



**Notice of Regular Meeting**  
**Oceano Community Services District - Board of Directors Agenda**  
**WEDNESDAY, MARCH 08, 2023 – 6:00 P.M.**  
**Oceano Community Services District Board Room**  
**1655 Front Street Oceano, CA**

All items on the agenda including information items, may be deliberated. Any member of the public with an interest in one of these items should review the background material and request information on the possible action that could be taken.

All persons desiring to speak during any Public Comment period are asked to fill out a "Board Appearance Form" to submit to the Board Secretary prior to the start of the meeting. Each individual speaker is limited to a presentation time of THREE (3) minutes per item. Persons wishing to speak on more than one item shall limit their remarks to a total of SIX (6) minutes. This time may be allowed between items in one-minute increments up to three minutes. Time limits may not be yielded to or shared with other speakers.

1. CALL TO ORDER
2. ROLL CALL
3. FLAG SALUTE
4. AGENDA REVIEW
5. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

*This public comment period provides an opportunity for members of the public to address the Board on matters of interest within the jurisdiction of the District that are not listed on the agenda. If a member of the public wishes to speak at this time, Public comment is limited to three (3) minutes.*

6. SPECIAL PRESENTATIONS & REPORTS:

A. STAFF REPORTS:

- i. Sheriff's South Station - Commander Keith Scott
- ii. FCFA Operations - Chief Steve Lieberman
- iii. Operations – Utility System Manager Tony Marraccino
- iv. OCSD General Manager – Will Clemens
- v. OCSD Legal Counsel – Chase Martin - Report regarding the Board of Directors drafting letters and/or issuing statements on public interest matters that do not fall directly within the District's purview

B. BOARD OF DIRECTORS AND OUTSIDE COMMITTEE REPORTS:

- i. President Villa
- ii. Vice President Gibson
- iii. Director Austin
- iv. Director Joyce-Suneson
- v. Director Varni

C. PUBLIC COMMENT ON SPECIAL PRESENTATIONS AND REPORTS:

*This public comment period provides an opportunity for members of the public to address the Board on matters discussed during Special Presentations and Reports. If a member of the public wishes to speak at this time, Public comment is limited to three (3) minutes.*

7. CONSENT AGENDA ITEMS:

**Public comment** Members of the public wishing to speak on consent agenda items may do so when recognized by the Presiding Officer. If a member of the public wishes to speak at this time, Public comment is limited to three (3) minutes.

- A. Review and Approval of Minutes for the Regular Meeting of February 22, 2023

B. Review of Cash Disbursements

8. BUSINESS ITEMS:

**Public comment** Members of the public wishing to speak on business items may do so when recognized by the Presiding Officer. If a member of the public wishes to speak at this time, Public comment is limited to three (3) minutes.

- A. Submittal of a resolution authorizing participation in developing the DESAL Plan in coordination with other participating water-purveying agencies and stakeholders.
- B. Resolution to Amend the District By-Laws.

9. HEARING ITEMS:

**Public comment** Members of the public wishing to speak on hearing items may do so when recognized by the Presiding Officer. If a member of the public wishes to speak at this time, Public comment is limited to three (3) minutes.

10. RECEIVED WRITTEN COMMUNICATIONS:

11. LATE RECEIVED WRITTEN COMMUNICATIONS:

12. FUTURE AGENDA ITEMS (Approved by Board Majority):

13. FUTURE HEARING ITEMS:

14. CLOSED SESSION:

15. ADJOURNMENT:

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**ASSISTANCE FOR THE DISABLED** If you are disabled in any way and need accommodation to participate in the Board meeting, please call the Clerk of the Board at (805) 481-6730 for assistance at least three (3) working days prior to the meeting so necessary arrangements can be made.



# Oceano Community Services District

## Summary Minutes

Regular Meeting Wednesday, February 22, 2023 – 6:00 P.M.

