



AGENDA

REGULAR MEETING OF THE BOARD OF DIRECTORS

Thursday, October 1, 2009 at 6:00 p.m.

South Bay Community Center

2180 Palisades Avenue, Los Osos, CA

President

Joe Sparks

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

Vice-President

Marshall Ochylski

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

Director

Chuck Cesena

Maria Kelly

Steve Senet

PUBLIC COMMENT ON CLOSED SESSION ITEMS

Please state your name and adhere to the following procedures when addressing the Board:

- Each commenter is limited to 3 minutes unless shortened or extended by the Chairperson.
- Public comment and public testimony shall be directed to the Chairperson and shall be addressed to the Board of Directors as a whole.
- Each person addressing the Board of Directors shall do so in an orderly and civil manner.

General Manager

Utilities Manager

Fire Chief

Matt Jenkins

A. PENDING LITIGATION (Government Code, §54956.9(b).)

Conference with Legal Counsel regarding 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)

Taxpayers Watch et al v. LOCSD, Case No. CV051012 (San Luis Obispo Superior Court) – Measure B

Taxpayers Watch et al v. LOCSD et al., Case No. CV050862 (San Luis Obispo Superior Court)

LOCSD v. SWRQCB, Case No. 05A505422 (Sacramento Superior Court)



Offices At:

2122 9th Street

Los Osos, California 93402

Mailing Address:

P.O. Box 6064

Los Osos, California 93412

Phone 805/528-9370

Fax 805/528-9377

www.losososcsd.org

B. PUBLIC EMPLOYEE APPOINTMENT (Government Code §54957)

Title: District General Manager

C. 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

ADJOURN CLOSED SESSION MEETING

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

1. RECEIVE REPORT OUT OF CLOSED SESSIONS ON SEPTEMBER 8, 2009 and OCTOBER 1, 2009

2. PRESENTATIONS

1. Proclamation of Appreciation to Mission Country Disposal
2. Morro Bay National Estuary Program – Dan Berman, Program Director

3. GENERAL PUBLIC COMMENT - (LIMITED TO 30 MINUTES - ANY SPEAKER WHO DOES NOT HAVE THE OPPORTUNITY TO ADDRESS THE BOARD OF DIRECTORS DURING THIS 30 MINUTE TIME PERIOD WILL HAVE AN OPPORTUNITY TO DO SO AFTER GENERAL ACTION ITEMS HAVE BEEN COMPLETED.) At this time, members of the public may comment on any item NOT appearing on the agenda. Please state your name and adhere to the following procedures when addressing the Board:

- Each commenter is limited to 3 minutes unless shortened or extended by the Chairperson.
- Public comment and public testimony shall be directed to the Chairperson and shall be addressed to the Board of Directors as a whole.
- Each person addressing the Board of Directors shall do so in an orderly and civil manner.

4. ADMINISTRATIVE AND COMMITTEE REPORTS

These reports are non-action items. Staff and/or Committee Members will be available to respond to Board questions at the meeting.

1. Administrative Reports

- A. District/CAL FIRE Manager Report
- B. District Utilities Department Report
- C. District Administration Department Report
- D. District General Manager Report

2. Committee Reports

- A. LOCSD Standing Advisory Committee and Ad Hoc Committee Reports
- B. Director Reports on Attendance at Other Agency Committee Meetings
 1. SLO County Flood Control & Water Conservation District Water Resource Advisory Committee

5. **CONSENT CALENDAR**

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 member of the public may comment on any **Administrative Report, Committee Report or Consent Calendar Item** at this time. Comments will be limited to 3 minutes unless shortened or extended by the Chairperson. Please begin by stating your name.

- A. Receive Administrative and Committee Reports

ACTION REQUESTED: File Reports Presented Above

- B. Approve Prior Meeting Minutes:

1. September 3, 2009
2. September 8, 2009

ACTION REQUESTED: Approve Minutes

- C. Receive Warrant Register for September 1, 2009 - September 25, 2009

ACTION REQUESTED: Receive and File

- D. (NOT USED)

- E. Adopt Resolution Authorizing Issuance of Debit Card for Sandi Woods as Replacement Card for Account Currently in Name of Karen Vega

ACTION REQUESTED: Adopt Resolution 2009-22 and Direct Staff to Complete the Necessary Forms

- F. Proposition 1A Securitization Program

ACTION REQUESTED: Direct Staff to File Hardship Determination and Adopt Resolution 2009-23

- G. Approve the Acceptance of Funds from Morro Bay National Estuary Program Mini-Grant Application

ACTION REQUESTED: Approve Staff Recommendations

- H. Approve Out of State Travel Expenses for PLC Programming and Training

ACTION REQUESTED: Approve Out of State Travel and Expenses for PLC Training

6. **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. Authorize Staff to Accept Bid from Perry Ford to Replace the South Bay Fire Department Chief Officer Vehicle

ACTION REQUESTED: Authorize Staff to Accept the Lowest Bid Received from Perry Ford to Replace Chief Officer Vehicle

6. GENERAL ACTION ITEMS (continued)

B. Consider Sponsorship of Graywater Comprehensive Workshop

ACTION REQUESTED: Approve Staff Recommendations

GENERAL PUBLIC COMMENT - (THIS TIME IS RESERVED FOR THOSE SPEAKERS WHO DID NOT ADDRESS THE BOARD OF DIRECTORS DURING GENERAL PUBLIC COMMENT AT THE BEGINNING OF THE MEETING.)

At this time, members of the public may comment on any item NOT appearing on the agenda. Please state your name and adhere to the following procedures when addressing the Board:

- Each commenter is limited to 3 minutes unless shortened or extended by the Chairperson.
- Public comment and public testimony shall be directed to the Chairperson and shall be addressed to the Board of Directors as a whole.
- Each person addressing the Board of Directors shall do so in an orderly and civil manner.

CLOSING BOARD COMMENTS

AGENDA AND SCHEDULING

<u>Future Item Description</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>
Regular Closed Session Meeting	11/5/2009	6:00 p.m.	South Bay Community Center
Regular Open Session Meeting	11/5/2009	7:00 p.m.	South Bay Community Center

ADJOURNMENT

The Board meeting will adjourn by 10:00 p.m. unless a four-fifths vote of the Board wishes to continue past that time. If the meeting is adjourned at 10:00 p.m. any remaining agenda items will be continued to the next regular meeting.

Board Agendas: The LOCSO Board of Directors agenda packets are available for public viewing at the District Office, South Bay Library and at www.lososocsd.org.

Related Materials: Any writing or document pertaining to an open session item on this agenda which is distributed to a majority of the District 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 for public review at the District Office at 2122 9th Street, Suite 102, Los Osos, CA during normal business hours. Such documents are also available on the District's website subject to staff's ability to post the documents before the meeting.

Broadcastings: Board meetings are available for viewing on Channel 20, three times a day at 9:00 a.m., 6:00 p.m., and 1:00 am. DVDs of Board meetings may be borrowed at the LOCSO Office.

NOTICE REGARDING AMERICANS WITH DISABILITIES ACT

In compliance with the Americans with Disabilities Act and California Government Code Section 54954.2, requests for disability related accommodations, including auxiliary aids or services, may be made by a person with a disability who requires the accommodations in order to participate in this meeting by contacting the General Manager at 805-528-9370 or at the District Office, 2122 9th Street, Suite 102, Los Osos, CA. Whenever possible, requests should be made four (4) working days in advance of the meeting.