



Los Osos Community Services District

SPECIAL MEETING AGENDA

Thursday, February 19, 2009

Closed Session Begins at 6:00 p.m.

South Bay Community Center

2180 Palisades Avenue, Los Osos

President

Joe Sparks

Vice-President

Marshall Ochylski

Director

Chuck Cesena

Maria Kelly

Steve Senet

CALL TO ORDER, FLAG SALUTE AND ROLL CALL @ 6:00 P.M.

General Manager

ANNOUNCEMENT OF CLOSED SESSION ITEMS, PUBLIC COMMENTS ON CLOSED SESSION ITEMS, AND CONVENING OF CLOSED SESSION

Utilities Manager

George J. Milanés

EACH SPEAKER IS LIMITED TO A THREE MINUTE PRESENTATION ON THE CLOSED SESSION AGENDA. PLEASE SPEAK AT THE PODIUM, ADDRESS THE PRESIDENT, AND BEGIN BY STATING YOUR NAME AND COMMUNITY OF RESIDENCE.

Fire Chief

Matt Jenkins

- A. PENDING LITIGATION (Government Code, §54956.9(b).)
Conference with Counsel for Existing Litigation (Formally initiated):

In re Los Osos Community Services District (ND-06-10548) United States Bankruptcy Court, Central District of California, Northern Division

LOCSD et al. v. American Alternative Insurance Corporation, Case No. CV 08-01279 (Federal Court)

RWQCB v. LOCSD - ACL/TSO appeals to SWRCB

- B. PERSONNEL
The Board will meet in closed session under the provisions of Government Code Section 54957 with regard to matters of public employment:

Contract Negotiations – Unrepresented Employee

CONVENE TO CLOSED SESSION MEETING

ADJOURN CLOSED SESSION MEETING

RECONVENE TO OPEN SESSION MEETING @ 7:00 P.M.



Offices At:

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Los Osos, California 93402

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Los Osos, California 93412

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SPECIAL MEETING AGENDA

Thursday, February 19, 2009

Open Session Begins at 7:00 p.m.

South Bay Community Center

2180 Palisades Avenue, Los Osos

1. CALL TO ORDER, FLAG SALUTE AND ROLL CALL
2. RECEIVE REPORT OUT OF CLOSED SESSIONS ON FEBRUARY 5, 2009 AND FEBRUARY 19, 2009
3. PRESENTATIONS
 - A. Introduction of Cal Fire Unit Chief Matt Jenkins, Division Chief for Administration Nancy Koerperich, and Coastal Division Chief Rob Lewin
 - B. Presentation by Tom Wright of \$500 PG&E Grant to Station 15 – South Bay Fire Department for Purchase of Firefighter Raingear
 - C. Administration of Firefighters Oath to New Station 15 – South Bay Fire Department Reserve Firefighters Nate Hamm, Robert Mackenzie, Lucas Schmid, and Greg Vanderhoof
 - D. Presentation of Utility Department I-Bank Capital Infrastructure Improvement Project Closeout

4. CONSENT CALENDAR

A member of the public may comment on any **Administrative Report, Committee Report or Consent Calendar Item at this time. EACH SPEAKER WILL BE LIMITED TO A THREE MINUTE PRESENTATION. PLEASE SPEAK AT THE PODIUM, ADDRESS THE PRESIDENT, AND BEGIN BY STATING YOUR NAME AND COMMUNITY OF RESIDENCE.** Consent Calendar Items are considered routine and therefore do not require separate discussion, however, any item may be removed from the Consent Calendar by a member of the Board of Directors for separate consideration. Individual items on the Consent Calendar are approved by the same vote that approves the Consent Calendar, unless an item is pulled for separate consideration. Items pulled for separate consideration will be heard after all other Action Items listed on the agenda.

