



October 15, 2018

TO: LOCSD Board of Directors
FROM: Ann Kudart, Administrative Services Manager
SUBJECT: **Agenda Item 11B – 11/1/2018 Board Meeting**
Approve Prior Meeting Minutes

President
Vicki L. Milledge

Vice President
Marshall E. Ochylski

Directors
Charles L. Cesena
Louis G. Tornatzky
Christine M. Womack

General Manager
Renee Osborne

District Accountant
Robert Stilts, CPA

Unit Chief
Scott M. Jalbert

Battalion Chief
Greg Alex

DESCRIPTION

Attached are the minutes of the Board of Directors meetings held August 30, 2018, September 6, 2018, and September 19, 2018 for your approval.

STAFF RECOMMENDATION

This item will be approved along with the Consent Calendar unless it is pulled by a Director for separate consideration. If so, Staff recommends that the Board adopt the following motion:

Motion: I move that the Board approve the minutes of the August 30, 2018, September 6, 2018, and September 19, 2018.

Attachments

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**Los Osos Community Services District
Board of Directors
DRAFT Minutes of the Special Meeting of August 30, 2018**

AGENDA ITEM	DISCUSSION OR ACTION
<p>1. CALL TO ORDER/FLAG SALUTE/SILENT OBSERVANCE/ROLL CALL</p>	<p>President Milledge called the meeting to order at 6:07 p.m. and led the flag salute</p> <p>Roll Call: Charles L. Cesena, Director – Present Louis G. Tornatzky, Director – Present Christine M. Womack, Director – Present Marshall E. Ochylski, Vice President – Present Vicki L. Milledge, President – Present</p> <p>The following Staff were present: Renee Osborne, General Manager Roy Hanley, District Legal Counsel Rob Miller, District Engineer Ann Kudart, Administrative Services Manager</p>
<p>2. COMMUNITY WORKSHOP TO DISCUSS ALTERNATIVE SITE LOCATIONS FOR A NEW DISTRICT WELL</p>	<p>Vice President Ochylski reported that the District was holding this meeting to discuss the well selection for Program C in the Basin Management Plan and that the LOCSO is the party responsible for drilling the well under the program that was litigated before the courts.</p> <p>District Engineer Miller provided a PowerPoint presentation regarding the process of Program C well site selection; he explained that the Los Osos Basin Management Plan provides the background regarding decades old water issues in the community and forecasts where we need to go to balance our basin against its current biggest threat which is seawater intrusion; that the Plan has a set of programs that contemplate different types of infrastructure to build to balance the Basin; that four sites will be presented and that no final site has been selected or even recommended to the Board. He reported that the next phase in this process is the Environmental Review which looks at all the impacts associated with this well, will probably have multiply alternatives and once that process is done staff would then recommend a final site, look to close property purchase agreements, and it would then go through the Coastal Development process with the Coastal Commission.</p> <p>He discussed the four sites being considered for the Program C well. Site A is adjacent Los Osos Middle School near the play fields; Site B is a private piece of property on Sage Avenue; Site C is property on Andre Avenue on a one acre lot; and, Site D is a vacant area south of Sunny Oaks Mobile Home Park. He discussed the annual production, proximity to infrastructure, neighborhood and community acceptance, seller status and land cost, and aesthetic concerns including noise and visuals, potential interference with surrounding wells, environmental and endangered species impact, site layout and access, and environmental and Coastal Development permit timing for each of the four sites being considered.</p> <p>Public Comment – Tom Dixon commented that his well is being monitored by the County and asked why it was not on the District's charts and voiced his concerns regarding his well failing should the District drill on the Andre site.</p> <p>Ed Van Fleet commented that the District should shift its focus to the creek discharge and storm perched water recovery projects; and, opposed drilling a well at the Andre site.</p> <p>Steve Best inquired as to the practical purpose of putting in another well; asked if Golden State Water Company would also be drilling more wells; and, we need to look at the bigger picture to protect our aquifer.</p> <p>Larry Bender voiced his opposition of drilling wells in residential areas.</p> <p>John Goodrich commented that using water we do not have enhances seawater intrusion, a real threat for all of us and supported studying how to get more water.</p> <p>Lee offered his help to the community to monitor our water supply.</p> <p>Bob Ward commented on the CC&Rs for Andre Avenue.</p> <p>Bob Whitworth voiced his concerns regarding private wells drying up if the District takes the water and opposed drilling on the Andre site.</p>