Location: OCSD BOARD ROOM

1. **CALL TO ORDER:** Called at approximately 6:00 p.m. by President Villa  
Moment of silence observed for former Board Member Mary Lucey.
2. **ROLL CALL:** Board members present: President Villa, Vice President Gibson, Director Austin, Director Joyce-Suneson, and Director Varni  
Staff present: Carey Casciola, Business & Accounting Manager and Chase Martin, Legal Counsel
3. **FLAG SALUTE:** Led by President Villa
4. **AGENDA REVIEW:** Agenda accepted as presented with a motion by Director Austin and a second by President Villa a 5-0 roll call vote.
5. **PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:**

April Dury	Requested an additional microphone and for all participants to speak clearly and slowly.
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### 6. SPECIAL PRESENTATIONS & REPORTS

#### A. STAFF REPORTS:

- i. **Sheriff’s South Station** – Commander Keith Scott – January 2023 Update  
383 Calls for Service (up 47 calls from last year)  
2 Assaults  
28 Disturbance calls (burglary / thefts)  
0 Phone scams  
7 Suspicious circumstances  
35 Enforcement traffic stops  
41 Assisting other agencies  
Levee evacuations and orders in January was the largest event. Complimented the community of Oceano for responding well.
- ii. **Five Cities Fire Authority** – Steve Lieberman, Fire Chief - Absent
- iii. **Operations** - Utility Systems Manager - Tony Marraccino  
Lopez 55.2% (27,268 AF) / State water 36 AF / Pumped 8 AF  
1 SSO (Sewer System Overflow) in January  
12 Work Orders / 14 USAs / 10 Customer Service Calls / 3 After Hours Callouts  
Continuing with weekly and monthly samples  
Completed the removal of a hydrant on HWY 1 for a Caltrans project  
Fixed a leaking toilet at the District office  
Paved Paso Robles St. post line break  
Comment codes completed / fixed several light poles on Hwy 1 in coordination with PG&E  
First of the month equipment runs / dead end flushing  
Attended a free class regarding hydrants and valves  
Replacing meters / Recycling runs – concrete and asphalt  
Trash clean-up on 17<sup>th</sup> Street / Weed abatement at yard and well #8  
Door hangers and Lock offs
- iv. **OCSD General Manager** – Will Clemens - Absent

#### B. BOARD OF DIRECTORS AND OUTSIDE COMMITTEE REPORTS:

- i. **President Villa** – None
- ii. **Vice President Gibson** – None
- iii. **Director Austin** – None
- iv. **Director Joyce-Suneson** – None
- v. **Director Varni** – Reported on 2/17/2023 FCFA (Five Cities Fire Authority) meeting

#### C. PUBLIC COMMENT ON SPECIAL PRESENTATIONS AND REPORTS: None

<b>7. CONSENT AGENDA:</b>	<b>ACTION:</b>
<ul style="list-style-type: none"> <li>a) Review and Approval of Minutes for the Regular Meeting of February 8, 2023</li> <li>b) Review of Cash Disbursements</li> <li>c) Approval of a Budget Adjustment, CEQA Exemption, and Contract for Consultant Services for the Water Tank Rehabilitation Project</li> <li>d) Approval of a letter of support for One Cool Earth's application to fund a San Luis Obispo County Environmental Education Coalition.</li> </ul>	<p>After an opportunity for public comment, Board and staff discussion, Director Austin made a motion to approve the consent agenda with a second from President Villa and a 5-0 roll call vote.</p> <p>Public Comment: None</p>

<b>8A. BUSINESS ITEMS:</b>	<b>ACTION:</b>
<p>Discussion of Parks and Recreation Advisory Committee and provide Board direction as deemed appropriate.</p>	<p>After an opportunity for public comment, Board and staff discussion, Director Varni made a motion to have the Oceano Community Services District initiate its authority over parks and recreation as granted it by LAFCo on behalf of the community of Oceano and in exercising that authority create a parks and recreation advisory committee to advise the Board of Directors on projects and programs relevant to recreation and parks in Oceano with a second from Director Joyce-Suneson and a 4-1 vote.</p> <p>Dissented: Vice President Gibson</p> <p>Public Comment: None</p>

<b>8B. BUSINESS ITEMS:</b>	<b>ACTION:</b>
<p>Review of the District's Budget Status as of December 31, 2022.</p>	<p>After a presentation by staff, opportunity for public comment, Board and staff discussion the item was received and filed by the Board.</p> <p>Public Comment: None</p>

<b>8C. BUSINESS ITEMS:</b>	<b>ACTION:</b>
<p>Approval of a Budget Adjustment and Contract for Grant Writing Consultant Services for a Clean California Grant Application to CalTrans.</p>	<p>After an opportunity for public comment, Board and staff discussion, Director Austin made a motion to approve the budget adjustment and Contract for Grant writing consultant services for a Clean California grant application to Caltrans with a second from Director Varni and a 5-0 roll call vote.</p> <p>Public Comment: None</p>

