2.2 Ordinance Committee;

4060.2.3 Personnel Committee;

4060.2.4 Finance Committee; and,

4060.2.5 Public Relations Committee.

4060.3 The Board President shall appoint and publicly announce the members of the standing committees for the ensuing year no later than the Board's regular meeting in January.

4060.4 The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board President, a majority vote of the Board, or on their own initiative. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

4060.4.1 All meetings of standing committees shall conform to all open meeting laws (e.g., "Brown Act") that pertain to regular meetings of the Board of Directors.

4060.5 The Board's standing Planning Committee shall be concerned with the formulation of plans for arranging, realizing, and/or achieving District goals.

4060.6 The Board's standing Ordinance Committee shall be concerned with proposed ordinances, resolutions and/or District policies, except those pertaining specifically to personnel.

4060.7 The Board's standing Personnel Committee shall be concerned with the functions, activities, operations, compensation and welfare of District staff.

4060.8 The Board's standing Finance Committee shall be concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.

4060.9 The Board's standing Public Information Committee shall be concerned with assuring that information regarding the affairs of the District is adequately and appropriately communicated to its constituents and the public at large.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Basis of Authority

POLICY NUMBER: 4070

4070.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

4070.2 Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Membership in Associations

POLICY NUMBER: 4080

4080.1 The Board of Directors shall ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the District, and shall look upon such memberships as an opportunity for in-service training.

4080.2 The Board of Directors shall maintain membership in the California Special Districts Association and shall ensure that annual dues are paid when due.

4080.3 The Board of Directors shall maintain membership in the [LOCAL] Chapter of the California Special Districts Association and shall ensure that annual dues are paid when due.

4080.3.1 At the regular Board meeting in [MONTH], a member of the Board shall be selected to represent the District in accordance with said chapter's constitution/bylaws, and another member of the Board or staff member shall at the same time be selected to serve as an alternate for the representation.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Training, Education and Conferences
POLICY NUMBER: 4090

4090.1 Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

4090.1.1 "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.

4090.2 It is the policy of the District to encourage Board development and excellence of performance by reimbursing actual expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Cash advances or use of District credit cards for these purposes is not permitted.

4090.2.1 The Finance Division Manager is responsible for making arrangements for Directors for conference and registration expenses, and for per diem. Per diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the Finance Division Manager, together with validated receipts in accordance with State law.

4090.2.2 Attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Board of Directors prior to incurring any reimbursable costs.

4090.2.3 Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the Finance Division Manager and by:

4090.2.3.1 Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.

4090.2.3.2 Directors traveling together whenever feasible and economically beneficial.

4090.2.3.3 Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.

4090.3 A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after the District has announced his/her pending resignation, or if it occurs after an election in which it has been determined that the Director will not retain his/her seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

4090.4 Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Ethics Training
POLICY NUMBER: 4095

4095 All directors and designated executive staff of [District] shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the board of directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 through 53235.2.

4095.1 This policy shall also apply to all staff members that the board of directors designates and to members of all commissions, committees and other bodies that are subject to the Ralph M. Brown Open Meeting Act.

4095.2 All ethics training shall be provided by entities whose curricula have been approved by the California Attorney General and the Fair Political Practices Commission.

4095.3 Directors shall obtain proof of participation after completing the ethics training. Applicable costs for attending the training will be reimbursed by the District.

4095.3.1 District staff shall maintain records indicating both the dates that directors completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after directors receive the training, and are public records subject to disclosure under the California Public Records Act.

4095.4 District staff shall provide the board of directors with information on available training that meets the requirements of this policy at least once every year.

4095.5 Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.

4095.6 Any director of [District] that serves on the board of another agency is only required to take the training once every two years.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Filling of Vacancy(s) on Board of Directors (Trustees)
POLICY NUMBER: 4097

4097.1 The District Board of Directors (Trustees) are elected (or appointed) in accordance with the Principal Act of the District. From time to time a vacancy may occur on the Board for a variety of reasons. This policy is established to provide general guidelines and procedures for filling a vacancy on the Board. Under state law, the District has a total of sixty (60) days in which to take action.

4097.2 The Board of Directors shall be informed immediately of the resignation or death of a member of the Board of Directors. The Board of Directors shall consider whether to act to fill the vacancy, either by appointment or by calling a special election.

4097.3 The District shall notify the county elections official of the vacancy no later than fifteen (15) days after the District Board is notified of the vacancy or the effective date of the vacancy, whichever is later.

4097.4 In cases where the Board determines to appoint a replacement to the Board, the District may publish a public notice of a vacancy and the process for considering candidates in a local newspaper of general circulation. The Board may establish an application and interview process including requiring a resume or application form detailing qualifications and experience of the candidates.

4097.4.1 The District shall post a notice of vacancy in at least three conspicuous places in the District at least fifteen (15) days before the Board makes an appointment. If the Board makes an appointment, the District shall notify the county elections official within fifteen (15) days of making the appointment.