AGENDA ITEM	DISCUSSION
2. COMMUNITY WORKSHOP TO DISCUSS ALTERNATIVE SITE LOCATIONS FOR A NEW DISTRICT WELL (continued)	<p>Ed Van Fleet commented on the Basin Management Committee agenda item regarding an update regarding creek discharge and urged the Board to give it more priority.</p> <p>Linde Owen commented on the County's control over the 500 private wells in the water basin; supported monitoring the water usage from private wells; and, the community needs to work together to balance the basin.</p> <p>Lee commented on groundwater supply, demand and monitoring.</p> <p>Steve Best commented that there is one aquifer and we are all using the same water.</p> <p>Richard Margetson asked Mr. Miller to provide a brief report regarding seawater intrusion.</p> <p>Mr. Miller reported that seawater intrusion was advancing several hundred feet per year, a threat level that generated significant action, that the community worked together to reduced their water use, new systems were brought on, the march slowed, and the water levels have recovered substantially.</p> <p>Mr. Miller provided his contact information should the public have any further questions, comments or concerns and Vice President Ochylski reminded the public that we are at the very beginning of the process and thanked everyone for attending.</p>
3. ADJOURNMENT	The meeting adjourned 7:47 p.m.

**Los Osos Community Services District
DRAFT Minutes of the Regular Meeting of September 6, 2018**

AGENDA ITEM	DISCUSSION OR ACTION
<p>1. CALL TO ORDER/FLAG SALUTE/SILENT OBSERVANCE/ROLL CALL</p>	<p>President Milledge called the meeting to order at 6:00 p.m., led the flag salute and asked for a moment of silent observance.</p> <p>Roll Call: Charles Cesena, Director – Arrived at 6:02 p.m. Louis Tornatzky, Director – Present Christine Womack, Director – Present Marshall Ochylski, Vice President – Present Vicki Milledge, President – Present</p> <p>The following Staff were present: Renee Osborne, General Manager Roy Hanley, District Counsel Ann Kudart, Administrative Services Manager</p>
<p>2. ANNOUNCEMENT OF CLOSED SESSION ITEMS</p> <p>3. PUBLIC COMMENT</p> <p>4. ADJOURN TO CLOSED SESSION</p>	<p>Legal Counsel Hanley announced that the Board would convene to Closed Session for the following:</p> <p>A. <u>PUBLIC EMPLOYEE PERFORMANCE EVALUATION [Government Code 54957 (b)(1)]</u> Employee Performance Evaluation – District General Manager</p> <p>Public Comment – Julie Tacker provided a letter to the Board regarding her opinion of the GM's performance and urged the Board to sever ties with Grace Environmental or ask for another representative from their firm.</p> <p>The Board adjourned to Closed Session at 6:05 p.m.</p>
<p>5. RECONVENE TO OPEN SESSION</p> <p>6. REPORT OUT OF CLOSED SESSION MEETING</p>	<p>The Board reconvened to Open Session at 7:12 p.m.</p> <p>Roll Call: Charles Cesena, Director – Present Louis Tornatzky, Director – Present Christine Womack, Director – Present Marshall Ochylski, Vice President – Present Vicki Milledge, President – Present</p> <p>The following Staff were present: Renee Osborne, General Manager Roy Hanley, District Counsel Steve Spinharney, Battalion Chief Jose Acosta, Utility Systems Manager Ann Kudart, Administrative Services Manager</p> <p>Vice President Ochylski announced that the Board conducted the GM's performance evaluation and that there was no reportable action taken in closed session.</p>
<p>7. PRESENTATION AND PUBLIC HEARINGS</p>	<p>None</p>
<p>8. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA</p>	<p>Julie Tacker expressed her disappointment that the County Library meeting was held the same time as the District's meeting.</p>
<p>9. ADMINISTRATIVE AND COMMITTEE REPORTS</p> <p>A. Fire Department Report</p> <p>B. Sheriff Department Report</p>	<p>Battalion Chief Spinharney, Coastal Division Chief, provided a summary of the Fire Department activities as submitted in the agenda packet, reporting that Station 15 - South Bay responded to 131 calls between July 24 and August 22 including 79 Medical Aids and 3 Traffic Collisions; that 9 incidents were reported as Fire, 3 as Hazardous; and 21 as Public Service Assists; and, that Company 15 was called to cover the station or respond to emergencies a total of 8 times. He reported that staff are preparing for the Fire Safety Fair to be held Saturday, October 6th from 11 a.m. to 3 p.m. in the parking lot at Rite-Aid.</p> <p>None</p>