- 9. **HEARING ITEMS:** None
- 10. **RECEIVED WRITTEN COMMUNICATIONS:** None
- 11. **LATE RECEIVED WRITTEN COMMUNICATIONS:** None
- 12. **FUTURE AGENDA ITEMS** (Approved by Board Majority): Director Varni made a motion to receive a report from staff and District Legal Counsel regarding the District's authority to advocate for items not under the District's purview with a second from President Villa and a 5-0 vote.
- 13. **FUTURE HEARING ITEMS:** None
- 14. **CLOSED SESSION ITEMS:** None
- 15. **ADJOURNMENT:** Approximately 7:30 p.m.



# Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475

PHONE(805) 481-6730 FAX (805) 481-6836

**Date:** March 8, 2023

**To:** Board of Directors

**From:** Carey Casciola, Business and Accounting Manager

**Subject:** **Agenda Item #7(B): Recommendation to Review Cash Disbursements**

**Recommendation**

It is recommended that your board review the attached cash disbursements:

**Discussion**

The following is a summary of the attached cash disbursements:

Description	Check Sequence	Amounts
	60071 - 60097	
<b>Disbursements:</b>		
Regular Payable Register - paid 03/02/2023	60071 - 60090	\$ 17,512.55
Utility Billing - Final Bill-Refund Due - paid 03/02/2023	60091	\$ 181.09
Utility Billing - Final Bill-Refund Due - paid 03/02/2023	60092 - 60093	\$ 528.56
Utility Billing - Final Bill-Refund Due - paid 03/02/2023	60094	\$ 211.51
Subtotal:		\$ 18,433.71
<b>Reoccurring Payments for Board Review (authorized by Resolution 2020-06):</b>		
Payroll Disbursements - PPE 02/25/2023	N/A	\$ 32,121.28
Board Stipend - June 2022 thru February 2023 - paid 2/28/2023	N/A	\$ 1,345.63
Five Star Bank - Mastercard Online Payment - paid 3/02/2023	N/A	\$ 101.74
Reoccurring Utility Disbursements - paid 03/02/2023	60095 - 60097	\$ 6,994.17
Subtotal:		\$ 40,562.82
Grand Total:		\$ 58,996.53

**Other Agency Involvement**

N/A

**Other Financial Considerations**

Amounts are within the authorized Fund level budgets.

**Results**

The Board's review of cash disbursements is an integral component of the District's system of internal controls and promotes a well governed community.

3/02/2023 2:21 PM  
 COMPANY: 99 - POOLED CASH FUND  
 ACCOUNT: 1-1001-000 POOLED CASH OPERATING  
 TYPE: All  
 STATUS: All  
 FOLIO: All

CHECK RECONCILIATION REGISTER

PAGE: 1  
 CHECK DATE: 0/00/0000 THRU 99/99/9999  
 CLEAR DATE: 0/00/0000 THRU 99/99/9999  
 STATEMENT: 0/00/0000 THRU 99/99/9999  
 VOIDED DATE: 0/00/0000 THRU 99/99/9999  
 AMOUNT: 0.00 THRU 999,999,999.99  
 CHECK NUMBER: 060071 THRU 060090