4097.5 The Board may review and invite those candidates that a majority of the Board determine are the most qualified or all of the candidates for an interview before the Board at a public noticed meeting. The Board may then consider the interviewed candidates and vote to determine if a majority of the Board can agree on a selected replacement candidate.

4097.6 If the Board of Directors chooses to call an election, the Board must do so within sixty (60) days of notification of the vacancy or the effective date of the vacancy, whichever is later.

4097.7 All costs for any election shall be identified for consideration by the Board for the decision of appointment or election.

4097.8 A selected replacement Director shall serve out the balance of the term of the position and be subject to reelection under the Principal Act of the District.

4097.9 If the Board fails to take action in the sixty (60) day period, state law provides that the Board of Supervisors may appoint a successor to fill the vacancy.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Board Meetings

POLICY NUMBER: 5010

5010.1 Regular meetings of the Board of Directors shall be held on the [DAY] of each calendar month at [TIME] in the [PLACE], [ADDRESS]. The date, time and place of regular Board meetings may be reconsidered annually at the annual organizational meeting of the Board.

5010.2 Special meetings of the Board of Directors may be called by the Board President or by a majority of the Board.

5010.2.1 All Directors shall be notified of the special Board meeting and the purpose or purposes for which it is called. Said notification shall be in writing, received by them at least 24 hours prior to the meeting.

5010.2.2 Newspapers of general circulation in the District, radio stations and television stations, organizations, and property owners who have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall be notified by a mailing unless the special meeting is called less than one week in advance, in which case notice, including business to be transacted, will be given by telephone during business hours as soon after the meeting is scheduled as practicable.

5010.2.3 An agenda shall be prepared as specified for regular Board meetings in Policy #5020 and shall be delivered with the notice of the special meeting to those specified above.

5010.2.4 Only those items of business listed in the call for the special meeting shall be considered by the Board at any special meeting.

5010.3 Emergency Meetings. In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board of Directors may hold an emergency special meeting without complying with the 24-hour notice required in 5010.21, above. An emergency situation means a crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the Board.

5010.3.1 Newspapers of general circulation in the District, radio stations and television stations which have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall be notified by at least one hour prior to the emergency meeting. In the event that telephone services are not functioning, the notice requirement of

one hour is waived, but the Board, or its designee, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the emergency special meeting, and of any action taken by the Board, as soon after the meeting as possible.

5010.3.2 No closed session may be held during an emergency meeting, and all other rules governing special meetings shall be observed with the exception of the 24-hour notice. The minutes of the emergency meeting, a list of persons the Board or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten days in the District office as soon after the meeting as possible.

5010.4 Adjourned Meetings. A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given to those specified in 5010.2.2 above.

5010.5 Annual Organizational Meeting. The Board of Directors shall hold an annual organizational meeting at its regular meeting in December [or other appropriate month]. At this meeting the Board will elect a President, Vice President and Clerk from among its members to serve during the coming calendar year, and will appoint the General Manager [or other responsible managing employee] as the Board's Secretary and the Finance Division Manager as the District's Treasurer.

5010.6 The Chairperson of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

5010.7 The Chairperson and the General Manager shall ensure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Board Meeting Agenda
POLICY NUMBER: 5020

5020.1 The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors in accordance with the Ralph M. Brown Act (California Government Code Section 54950]. Any Director may contact the General Manager and request any item to be placed on the agenda no later than 5:00 P.M. on the day that is 48 hours prior to the closing of the agenda for the next meeting date (per Section 5020.4).

5020.2 Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

5020.2.1 The request must be in writing and be submitted to the General Manager [*or other responsible managing employee*] together with supporting documents and information, if any, at least seven business days prior to the date of the meeting;

5020.2.2 The General Manager shall be the sole judge of whether the public request is or is not a "matter directly related to District business." The public member requesting the agenda item may appeal the General Manager's decision at the next regular meeting of the Board of Directors. Any Director may request that the item be placed on the agenda of the Board's next regular meeting.

5020.2.3 No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under this policy;

5020.2.4 The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

5020.3 This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

5020.4 At least 72 hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted in a place that is freely accessible to members of the public (California Government Code 54954.2 (a)(1)). If the District maintains a website, the agenda shall be posted on the website for public information at the same

time. All information made available to the Board of Directors (except confidential information allowed by State law per legal counsel authority) shall be available for public review prior to the board meeting.

5020.4.1 The agenda for a special meeting shall be posted at least 24 hours before the meeting in the same location as for Regular Meeting agendas (California Government Code Section 54956).

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Board Meeting Conduct

POLICY NUMBER: 5030

5030.1 Meetings of the Board of Directors shall be conducted by the President in a manner consistent with the policies of the District. Policy No. 5070, "Rules of Order for Board and Committee Meetings", shall be used as a general guideline for meeting protocol.

5030.2 All Board meetings shall commence at the time stated on the agenda and shall be guided by same.

5030.3 The conduct of meetings shall, to the fullest possible extent, enable Directors to:

5030.3.1 Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

5030.3.2 Receive, consider and take any needed action with respect to reports of accomplishment of District operations.

5030.4 Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as followed:

5030.4.1 Five minutes may be allotted to each speaker and a maximum of 20 minutes to each subject matter.

5030.4.2 No disruptive conduct shall be permitted at any Board meeting. Persistence in disruptive conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.