AGENDA ITEM	DISCUSSION
C. Utilities Department Report	Utility Systems Manager Jose Acosta reported that this week he celebrated one year of service with the District and thanked the citizens of Los Osos for their creative, collaborative, and positive suggestions, the Directors for their leadership and vision, the committees for their dedication and volunteerism, the field staff and the admin staff for providing the best service we can to the community, and General Manager Osborne for her dedication under fire. He provided a summary of the July 2018 activities of the Utilities Department as submitted in the agenda packet, reporting that residential water usage was 70.5 gallons per person per day. He reported on production and runtime hours by well site, water billing information, Utilities Department operations and maintenance, water distribution and treatment, and rainfall totals.
D. General Manager Report	General Manager Osborne provided a summary of the GM's activities for August 2018 as submitted in the agenda packet. She reported that the status of the 17/18 audit; the conservation campaign; Parks and Recreation Committee's project to remove the rubber chip material from the playground at the Los Osos Park; the submission of a Prop 1 grant for the 8 th Street Well project; that Wallace Group has updated the 18/19 tax rolls and that Fire decreased by \$33.46 and Drainage by \$112.00; and, provided an update on the Los Osos Los Income Assistance Fund.
E. Los Osos Community Advisory Council (LOCAC)	Lynette Tornatzky reported on the new MailChimp mailer to provide information regarding LOCAC activities and community issues. She provided an update of the August 23 rd LOCAC meeting in which Supervisor Gibson reported on the 1 st Street encroaching project, the upcoming Library meeting, that 73 properties had not yet connected to the sewer, and, secondary dwelling units. The Council discussed the rubber tire mulch removal project; Land Use issues; Vacation Rentals; and, LOCAC Chairperson Larry Bender resigned and the Council will hold a vote for a new Chairperson at their September meeting.
F. Los Osos/Baywood Park Chamber of Commerce Report	Steve Vinson reported that the Rotary's Family Fun Fair/Grandparents Day will be held Sunday, September 9 th and the Community Center and that the Chamber's Bear Festival entries will be judged at the Fair; the Annual Oktoberfest will be held on Sunday, October 28 th with the Kiwanis Pancake Breakfast starting at 8:00 a.m.
G. Los Osos Fire Safe Focus Group Report	Tom Wright reported that the second Town Hall Meeting was held on August 20 th with approximately 80 community members in attendance along with presentations from Highway Patrol, Cal Fire, Sheriff, CERT Team, the Fire Safe Council; that Supervisor Gibson was in attendance as well as State Parks and Fish and Wildlife personnel. He reported that two local neighborhoods are investigating becoming Fire Wise Communities; and, the next Focus Group meeting will be held September 17 th at 10:00 a.m. in the LOCSD Board Meeting Room.
H. Parks and Recreations Advisory Committee Report	None
I. Utilities Advisory Committee Report	Committee Chairperson Cesena reported on the August 15 th UAC meeting in which the Committee reviewed, discussed, and recommended Board approval of much needed equipment and repairs to move projects forward. The next UAC meeting will be held September 19 th .
J. Finance Advisory Committee Report	Committee Chairperson Ochylski reported on the September 4 th FAC meeting in which the Committee recommended Board approval of the warrant register and to receive and file the financial reports. He reported that he will discuss the Committee's recommendations for those items when they are heard by the Board later in the meeting. The next FAC meeting will be held October 1 st .
K. Appointment of Alternate Chairperson to ESAC	President Milledge appointed Director Cesena as Alternate Chairperson of the Emergency Services Advisory Committee.
L. Directors Announcements of District and Community Interest and Reports on Attendance at Public Meetings, Training Programs, Conferences, and Seminars	Director Cesena reported on his attendance at the CAPSLO Employee Appreciation Day and AGP Video will be running CAPSLO public service announcements on the District's Channel 20 as well as Channel 21. Vice President Ochylski reported on the August 30 th BMC meeting in which the committee heard updates regarding the Water Conservation Project, BMC projects, and the LOCSD's outreach program to be held that evening regarding an eastside well.