ACCOUNT	--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT----	STATUS	FOLIO	CLEAR DATE	
CHECK:	-----								
1-1001-000	3/02/2023	CHECK	060071	ADAMSKI MOROSKI MADDEN CUMBERL	100.00CR	OUTSTND	A	0/00/0000	LEGAL SERVICES
1-1001-000	3/02/2023	CHECK	060072	AQUA-METRIC	207.38CR	OUTSTND	A	0/00/0000	METER REGISTERS
1-1001-000	3/02/2023	CHECK	060073	ARAMARK	267.71CR	OUTSTND	A	0/00/0000	UNIFORMS
1-1001-000	3/02/2023	CHECK	060074	CALPORTLAND CONSTRUCTION	265.28CR	OUTSTND	A	0/00/0000	PAVING
1-1001-000	3/02/2023	CHECK	060075	BRENT SARKISON DBA CALTEC COMP	30.00CR	OUTSTND	A	0/00/0000	MONTHLY STD BKUP
1-1001-000	3/02/2023	CHECK	060076	CLINICAL LAB OF SAN BERNARDINO	710.00CR	OUTSTND	A	0/00/0000	WATER SAMPLES
1-1001-000	3/02/2023	CHECK	060077	CONFLUENCE ENGINEERING SOLUTIO	5,727.50CR	OUTSTND	A	0/00/0000	ENGINEERING SUPPORT
1-1001-000	3/02/2023	CHECK	060078	CRWA	300.00CR	OUTSTND	A	0/00/0000	CLASS FEE
1-1001-000	3/02/2023	CHECK	060079	DIVERSIFIED PROJECT SERVICES I	3,600.00CR	OUTSTND	A	0/00/0000	ENGR SVCS & REIMBURSABLE ENGR SVCS
1-1001-000	3/02/2023	CHECK	060080	EVERYWHERE RIGHT NOW, INC.	420.00CR	OUTSTND	A	0/00/0000	ENTERPRISE HOSTING ANNUAL
1-1001-000	3/02/2023	CHECK	060081	FLUID RESOURCE MANAGEMENT	505.83CR	OUTSTND	A	0/00/0000	LIFT STATION MAINTENANCE
1-1001-000	3/02/2023	CHECK	060082	GRAND AWARDS	15.09CR	OUTSTND	A	0/00/0000	NAME PLATE
1-1001-000	3/02/2023	CHECK	060083	GSI WATER SOLUTIONS, INC.	2,787.41CR	OUTSTND	A	0/00/0000	NCMA 2022 ANNUAL REPORT
1-1001-000	3/02/2023	CHECK	060084	HERC RENTALS INC.	588.17CR	OUTSTND	A	0/00/0000	SAFETY EXPENSE
1-1001-000	3/02/2023	CHECK	060085	ICONIX WATERWORKS (US) INC.	172.57CR	OUTSTND	A	0/00/0000	SYSTEM PARTS
1-1001-000	3/02/2023	CHECK	060086	J.B. DEWAR, INC.	980.65CR	OUTSTND	A	0/00/0000	FUEL
1-1001-000	3/02/2023	CHECK	060087	MINER'S ACE HARDWARE, INC.	15.20CR	OUTSTND	A	0/00/0000	SAFETY EXPENSE
1-1001-000	3/02/2023	CHECK	060088	PETTY CASH	8.13CR	OUTSTND	A	0/00/0000	CERT MAIL
1-1001-000	3/02/2023	CHECK	060089	QUILL CORPORATION	39.23CR	OUTSTND	A	0/00/0000	OFFICE SUPPLIES
1-1001-000	3/02/2023	CHECK	060090	SLO CO PUBLIC HEALTH DEPT.	772.40CR	OUTSTND	A	0/00/0000	BACKFLOW CHARGES
TOTALS FOR ACCOUNT 1-1001-0				CHECK TOTAL:	17,512.55CR				
				DEPOSIT TOTAL:	0.00				
				INTEREST TOTAL:	0.00				
				MISCELLANEOUS TOTAL:	0.00				
				SERVICE CHARGE TOTAL:	0.00				
				EFT TOTAL:	0.00				
				BANK-DRAFT TOTAL:	0.00				

COMPANY: 99 - POOLED CASH FUND  
 ACCOUNT: 1-1001-000 POOLED CASH OPERATING  
 TYPE: All  
 STATUS: All  
 FOLIO: All

CHECK DATE: 0/00/0000 THRU 99/99/9999  
 CLEAR DATE: 0/00/0000 THRU 99/99/9999  
 STATEMENT: 0/00/0000 THRU 99/99/9999  
 VOIDED DATE: 0/00/0000 THRU 99/99/9999  
 AMOUNT: 0.00 THRU 999,999,999.99  
 CHECK NUMBER: 060071 THRU 060090

ACCOUNT            --DATE--    --TYPE--    NUMBER    -----DESCRIPTION-----    ----AMOUNT---    STATUS    FOLIO    CLEAR DATE

TOTALS FOR POOLED CASH FUND	CHECK	TOTAL:	17,512.55CR
	DEPOSIT	TOTAL:	0.00
	INTEREST	TOTAL:	0.00
	MISCELLANEOUS	TOTAL:	0.00
	SERVICE CHARGE	TOTAL:	0.00
	EFT	TOTAL:	0.00
	BANK-DRAFT	TOTAL:	0.00