5030.5 Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the President finds that there is in fact willful disruption of any meeting of the Board, he/she may order the disrupting parties out of the room and subsequently conduct the Board's business without them present.

5030.5.1 After clearing the room of disruptive individuals, the President may permit those persons who, in his/her opinion, were not responsible for the willful disruption to remain in the meeting room.

5030.5.2 Duly accredited representatives of the news media, whom the President finds not to have participated in the disruption, shall be permitted to remain in the meeting.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Board Actions and Decisions

POLICY NUMBER: 5040

5040.1 Actions by the Board of Directors include but are not limited to the following:

5040.1.1 Adoption or rejection of regulations or policies;

5040.1.2 Adoption or rejection of a resolution;

5040.1.3 Adoption or rejection of an ordinance;

5040.1.4 Approval or rejection of any contract or expenditure;

5040.1.5 Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of personnel; and,

5040.1.6 Approval or disapproval of matters that require or may require the District or its employees to take action and/or provide services.

5040.2 Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors [if five-member Board, four if seven-member Board] represent a quorum for the conduct of business.

5040.2.1 A member abstaining in a vote is considered as absent for that vote. A member abstaining due to a conflict of interest does not count towards a quorum.

5040.2.1.1 Example. If three of five Directors are present at a meeting, a quorum exists and business can be conducted unless the abstention is due to a conflict of interest. However, if one Director abstains on a particular action and the other two cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.

5040.2.1.2 Example. If an action is proposed requiring a two-thirds vote and two Directors abstain, the proposed action cannot be approved because four of the five Directors would have to vote in favor of the action.

5040.2.1.3 Example. If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three Directors must vote in favor of the appointment for it to be approved. If two of the four Directors present abstain, the appointment is not approved.

5040.3 The Board may give directions that are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the General Manager.

5040.3.1 The President shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the President, a voice vote may be requested.

5040.3.2 A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).

5040.3.3 Informal action by the Board is still Board action and shall only occur regarding matters that appear on the agenda for the Board meeting during which said informal action is taken.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Review of Administrative Decisions

POLICY NUMBER: 5050

5050.1 The provisions of §1094.6 of the Code of Civil Procedure of the State of California shall be applicable to judicial review of all administrative decisions of the Board of Directors pursuant to the provisions of §1094.5 of said code. The provisions of §1094.6 shall prevail over any conflicting provision and any otherwise applicable law, rule, policy or regulation of the District, affecting the subject matter of an appeal.

5050.2 This policy affects those administrative decisions rendered by the Board of Directors governing acts of the District, in the conduct of the District's operations and those affecting personnel operating policies.

5050.3 The purpose of this policy is to ensure efficient administration of the District, and the expeditious review of decisions rendered by the Board of Directors.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Minutes of Board Meetings

POLICY NUMBER: 5060

5060.1 The Secretary or Deputy Secretary of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

5060.1.1 Copies of a meeting's minutes shall be distributed to Directors as part of the information packet for the next regular meeting of the Board, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept in a fireproof vault or in a fire-resistant, locked cabinet.

5060.1.2 Unless directed otherwise, an audio tape recording of regular and special meetings of the Board of Directors will be made. The device upon which the recording is stored shall be kept in a fireproof vault or in fire-resistant, locked cabinet for a minimum of 60 days. Members of the public may inspect recordings of Board meetings without charge on a playback machine that will be made available by the District.

5060.1.3 Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed, and individual votes will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively, starting new at the beginning of each year. In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting's minutes:

- Date, place and type of each meeting;
- Directors present and absent by name;
- Administrative staff present by name;
- Call to order;
- Time and name of late arriving Directors;
- Time and name of early departing Directors;
- Names of Directors absent during any agenda item upon which action was taken;
- Summary record of staff reports;
- Summary record of public comment regarding matters not on the agenda, including names of commentators;
- Approval of the minutes or modified minutes of preceding meetings;
- Approval of financial reports;
- Record by number (a sequential range is acceptable) of all warrants approved for payment;
- Complete information as to each subject of the Board's deliberation;

Record of the vote of each Director on every action item for which the vote was not unanimous;
Resolutions and ordinances described as to their substantive content and sequential numbering;
Record of all contracts and agreements, and their amendment, approved by the Board;
Approval of the annual budget;
Approval of all polices, rules and/or regulations;
Approval of all dispositions of District assets;
Approval of all purchases of District assets; and,
Time of meeting's adjournment.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Rules of Order for Board and Committee Meetings
POLICY NUMBER: 5070

5070.1 General.

5070.1.1 Action items shall be brought before and considered by the Board by motion in accordance with this policy. These rules of order are intended to be informal and applied flexibly. The Board prefers a flexible form of meeting and, therefore, does not conduct its meetings under formalized rules - Robert's Rules of Order.