AGENDA ITEM	DISCUSSION
<p>M. Response of Previously Asked Question</p>	<p>Vice President reported on the District's August 30th special meeting regarding alternative site locations for an eastside well. He reported that it was an informal workshop with very helpful comments from the community; that this is the beginning of a long and involved process; that four potential well sites have been identified; that research and analysis is being conducted to see which of the four sites, if any, we want to move forward through the permitting process which will require an Environmental Determination; and, that he will be meeting with District Engineer Miller to determine next steps in the process and will report back to the Board at their October 4th meeting.</p> <p>None</p>
<p>10. PUBLIC COMMENT ON THE ADMINISTRATIVE AND COMMITTEE REPORTS AND THE CONSENT AGENDA</p>	<p>Public Comment – Julie Tacker congratulated Utility Systems Manager Acosta for his one year anniversary with the District. She commented on the GM Report; supported the appointment of Director Cesena as Vice Chairperson of ESAC and that he would be a valuable assets to the discussion regarding the weed abatement powers.</p> <p>Richard Margetson congratulated Director Cesena on his appointment as ESAC Vice Chairperson. He commented on the 4% decrease in water consumption but a 19% increase in revenue; and, when projects are complete there should be a discussion regarding reducing water rates.</p>
<p>11. CONSENT AGENDA A. Receive Administrative and Committee Reports B. Approve Meeting Minutes of August 2, 2018 C. Approve Warrant Register for August 2018 D. Receive Financial Reports for the Period Ending July 31, 2018 E. Approve Purchase of Valve Exercising Machine F. Approve Repairs to District Backhoe G. Approve Purchase of Replacement Pump for 16th Street Drainage Facility H. Authorize Replacement of Pump and Panel at Bayridge Drainage and Panel Replacement at Don and Mitchell Drainage</p>	<p>A motion was made by Director Cesena that the Board receive and file the Administrative and Committee Reports and approve the Consent Agenda. The motion was seconded by Director Womack and carried 5-0.</p>
<p>12. GENERAL ACTION ITEMS A. Approve Parks and Receptions Committee Project to Remove the Recycled Tire Material from the Los Osos Community Park Playground Area and the Installation of Fibar Chips</p>	<p>General Manager Osborne reported that the County requested the District provide a permit as we will be working on County property; SDRMA has provided a waiver for each of the volunteers to complete before working; the County will provide a safety officer while the work is being completed.</p> <p>Vice President Ochylski reported that FAC discussed the need for a Memorandum of Understanding or agreement with the County that the District be reimbursed for the project as this is the County's responsibility; discussed liability issues and impact on drainage facilities; and, that the committee recommended that the agreement be forwarded to the County for their signature.</p> <p>General Manager Osborne reported that FAC recommended that the Parks and Recreation Committee find alternate ways of raising the funds should the County not restore the funds to the District and requested Board direction to add that item to the Parks and Recreation Work Plan.</p> <p>Public Comment – Jennifer Foronjy, Parks and Recreation Committee Member, commented that she and her friends can't take her children to the one park in Los Osos because of the toxic material and this project must be done.</p> <p>Julie Tacker commented on the change.org petition she started in 2016 addressed to County Parks, the Board of Supervisors and recently added the District Board with the intent that the District would put pressure on the County to remove the rubber chips.</p>