COMPANY: 99 - POOLED CASH FUND  
ACCOUNT: 1-1001-000 POOLED CASH OPERATING  
TYPE: All  
STATUS: All  
FOLIO: All

CHECK DATE: 0/00/0000 THRU 99/99/9999  
CLEAR DATE: 0/00/0000 THRU 99/99/9999  
STATEMENT: 0/00/0000 THRU 99/99/9999  
VOIDED DATE: 0/00/0000 THRU 99/99/9999  
AMOUNT: 0.00 THRU 999,999,999.99  
CHECK NUMBER: 060091 THRU 060091

ACCOUNT	--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT---	STATUS	FOLIO	CLEAR DATE	
CHECK:	-----								
1-1001-000	3/02/2023	CHECK	060091	SWEETLAND, TERRY	181.09CR	OUTSTND	A	0/00/0000	UB FINAL BILL CR BAL - REFUND DUE
TOTALS FOR ACCOUNT 1-1001-0				CHECK	TOTAL:	181.09CR			
				DEPOSIT	TOTAL:	0.00			
				INTEREST	TOTAL:	0.00			
				MISCELLANEOUS	TOTAL:	0.00			
				SERVICE CHARGE	TOTAL:	0.00			
				EFT	TOTAL:	0.00			
				BANK-DRAFT	TOTAL:	0.00			
TOTALS FOR POOLED CASH FUND				CHECK	TOTAL:	181.09CR			
				DEPOSIT	TOTAL:	0.00			
				INTEREST	TOTAL:	0.00			
				MISCELLANEOUS	TOTAL:	0.00			
				SERVICE CHARGE	TOTAL:	0.00			
				EFT	TOTAL:	0.00			
				BANK-DRAFT	TOTAL:	0.00			



COMPANY: 99 - POOLED CASH FUND  
 ACCOUNT: 1-1001-000 POOLED CASH OPERATING  
 TYPE: All  
 STATUS: All  
 FOLIO: All

CHECK DATE: 0/00/0000 THRU 99/99/9999  
 CLEAR DATE: 0/00/0000 THRU 99/99/9999  
 STATEMENT: 0/00/0000 THRU 99/99/9999  
 VOIDED DATE: 0/00/0000 THRU 99/99/9999  
 AMOUNT: 0.00 THRU 999,999,999.99  
 CHECK NUMBER: 060092 THRU 060093

ACCOUNT	--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT---	STATUS	FOLIO	CLEAR DATE	
<b>CHECK:</b>									
1-1001-000	3/02/2023	CHECK	060092	LEE, NICOLE MARIE	28.56CR	OUTSTND	A	0/00/0000	UB FINAL BILL CR BAL - REFUND DUE
1-1001-000	3/02/2023	CHECK	060093	CARL, GARY	500.00CR	OUTSTND	A	0/00/0000	UB FINAL BILL CR BAL - REFUND DUE
TOTALS FOR ACCOUNT 1-1001-0				CHECK	TOTAL:	528.56CR			
				DEPOSIT	TOTAL:	0.00			
				INTEREST	TOTAL:	0.00			
				MISCELLANEOUS	TOTAL:	0.00			
				SERVICE CHARGE	TOTAL:	0.00			
				EFT	TOTAL:	0.00			
				BANK-DRAFT	TOTAL:	0.00			
TOTALS FOR POOLED CASH FUND				CHECK	TOTAL:	528.56CR			
				DEPOSIT	TOTAL:	0.00			
				INTEREST	TOTAL:	0.00			
				MISCELLANEOUS	TOTAL:	0.00			
				SERVICE CHARGE	TOTAL:	0.00			
				EFT	TOTAL:	0.00			
				BANK-DRAFT	TOTAL:	0.00			

COMPANY: 99 - POOLED CASH FUND  
 ACCOUNT: 1-1001-000 POOLED CASH OPERATING  
 TYPE: All  
 STATUS: All  
 FOLIO: All

CHECK DATE: 0/00/0000 THRU 99/99/9999  
 CLEAR DATE: 0/00/0000 THRU 99/99/9999  
 STATEMENT: 0/00/0000 THRU 99/99/9999  
 VOIDED DATE: 0/00/0000 THRU 99/99/9999  
 AMOUNT: 0.00 THRU 999,999,999.99  
 CHECK NUMBER: 060094 THRU 060094