5070.1.1.1 If a Director believes order is not being maintained or procedures are not adequate, then he/she should raise a point of order - not requiring a second - to the President. If the ruling of the President is not satisfactory to the Director, then it may be appealed to the Board. A majority of the Board will govern and determine the point of order.

5070.2 Obtaining the Floor.

5070.2.1 Any Director desiring to speak should address the President and, upon recognition by the President, may address the subject under discussion.

5070.3 Motions.

5070.3.1 Any Director, including the President, may make or second a motion. A motion shall be brought and considered as follows:

5070.3.1.1 A Director makes a motion; another Director seconds the motion; and the President states the motion.

5070.3.2 Once the motion has been stated by the President, it is open to discussion and debate. After the matter has been fully debated, and after the public in attendance has had an opportunity to comment, the President will call for the vote.

5070.3.2.1 If the public in attendance has had an opportunity to comment on the proposed action, any Director may move to immediately bring the question being debated to a vote, suspending any further debate. The motion must be made, seconded, and approved by a majority vote of the Board.

5070.4 Secondary Motions. Ordinarily, only one motion can be considered at a time and a motion must be disposed of before any other motions or business are considered. There are a few exceptions to this general rule, though, where a secondary motion concerning the main motion may be made and considered before voting on the main motion.

5070.4.1 Motion to Amend. A main motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by a new motion and second.

5070.4.2 Motion to Table. A main motion may be indefinitely tabled before it is voted on by motion made to table, which is then seconded and approved by a majority vote of the Board.

5070.4.3 Motion to Postpone. A main motion may be postponed to a certain time by a motion to postpone, which is then seconded and approved by a majority vote of the Board.

5070.4.4 Motion to Refer to Committee. A main motion may be referred to a Board committee for further study and recommendation by a motion to refer to committee, which is then seconded and approved by a majority vote of the Board.

5070.4.5 Motion to Close Debate and Vote Immediately. As provided above, any Director may move to close debate and immediately vote on a main motion.

5070.4.6 Motion to Adjourn. A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

5070.5 Decorum.

5070.5.1 The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The President may eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a request from the President, or otherwise disrupting the meeting or hearing.

5070.5.2 The President may also declare a short recess during any meeting.

5070.6 Amendment of Rules of Order.

5070.6.1 By motion made, seconded and approved by a majority vote, the Board may, at its discretion and at any meeting: a) temporarily suspend these rules in whole or in part; b) amend these rules in whole or in part; or, c) both.

**OCEANO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS – BYLAWS**

1. OFFICERS OF THE BOARD OF DIRECTORS.

1.1 The officers of the Board are the President and Vice President.

1.2 The President and Vice President shall be elected annually during the first regular meeting in December, after any newly elected Board members are seated (Government Code Section 61043). The term of office for the President and Vice-President of the Board shall commence immediately after the election.

1.3 The President of the Board shall serve as presiding officer at all Board meetings. The President shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

1.4 In the absence of the President, the Vice-President of the Board shall serve as presiding officer over all meetings of the Board. If the President and Vice-President of the Board are both absent, the remaining members present shall select one of themselves to act as presiding officer of the meeting.

1.5 The Board may at any time determine, by majority vote of all members, that the President has demonstrated an inability to serve. Upon such determination, the Vice President shall preside instead of the President.

1.6 The Board may at any time determine, by majority vote of all members, that the Vice President, when acting as the presiding officer pursuant to Section 1.5 above, has demonstrated an inability to serve. Upon such determination, the Board shall, by majority vote, elect another member to be the presiding officer.

2. MEETINGS

2.1 Regular meetings of the Board of Directors (the Board) shall commence at 6:30 p.m. on the second and fourth Wednesday of each calendar month in the Board room at the District Office currently located at 1655 Front Street, Oceano, CA 93475

2.2 Members of the Board shall attend all regular and special meetings of the Board unless there is good cause for absence.

2.3 The General Manager, in cooperation with the Board at the prior meeting shall prepare an agenda for each regular and special meeting of the Board. Any Director, before or during a regular meeting, may request that the General Manager place an item on the agenda. The General Manager may also put emergent District business on the agenda. Items being placed on any agenda are subject to Brown Act regulations.

Adopted per OCSD Resolution No. 2013-25, September 25, 2013

2.4 No action or discussion may be taken on an item not on the posted agenda. However, matters deemed to be emergencies or of an urgent nature may be added to the agenda of a regular meeting under the procedures of the Brown Act. Pursuant to the Brown Act and at regular meetings:

- (a) Board Members may briefly respond to statements or questions from the public; and
- (b) Board Members may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information, or request staff to report back at a subsequent meeting; and
- (c) The President or a majority of the Board itself may direct staff to place a matter on a future agenda.

2.5 The presiding officer shall conduct all meetings in a manner consistent with the policies of the District and the Brown Act. He/she shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board. He/she shall announce the Board's final decision on all subjects. He/she shall vote on all questions; and on roll call his/her name shall be called last.

2.6 A majority of the Board shall constitute a quorum for the transaction of business. While a majority of the Board is sufficient to do business, motions must be passed unanimously if only three Board members are present. Only those Board members present at a meeting may vote on business conducted at that meeting.