- A. Waive Provisions of Section 202.20 B 3 of District Code to Allow a Second Leak Adjustment Credit within Twelve (12) Months

ACTION REQUESTED: Approve Waiver

- B. Approve Appointment of U.S. Bank National Association as Reserve Fund Custodian for the Los Osos CSD Wastewater Assessment District No. 1 Limited Obligation Bonds Reserve Fund and Authorize \$2500 as Attorney Fees to Obtain the Services of an Attorney to Prepare the Proper Documentation to Amend the Reserve Agreement with Lehman Brothers

ACTION REQUESTED: Approve Appointment and Authorize Expenditure

- C. Approve Payment of Legal Bill in the Amount of \$8,092.00

ACTION REQUESTED: Approve Payment

D. Receive Final Draft Water Rate Study

ACTION REQUESTED: Receive Study and Refer to Finance Advisory Committee and Water Advisory Committee

E. Ratify Changes in Appointments to Standing Advisory Committees

ACTION REQUESTED : Ratify Changes Per Staff Recommendation

F. Adopt Resolution Amending Board Bylaws and Rules of Decorum

ACTION REQUESTED : Adopt Resolution

5. **GENERAL ACTION ITEMS**

EACH SPEAKER IS LIMITED TO A THREE MINUTE PRESENTATION ON GENERAL ACTION ITEMS. PLEASE SPEAK AT THE PODIUM, ADDRESS THE PRESIDENT, AND BEGIN BY STATING YOUR NAME AND COMMUNITY OF RESIDENCE. PUBLIC COMMENT IS ENCOURAGED TO ASSIST THE LOCSD BOARD IN THEIR DELIBERATIONS

A. Presentation of FY08-09 Mid-Year Budget

ACTION REQUESTED: Adopt Resolution Approving Mid-Year Budget as Presented or Amended at Meeting

B. Appointment of Ad Hoc Committee to Meet with a Facilitator to Plan for a Goal Setting Meeting of the Board of Directors.

ACTION REQUESTED: President Sparks Requested to Appoint Two Directors to Meet with Facilitator

CLOSING BOARD COMMENTS

AGENDA AND SCHEDULING

<u>Future Agenda Item Description</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>
Regular Closed Session Meeting	3/05/2009	6:00 p.m.	South Bay Community Cent
Regular Open Session Meeting	3/05/2009	7:00 p.m.	South Bay Community Center
Special Closed Session Meeting	3/19/2009	6:00 p.m.	South Bay Community Center
Special Open Session Meeting	3/19/2009	7:00 p.m.	South Bay Community Center

ADJOURNMENT

ANY WRITING OR DOCUMENT PERTAINING TO AN OPEN SESSION ITEM ON THIS AGENDA WHICH IS DISTRIBUTED TO A MAJORITY OF THE BOARD OF DIRECTORS AFTER THE POSTING OF THIS AGENDA WILL BE AVAILABLE FOR PUBLIC INSPECTION AT THE TIME THE SUBJECT WRITING OR DOCUMENT IS DISTRIBUTED. THE WRITING OR DOCUMENT WILL BE AVAILABLE AT THE DISTRICT OFFICE, 2122 9TH STREET, LOS OSOS, DURING NORMAL BUSINESS HOURS.

COURT CHALLENGES TO BOARD ACTIONS MAY BE LIMITED TO ONLY THOSE ISSUES RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE OR IN WRITTEN CORRESPONDENCE DELIVERED TO LOCSD AT, OR PRIOR TO THE PUBLIC HEARING. CONSISTENT WITH THE AMERICANS WITH DISABILITIES ACT AND CALIFORNIA GOVERNMENT CODE SECTION 54954.2, REQUESTS FOR DISABILITY RELATED ACCOMMODATION, INCLUDING AUXILIARY AIDS OR SERVICES, MAY BE MADE BY A PERSON WITH A DISABILITY WHO REQUIRES THE ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS MEETING BY CONTACTING THE GENERAL MANAGER AT 805-528-9370 OR AT THE DISTRICT OFFICE, 2122 9th STREET, LOS OSOS

- All items listed on the agenda may be acted upon by the Board
- Public comments shall be directed to the President – the President may or may not ask staff to respond to questions depending on constraints the President may decide are relevant
- Each person addressing the Board shall do so in an orderly manner and shall not disrupt the orderly conduct of the meeting. Should disruptive behavior occur, the following steps will be taken to address it:
 - (a) The presiding officer shall warn the person who is violating the rules of decorum.
 - (b) If after receiving a warning from the presiding officer, the person persists in disruptive behavior the presiding officer shall order the person to leave the Board meeting room for the remainder of the meeting.
 - (c) If such person does not voluntarily remove himself/herself, the presiding officer may order any law enforcement officer who is on duty at the meeting to remove the person from the Board room.
 - (d) If order cannot be restored by the removal of individuals who are disrupting the meeting, the Board meeting will be continued under the provisions of Government Code §54957.9
- Agenda packets are available to the Public at the District Office and South Bay Library. Please contact LOCSD at 528-9370 for information.