



Los Osos Community Services District

SPECIAL MEETING AGENDA

Thursday, May 21, 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

**General Manager**

**Utilities Manager**

George J. Milanés

**Fire Chief**

Matt Jenkins

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

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

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.

**A. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**

- District Designated Representatives: Mitch Cooney, Interim General Manager and Jon S. Seitz, District Legal Counsel
- Employee Organization: San Luis Obispo County Employees Association (SLOCEA) representing the Miscellaneous Bargaining Unit

**B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code §54957)**

Continued Utility Systems Manager Performance Review Pursuant to Employment Contract

**C. 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)

*Montgomery Watson Harza (MWH) v. LOCSD*, Case No. CV060122 (San Luis Obispo Superior Court)

*LOCSD v. RWQCB* (ACL Appeal), Case No. CV06033 (San Luis Obispo Superior Court)

*LOCSD v. Golden State et al.* (Groundwater Adjudication), Case No. CV04012 (San Luis Obispo Superior Court)



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**CONVENE TO CLOSED SESSION MEETING**

**ADJOURN CLOSED SESSION MEETING**

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

# SPECIAL MEETING AGENDA

Thursday, May 21, 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 MAY 7, 2009 AND MAY 21, 2009
3. PRESENTATION TO BOARD OF DIRECTORS OF TWO AWARDS RECEIVED FROM CENTRAL COAST CHAPTER AMERICAN PUBLIC WORKS ASSOCIATION FOR LOS OSOS HYDROPNEUMATIC ZONE EXPANSION PROJECT AND LOS OSOS WATER SYSTEM PROJECT CONTRACT 10 – GEORGE MILANES, DISTRICT UTILITY SYSTEMS MANAGER
4. COMMITTEE REPORTS  
These Reports are non-action items. Staff and/or Committee Members will be available to respond to Board questions at the meeting.
  - A. LOCSD Standing Advisory Committee and Ad Hoc Committee Reports
  - B. Director Reports on Attendance at Other Agency Committee Meetings
5. 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. Receive Committee Reports  
  
ACTION REQUESTED: File the Reports Presented Above
  - B. Approve Proposals to Amend District Engineer Agreement to Add Engineering Services for Preparation of FY2009-10 Tax Rolls  
  
ACTION REQUESTED: Approve Proposals and Authorize Interim General Manager to Execute
  - C. Review of the District's Current Water Rate Structure  
  
ACTION REQUESTED: Review Information Presented (No action required)

**CONSENT CALENDAR, CONTINUED**

- D. Approve "No" Vote on Assessment Ballots of District-Owned Properties for the Proposed San Luis Obispo County Mosquito, Vector and Disease Control Program and Authorize Interim General Manager to Execute Ballots

ACTION REQUESTED: Authorize Interim General Manager to Execute Ballots with "No" Votes and Forward to County

- E. Approval of Funding for Strategic Planning

ACTION REQUESTED: Authorize Funding in Amount Not-To-Exceed \$2,000 to Be Allocated From Budget Unit 100, Administration, Account 7322, Directors Compensation

**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	6/4/2009	6:00 p.m.	South Bay Community Center
Regular Open Session Meeting	6/4/2009	7:00 p.m.	South Bay Community Center
Special Open Session Meeting Strategic Planning Session	6/6/2009	9:00 a.m.	TBD
Special Closed Session Meeting	6/18/2009	6:00 p.m.	South Bay Community Center
Special Open Session Meeting	6/18/2009	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 9<sup>th</sup> 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.