



REGULAR MEETING AGENDA

Thursday, August 5, 2010

***** OPEN/PUBLIC SESSION – 6:00 p.m. *****

**CLOSED SESSION IMMEDIATELY
FOLLOWING OPEN SESSION**

South Bay Community Center

2180 Palisades Avenue, Los Osos, CA

President
Marshall E. Ochylski

Vice President
Steve Senet

Directors
Chuck Cesena
Maria M. Kelly
Joe Sparks

General Manager
Dan Gilmore

District Accountant
Amparo Haber

Administrative Supervisor
Sandi Woods

Utilities Supervisor
Margaret Falkner

Fire Chief
Matt Jenkins

Battalion Chief
Phill Veneris

Mailing Address:
P.O. Box 6064
Los Osos, CA 93412

Offices:
2122 9th Street, Suite 102
Los Osos, CA 93402

Phone: 805/528-9370
FAX: 805/528-9377

www.losososcscsd.org

***** PLEASE NOTE EARLY START TIME *****

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

ITEMS 1, 2 and 3 – NOT USED

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.

A. Administrative Reports

1. District/CAL FIRE Manager Report
2. District Utilities Department Report
3. District Administrative Department Report
4. District General Manager Report

B. Committee Reports

1. LOCSD Standing Advisory Committee and Ad Hoc Committee Reports
 - a. Emergency Services Advisory Committee
 - b. Finance Advisory Committee
 - c. Utilities Advisory Committee
2. Directors Reports on Attendance at Other Agency Committee Meetings
3. LOCAC Report

C. Response to Previously Asked Questions

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 Administrative and Committee Reports

ACTION REQUESTED: File Reports Presented Above

- B. Approve Prior Meeting Minutes
1. July 1, 2010

ACTION REQUESTED: Approve Minute

- C. Receive Warrant Register for June 26, 2010 to July 31, 2010

ACTION REQUESTED: Receive and File

- D. Receive Financial Statements for Period Ending June 30, 2010, Cash and Reserves Schedule as of June 30, 2010

ACTION REQUESTED: Receive and File

- E. Approve Proposed Information Technology Services Agreement

ACTION REQUESTED: Approve Agreement with TekTegrity for Information Technology Services

- F. Adopt Resolution Verifying Biennial Review and Re-adoption of the District's Conflict of Interest Code

ACTION REQUESTED: Adopt Resolution and Direct Staff to Submit Notice to County Clerk

- G. Prorate Utilities Billing

ACTION REQUESTED: Direct Staff to Implement Changes Necessary to Prorate Water Bills

- H. Approve Purchase of Replacement Vault Doors at Two Drainage Sites

ACTION REQUESTED: Authorize Purchase of Replacement Vault Doors Not to Exceed \$6075.00

- I. Authorize General Manager to Negotiate Price and Purchase Valve Exercising Equipment

ACTION REQUESTED: Authorize General Manager to Negotiate Price and Purchase Valve Exercising Equipment at a Price Not to Exceed \$25,000.00

- J. Approve Monetary Support for the 26th Annual California Coastal Cleanup Day to be Held Saturday, September 25, 2010

ACTION REQUESTED: Approve a Sea Star Sponsorship in the Amount of \$250.00 for the 26th Annual California Coastal Cleanup Day

7:00 PM: GENERAL PUBLIC COMMENT - 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.
- Members of the audience who wish to address the Board shall line up behind the podium or sit in the front two (2) rows next to the podium.

CLOSING BOARD COMMENTS

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

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)

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 et al., Case No. CV050862 (San Luis Obispo Superior Court)

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

PUBLIC COMMENT - At this time, members of the public may 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.
- Members of the audience who wish to address the Board on a particular item on the agenda shall line up behind the podium or sit in the front two (2) rows next to the podium.

ADJOURN TO CLOSED SESSION MEETING

AGENDA AND SCHEDULING

	<u>Date</u>	<u>Time</u>	<u>Location</u>
Regular Closed Session Meeting	9/2/2010	6:00 p.m.	SBCC
Regular Open Session Meeting	9/2/2010	7:00 p.m.	SBCC

NOTE: The following apply to this Agenda:

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
- Members of the audience who wish to address the Board on a particular item on the agenda shall line up behind the podium or sit in the front two (2) rows next to the podium
- 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 for viewing at the District Office, South Bay Library and at www.lososocsd.org. Please contact LOCSD at 528-9370 for information.