AGENDA ITEM	DISCUSSION
	<p>Richard Margetson commented that FAC discussed that the MOU was one time only and that Supervisor Gibson should find the funds for this community.</p> <p>Andrea Lueker, Parks and Recreation Committee Member, commented that the Board appointed the committee to advise them, that this project is a win, and encouraged the Board to move forward with the project.</p> <p>Vice President Ochylski made a motion that the Board approve the use of Parks and Recreation Reserve Funds for the purchase of the County recommended Engineered ASTM Certified Virgin Cedar Playground Fall Material, inclusive of sales tax for \$9,051.00, services to install the material for \$3,600.00, payment of equipment operator from Madonna Construction for the removal of the current rubber chips for \$2,000.00, payment to Mission Disposal for roll-offs, hauling and disposal of the rubber chips for \$217.00, less \$1,000 contribution from Supervisor Bruce Gibson's Office, for a total of \$13,868.00 to upgrade the Los Osos County Park playground; and to direct staff to send a letter to the County that the District be reimbursed for the project, that the project remains the County's responsibility, and to add to the Parks and Recreation Committee's Work Plan to find alternate ways of raising funds to reimbursement the District for these expenditures. The motion was seconded by Director Womack and carried 5-0.</p>
B. Recommendations Regarding Phase 3 of the Los Osos Low Income Assistance Fund	<p>Vice President Ochylski reported that FAC discussed extending Phase II application process to November 1st to allow additional applications and that FAC will continue discussing alternative way to expend any money left over and bring back to the Board.</p> <p>The Board discussed extending the application process to the end of the year, to continue processing applications as received, to bring to FAC for recommendations to the Board for discussion regarding criteria for Phase II.</p> <p>Public Comment – Julie Tacker supported extending the deadline and asked the Board to consider appointing an ad hoc committee to explore the guidelines for Phase III.</p> <p>Richard Margetson commented on the need for everyone to be on the same page and that fines do not start accumulating.</p> <p>Vice President Ochylski made a motion that the Board extend the application period under Phase II to December 31, 2018, to renew our outreach program to public and communicate to the County that anyone in the review and approval process will not be fined. The motion was seconded by Director Womack and carried 5-0.</p>
C. Consideration of Potential Sale of District Property	<p>District Counsel Hanley provided a brief summary of the report as submitted with the agenda packet. He reported that staff discussed the possible sale of the property and loss of a monitoring well on the property which is useful for the District and Basin Management issues.</p> <p>Public Comment – None</p> <p>A motion was made by Director Cesena that the Board not list the 1936 12th Street property, APN#038-641-004, for sale at this time. The motion was seconded by Director Womack and carried 5-0.</p>
13. DISCUSSION OF PULLED CONSENT ITEMS	None
14. FUTURE AGENDA ITEMS	Appoint representative from the Board to address the Board of Supervisors regarding sale of reclaimed water to dryland farmers.
15. CLOSING BOARD COMMENTS	<p>Vice President Ochylski announced Mission County Disposal's last day for extra pick up to be collected is Friday.</p> <p>Director Womack announced that the South Bay Women's Network has a scholarship for women re-entering Cuesta College. Information can be found at www.sbwn.org and their Facebook page.</p> <p>Director Cesena reminded the public that school is in session and to please drive carefully.</p>
16. ADJOURNMENT	The meeting adjourned at 9:14 p.m.

**Los Osos Community Services District
Board of Directors
DRAFT Minutes of the Special Meeting of September 19, 2018**

AGENDA ITEM	DISCUSSION OR ACTION
<p>1. CALL TO ORDER/FLAG SALUTE/SILENT OBSERVANCE/ROLL CALL</p>	<p>President Milledge called the meeting to order at 5:30 p.m. and led the flag salute.</p> <p>Roll Call: Charles L. Cesena, Director – Present Louis G. Tornatzky, Director – Present Christine M. Womack, Director – Absent Marshall E. Ochylski, Vice President – Present Vicki L. Milledge, President – Present</p> <p>The following Staff were present: Renee Osborne, General Manager Roy Hanley, District Legal Counsel Ann Kudart, Administrative Services Manager</p>
<p>2. GENERAL ACTION ITEM</p> <p>A. Board Recommendation Regarding the “Right of Entry” Permit with New Terms for the Los Osos Community Park Playground Rubber Chip Removal</p>	<p>General Manager Osborne provided a summary of the staff report as submitted with the agenda packet.</p> <p>Public Comment – Jennifer Foronjy voiced her support of the project and thanked the Board for their support.</p> <p>Linde Owen – Commented that the financial arrangements should have been made ahead of time and supported the project moving ahead.</p> <p>Steve Best – supported the District's continued negotiations with the County for reimbursement.</p> <p>Richard Margetson – opposed the process commenting that it was backwards and that it should have been established prior to making the arrangements.</p> <p>Vice President Ochylski reported that the rubber chips were not the original surfacing in the playground, that it was sand, that the County made the decision to resurface in 2012 with the rubber chips, and that the County should be responsible for their removal. The Board discussed their frustration that the District was not being reimbursed but agreed that the project should move forward.</p> <p>A motion was made by Director Cesena that staff sign the right of entry permit, continue with the removal of the rubber chips from the Los Osos Community Park Playground and installation of the fibar chips. The motion was seconded by Director Tornatzky and carried 4-0.</p>
<p>3. ADJOURNMENT</p>	<p>The meeting adjourned at 5:59 p.m.</p>