2.7 If a quorum does not arrive within fifteen (15) minutes of the time the meeting has been scheduled, it shall be determined that a quorum is not present. When there is no quorum for a regular meeting, the President, Vice President, or any Board member shall adjourn such meeting or, if no Board member is present, the District secretary shall adjourn the meeting.

2.8 A roll call vote shall be taken upon the passage of all ordinances, resolutions, and other matters established by Board policy or state law that require solicitation of bids, and all matters involving more than a seven thousand five hundred dollar (\$7,500.00) expenditure by the District. The roll call vote shall be entered in the minutes of the Board meeting showing those Board members voting aye, those voting no, and those not voting or absent. A roll call vote shall be taken and recorded on any vote not passed unanimously by the Board. Unless a Board member states that he or she is not voting because of a conflict of interest, his or her silence or abstention shall be deemed and recorded as an affirmative vote.

2.9 Any person attending a meeting of the Board may record the proceedings with an audio or video tape recorder or a still or motion picture camera unless the recording causes unreasonable noise, illumination, or obstruction of view that constitutes or would constitute a disruption of the proceedings or would impair the ability of the public to observe the proceedings. All video tape recorders, still, and/or motion picture cameras shall remain stationary and shall be located and operated from behind the public speakers' podium once the meeting begins.

Adopted per OCSD Resolution No. 2013-25, September 25, 2013

2.10 During each meeting, time shall be set aside to receive public comment in accordance with the Brown Act and District policy. Public comment shall be directed to the Board as a whole and not to any member individually or to the public.

2.11 If an individual or group willfully interrupts a meeting, fails to adhere to the District's policies pertaining to public comment, or otherwise creates an unreasonable disruption to the proceedings, the meeting may be stopped and the room may be cleared. In such circumstances, members of the media must be allowed to remain and only matters on the agenda can be discussed.

2.12 No regular meeting will be conducted past 9:30 p.m. At that time the meeting will be continued, to a time and place acceptable to a majority of the Board Members present, to consider any items where action is necessary prior to the next regular Board meeting. If a second meeting is held and continues until 9:30 p.m., then the meeting will be adjourned and remaining agenda items continued to the next regular Board meeting. Adjournment at 9:30 p.m. may be disregarded by means of a motion to suspend the rules, if seconded and approved by a vote of two-thirds of the Board Members present.

3. COMMITTEES

3.1 The Board may create Committees that are reflective of the District's business and its enumerated powers at its discretion. Committees shall be advisory committees to the Board and shall not commit the District to any policy, act or expenditure. The duties of the committees shall be outlined at the time of creation.

3.2 All committee meetings shall be conducted as public meetings in accordance with the Brown Act.

3.3 No committee shall include in its membership more than two (2) Board members.

3.4 An alternate member may be assigned by the Board in advance for those meetings where a regular member is unable to attend.

4. PREPARATION OF MINUTES AND MAINTENANCE OF TAPES.

4.1 The minutes of the Board shall be kept by the District Secretary and shall be neatly produced and kept in a file created for that purpose, with a record of each particular type of business transacted set off in paragraphs with proper subheadings. However, the District Secretary shall be required to make a record only of such business as was actually passed upon by a vote of the Board and, except as provided in Section 4.2 below, shall not be required to record any remarks of Board Members or any other person. The Minutes shall record all of the votes taken for the passage of all ordinances, resolutions or motions.

4.2 Any Director may request that brief comments pertinent to an agenda item be included in the minutes, but only at the meeting in which the item is discussed.

Adopted per OCSD Resolution No. 2013-25, September 25, 2013

4.3 The District Secretary shall attempt to record the names and place of residence of persons addressing the Board, the title of the subject matter to which their remarks related, and whether they spoke in support or opposition to such matter.

4.4 Whenever the Board acts in a quasi-judicial proceeding, such as in assessment matters, the District Secretary shall compile a summary of the testimony of the witnesses.

4.5 Any audio or visual recording of a District meeting made for whatever purpose at the direction of the District shall be subject to inspection pursuant to the California Public Records Act. Audio and/or visual recordings will be posted on the District's website for 30 days before being taken down. Physical copies of the audio/visual recordings will be retained in the District archive for five (5) years and may be destroyed thereafter.

4.6 Nothing herein shall be deemed to create a requirement that minutes from the meeting be taken, or tape or film recordings be made, of any closed sessions of the Board.

4.7 All correspondence should have Name and Address of record to be entered in the minutes.

5. MEMBERS OF THE BOARD OF DIRECTORS.

5.1 Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.

5.2 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and options, but in a respectful manner.

5.3 Once the Board takes action, Directors should commit to supporting the action and should not obstruct implementation of the action.

5.4 Any vacancy in the office of a member elected to the Board shall be filled pursuant to Government Code Section 1780.

6. AUTHORITY OF DIRECTORS.

6.1 The full Board of Directors, in actions taken pursuant to The Brown Act, retain absolute power to set policy, direct staff, and conduct the business of the District.

6.2 The Board is the unit of authority within the District. Apart from their normal functions as a part of the Board, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.

6.3 Directors do not represent any fractional segment of the community. Rather, they are part of the body which represents and acts for the community as a whole.

Adopted per OCSD Resolution No. 2013-25, September 25, 2013

6.4 The primary responsibility of the Board is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are the responsibility of the professional staff members of the District. Directors should not obstruct the professional staff in the performance of their duties.

6.5 The Board at a regular or special meeting may authorize a Director or staff to speak or communicate on behalf of the District or represent the District at a meeting or related function. Otherwise, Board members attending such events as described above shall make it clear that they are speaking on their own behalf and not representing the District or its Board of Directors.

7. DIRECTOR GUIDELINES.

7.1 It is the intent of the Board of Directors to:

(a) Maintain control and direction of the District by action of the Board of Directors taken pursuant to the Brown Act;

(b) Allow Board Members access to information relative to the running of the District;

(c) Protect staff from undue influence, threats, harassment, and/or pressure from individual Board Members or members of the public;

(d) Allow staff to execute priorities given by the Board of Directors and management without fear of reprisal.

7.2 Individual Board members, by making a request to the General Manager shall have access to information relative to the operation of the District, including but not limited to statistical information, information serving as a basis for certain actions of staff or as justification for staff recommendations. Board Members shall receive the cooperation and candor of the General Manager in being provided with the requested information. If the General Manager cannot timely provide the requested information because it is not presently available or its production would cause an interruption in work schedules or workloads, then the General Manager shall inform the Board member why the information is not available or cannot be made available in a timely manner, and when it may be made available.

7.3 If the information still cannot be provided the General Manager shall, or the Board Members shall direct the General Manager to, place an item on the Board agenda for direction as to the Board's desire and method of providing the information.

7.4 In handling complaints from residents, property owners within the District or other constituents, Directors are encouraged to listen carefully to the concerns, but the complaint should be referred to the General Manager for processing and appropriate response.

Adopted per OCSD Resolution No. 2013-25, September 25, 2013

7.5 Directors, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programs, should refer said concerns directly to the General Manager.

7.6 When approached by District personnel concerning specific District policy, Directors should direct inquiries to the General Manager.

7.7 Directors and the General Manager should develop a working relationship so that current issues, concerns and District projects can be discussed comfortably and openly.

7.8 When responding to constituent requests and concerns, Directors should respond to individuals in a positive manner and route their questions to the General Manager.

7.9 Sitting Directors should not enter into Litigation against the District. Should a Director enter into litigation against the District, it will be presumed that said Director has a conflict of interest on all matters presented to the Board for discussion and action.

8. DIRECTOR COMPENSATION.

8.1 Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular or special meeting of the Board and fifty dollars (\$50.00) for each committee meeting attended by him or her.

8.2 In no event shall Director compensation exceed one hundred dollars (\$100.00) per day.

8.3 Director compensation shall not exceed six hundred (\$600.00) in any one (1) calendar month.

9. EXPENSE REIMBURSEMENT

9.1 Each Board Member is entitled to reimbursement for their actual and necessary traveling and incidental expenses incurred in the performance of the duties required and authorized by the Board. Personal phone calls are not reimbursed.

(a) It is the policy of the District to exercise prudence with respect to hotel or motel accommodations. It is also the policy of the District for Board members and staff to stay at the hotel or motel location of a conference, seminar, or class to gain maximum participation and advantage of interaction with others whenever possible.

(b) Any Director traveling on District business shall receive transportation and lodging expenses, and ordinary expenses such as meals and tips. If a Director is called upon to personally pay District business expenses during travel, the Director shall maintain all receipts from any such District business trips. Such receipts will be used to calculate the amount of reimbursement.

Adopted per OCSD Resolution No. 2013-25, September 25, 2013

(c) Mileage reimbursement for use of privately owned vehicles used for District business shall be as established by the Internal Revenue Service.

10. CORRESPONDENCE DISTRIBUTION POLICY.

10.1 The following letters and other documents shall be accumulated and delivered to the Board on Friday of each week.

(a) All letters approved by the Board and/or signed by the President on behalf of the District.

(b) All correspondence received by the District that are of District-wide concern as reasonably determined by the General Manager.

11. CONFLICTS OF INTEREST AND RELATED POLICY.

11.1 State laws exist which attempt to eliminate any action by a Board Member or the District which may reflect a conflict of interest. The purpose of such laws and regulations is to insure that all actions are taken in the public interest. The following provides a brief policy summary of various conflict related laws. Directors are encouraged to consult with the Fair Political Practices Commission (the "FPPC") at (916) 322-5660, prior to the day of the meeting if they have a question about a particular agenda item.

11.2 Each Director is encouraged to review the District's Conflicts of Interest Code on a regular basis. The general rule is that an official may not participate in making a governmental decision if it is reasonably foreseeable that the decision will have a material financial effect on the official or a member of his or her immediate family or on an economic interest of the official, and the effect is distinguishable from the effect on the public generally. If real property in which the Director has an interest is located within 500 feet of the boundaries of the property affected by decision, that interest is deemed to be directly involved in the decision. Additionally, FPPC rules generally require a disqualified Board member to leave the room during the discussion of the matter.

11.3 The prohibitions of Government Code Section 1090 provide that the District may not contract with any business in which a Board member has a financial interest.

11.4 The basic rule is that public policy requires that when the duties of two offices are repugnant or overlap so that their exercise may require contradictory or inconsistent action, to the detriment of either public office, the discharge of the duties of the two offices by one person is incompatible with the affected office and the official must step down from one of the offices.

12. EVALUATION OF CONSULTANTS.

The District Consultants, including the District's Legal Counsel and Consulting Engineer, shall be evaluated annually during the months of May or June.

13. CONTINUING EDUCATION.

Adopted per OCSD Resolution No. 2013-25, September 25, 2013

13.1 Board Members are required to attend training on ethics and sexual harassment every other year on an alternating schedule. Board members are also required to attend training on the National Incident Management System (NIMS).

13.2 Members of the Board and the General Manager are encouraged to attend educational conferences and professional meetings to improve District operation, such as Special District Administration, Finance and Governance, and other programs that emphasize employee relationships.

13.3 Subject to budgetary constraints, there is no limit on the number of Directors attending a particular conference or seminar when their attendance is beneficial to the District and in compliance with the Brown Act.

14. RELATIONSHIP AND CONDUCT BETWEEN BOARD MEMBERS AND STAFF

14.1 The Board of Directors recognizes that the primary function of staff is to execute Board policy and to keep the Board of Directors informed.

14.2 Members of the Board of Directors shall not attempt to pressure and/or influence staff decisions, recommendations, workloads, schedules, and priorities.

14.3 Staff shall take guidance and direction only from action taken by the Board of Directors or from appropriate management supervisors as may be the case. Staff shall reject any attempts by an individual Board Member to influence or otherwise pressure them into making, changing or otherwise affecting staff decisions or recommendations, or changing work schedules and priorities. Staff shall report such attempts, without fear of reprisal, to the General Manager, or to the President or the Vice President of the Board of Directors, who shall take appropriate action.

14.4 In the event that an employee has been the subject of any unlawful conduct from a Board Member, the employee shall report such conduct in writing and without fear of reprisal to the President or the Vice President of the Board of Directors, or to the Grand Jury directly, who shall investigate the complaint and take further necessary action.

15. FIDUCIARY RESPONSIBILITY

15.1 No member of the Board of Directors shall serve as the District treasurer.

15.2 The General Manager shall be responsible for supervision of the District's finances.

15.3 The Board of Directors shall adopt by resolution a system of accounting and auditing that shall completely and at all times show the District's financial condition. The system of accounting shall adhere to generally accepted accounting principles (Government Code Section 61053).

Adopted per OCSD Resolution No. 2013-25, September 25, 2013

15.4 Any portion of the District's money may be deposited in the county treasury of San Luis Obispo County or the treasury of the State of California. The Board shall, by resolution, designate a bank as the depository of all District money not deposited with the County or State Treasury.

15.5 The General Manager shall make quarterly or more frequent written reports to the Board of Directors, as the Board shall determine, regarding the receipts and disbursements and balances in the accounts of the District.

15.6 The Board will review and approve the District Investment Policy on an annual basis.

15.7 The budget shall be prepared annually for Board approval by the following procedures:

(a) On or before June 1st of each year, the Board of Directors should adopt a preliminary budget that conforms to generally accepted accounting procedures applicable to special districts. The preliminary budget shall be prepared by the General Manager.

(b) On or before July 1st of each year, the Board of Directors shall publish a notice in a newspaper of general circulation stating the date, time, and place when the Board will meet to adopt the final budget, and that the preliminary budget is available for inspection at the District office.

(c) On or before September 1st of each year, the Board of Directors shall adopt a final budget that conforms to generally accepted accounting procedures applicable to special districts.

(d) The procedures for adopting a budget shall comply with Government Code Section 61110.

15.8 Audits shall be conducted as soon after the end of the Fiscal Year as possible, preferably within 120 days.

16. PUBLICATION OF POLICY

16.1 Copies of this Policy shall be distributed to:

(a) All current District employees and new employees at the time of hire.

(b) All current Directors of the District and new Directors at the time they take office.

(c) Staff will provide orientation for new Directors.

Adopted per OCSD Resolution No. 2013-25, September 25, 2013

16.2 The General Manager shall be available to answer questions of District employees regarding the District Policy on relationship and conduct between Board Members and staff.

17. RESTRICTIONS ON BYLAWS

These Bylaws shall govern the Board in all cases to which they are applicable and not otherwise inconsistent with State and Federal laws.

Adopted per OCSD Resolution No. 2013-25, September 25, 2013



FEMA

FAQs

October 3, 2011
National Integration Center
202-646-3850

NIMS Training Program

Q: What is the *NIMS Training Program*?

A: The *National Incident Management System (NIMS) Training Program* defines the national NIMS training program as it relates to the NIMS components of Preparedness, Communications and Information Management, Resource Management, and Command and Management. It specifies the National Integration Center (NIC) and stakeholder responsibilities and activities for developing, maintaining, and sustaining NIMS training. The *NIMS Training Program* outlines responsibilities and activities that are consistent with the National Training Program, as mandated by the *Post-Katrina Emergency Management Reform Act of 2006*. This program integrates with FEMA training offered through the Emergency Management Institute (EMI) and United States Fire Administration (USFA).

Q: I still have not received my training certificate for a course that I took on the Emergency Management Institute (EMI) Web site. What should I do?

A: If you have inquiries regarding certificates or EMI online courses, please contact the Emergency Management Institute's Independent Study Office at: (301) 447-1200 or e-mail them at: Independent.Study@dhs.gov.

Q: Is the *Five-Year NIMS Training Plan* still in effect?

A: No, the *Five-Year NIMS Training Plan* is superseded by the *NIMS Training Program*.

Q: Who should read the *NIMS Training Program*?

A: The *NIMS Training Program* is intended for emergency management officials and administrators responsible for budgets, planning, and procurement, who require guidance on the development and provision of NIMS training. The *NIMS Training Program* informs Federal, State, tribal and local policy-makers; elected and appointed officials; government emergency management agencies and trainers (i.e. State, tribal, and local NIMS Coordinators); managers overseeing those in mission-critical positions and organizations and professional development; human resource managers setting and overseeing personnel policies; and personnel with responsibility to develop NIMS-related guidance or training, credentialing, or personnel qualifications information.

Q: If I follow the guidance within the *NIMS Training Program* will I be compliant with NIMS?

A: No, the implementation of NIMS consists of much more than just completing the training courses. It also includes the adoption and use of the Incident Command System (ICS), a plain language requirement, the inventorying and typing of resources, and more. Your organization should coordinate its NIMS implementation efforts with the local and state emergency management agencies.

Q: Can my jurisdiction require that I complete more training beyond what is recommended in the *NIMS Training Program*?

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A: Yes, your organization will also have to adhere to any additional NIMS requirements that are passed down through local governing bodies. Some jurisdictions and organizations may take the initiative to train their personnel beyond the scope of the current training recommendations.

Q: Is the *NIMS Training Program* just for firefighters and law enforcement officers?

A: No, the training is intended for all personnel who are directly involved in emergency management and response. This includes all emergency services related disciplines such as EMS, hospitals, public health, fire service, law enforcement, public works/utilities, skilled support personnel, and other emergency management response, support and volunteer personnel. This training is intended to aid people who don't usually work together or even know each other to seamlessly respond to and recover from a disaster either natural or man-made.

Q: Has the NIMS coursework contained in the *NIMS Training Program* changed from those that were in the *Five-Year NIMS Training Program*?

A: Yes. The categories for each level of training have been simplified from those that were in the *Five-Year NIMS Training Plan*. Training recommendations are now based upon the level of an incident's complexity (Complexity Guide found on pages 16-17 of the *NIMS Training Program*) that a person may become involved in, from Type 1 to Type 5. Organizations should consider the complexity of incidents that their jurisdictions are most likely to face and tailor the NIMS training for their personnel to meet those needs.

Q: Who should take NIMS and ICS training?

A: Everyone involved in emergency management (to include emergency operation center personnel in support of the field), regardless of discipline or level of government, should take the NIMS baseline curriculum courses (Independent Study-700 and ICS-100). Incident command occurs in the field; therefore, the NIC recommends that only individuals with a command and general staff role take advanced ICS courses. Fulfilling the training associated with this plan helps emergency management organizations, departments, and agencies to develop preparedness capabilities for effective and efficient incident management. As a result, trained emergency responders are available as mutual aid to support incident management in other jurisdictions, if requested. The *NIMS Training Program* should sustain a personnel qualification system that is coordinated, maintained, and meets the needs of the emergency management community.

Q: What qualifications does an instructor need to meet in order to deliver the NIMS and ICS courses?

A: The NIC develops and regularly reviews the courses that are considered part of the NIMS core curriculum according to professionally-recognized instructional standards that include adherence to established adult learning models. The NIC collaborates with course managers to define instructor qualifications and the number of required instructors per course. However, this does not prevent any stakeholder from prescribing stricter instructor

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qualifications. To assist in course instruction, FEMA publishes subject matter guidelines and instruction requirements for specific courses.

Course instructors have a responsibility to deliver course materials and activities according to the minimum standards identified in the NIMS curriculum instructor guides and/or course summaries.

Q: Which courses are recommended for Elected and appointed officials?

A: Elected and appointed officials should have a clear understanding of their roles and responsibilities for successful emergency management and incident response. To that end, it is vital that elected and appointed officials understand and receive NIMS training. Therefore, FEMA recommends the following training for senior elected and appointed officials:

- G-402 *Incident Command System (ICS) Overview for Executives/Senior Officials*
- G-191 *Incident Command System/Emergency Operations Center Interface*
- Additional training based on jurisdiction risk and/or specific interest