ACCOUNT	--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT---	STATUS	FOLIO	CLEAR DATE	
CHECK:									
1-1001-000	3/02/2023	CHECK	060094	CASTANEDA, CARLOS A	211.51CR	OUTSTND	A	0/00/0000	UB FINAL BILL CR BAL - REFUND DUE
TOTALS FOR ACCOUNT 1-1001-0				CHECK	TOTAL:	211.51CR			
				DEPOSIT	TOTAL:	0.00			
				INTEREST	TOTAL:	0.00			
				MISCELLANEOUS	TOTAL:	0.00			
				SERVICE CHARGE	TOTAL:	0.00			
				EFT	TOTAL:	0.00			
				BANK-DRAFT	TOTAL:	0.00			
TOTALS FOR POOLED CASH FUND				CHECK	TOTAL:	211.51CR			
				DEPOSIT	TOTAL:	0.00			
				INTEREST	TOTAL:	0.00			
				MISCELLANEOUS	TOTAL:	0.00			
				SERVICE CHARGE	TOTAL:	0.00			
				EFT	TOTAL:	0.00			
				BANK-DRAFT	TOTAL:	0.00			

**Payroll Summary Report**  
**Board of Directors - Agenda Date March 8, 2023**

	(*)	
Gross Wages	2/11/2023	2/25/2023
Regular	\$27,819.40	\$27,816.37
Overtime Wages	\$585.98	\$752.12
Stand By	\$600.00	\$450.00
	<u>\$29,005.38</u>	<u>\$29,018.49</u>
Cell Phone Allowance	\$75.00	\$75.00
Total Wages	<u>\$29,080.38</u>	<u>\$29,093.49</u>

Disbursements		
Net Wages	\$22,262.72	\$22,271.87
State and Federal Agencies	\$5,455.23	\$5,459.36
CalPERS - Normal	\$4,299.93	\$4,299.93
SEIU - Union Fees	\$90.12	\$90.12
Total Disbursements processed with Payroll	<u>\$32,108.00</u>	<u>\$32,121.28</u>
Health (Disbursed with reoccurring bills)	\$6,162.55	\$6,162.55
Total District Payroll Related Costs	<u>\$38,270.55</u>	<u>\$38,283.83</u>

(\*) Previously reported in prior Board Meeting packet - provided for comparison.

**Board Member Stipend Summary Report**  
**Board of Directors - Agenda Date March 8, 2023**

	(*)	
<b>Gross Stipends</b>	11/30/2022	2/28/2023
Board Member Stipends	<u>\$3,150.00</u>	<u>\$1,250.00</u>
Gross Stipends	<u><u>\$3,150.00</u></u>	<u><u>\$1,250.00</u></u>
<b>Disbursements</b>		
Net Stipends	\$2,907.35	\$1,154.37
State and Federal Agencies	\$483.63	\$191.26
Total Disbursements processed with Stipends	<u><u>\$3,390.98</u></u>	<u><u>\$1,345.63</u></u>

(\*) Previously reported in prior Board Meeting packet - provided for comparison.



# Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475

(805) 481-6730 FAX (805) 481-6836

RECEIVED

FEB 09 2023

## DIRECTOR'S MONTHLY REQUEST FOR COMPENSATION FOR MEETING ATTENDANCE

NAME: CHARLES VARNI DATE: 2/10/23

FOR THE MONTH OF: Dec 2022, Jan 2023, Feb 2023

8.1 Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular or special meeting of the Board and fifty dollars (\$50.00) for each committee meeting attended by him or her.

8.2 In no event shall Director compensation exceed one hundred dollars (\$100.00) per day.

8.3 Director compensation shall not exceed six hundred (\$600.00) in any one (1) calendar month.

MEETING DATES: 12/14, 1/11, 1/25/2/8 and \_\_\_\_\_

No. of Meetings 4 x \$100.00 = \$ 400

### COMMITTEE MEETING(S) OR OTHER REIMBURSEMENT(S)

DATE: \_\_\_\_\_ MEETING: \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_

DATE: \_\_\_\_\_ MEETING: \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_

DATE: \_\_\_\_\_ MEETING: \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_

DATE: \_\_\_\_\_ MEETING: \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_

TOTAL COMPENSATION: \$ 400

SIGNATURE \_\_\_\_\_



# Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475

(805) 481-6730 FAX (805) 481-6836

RECEIVED

FEB 22 2023

## DIRECTOR'S MONTHLY REQUEST FOR COMPENSATION FOR MEETING ATTENDANCE

NAME: Allene Villa

DATE: 1/04/2023

FOR THE MONTH OF: June 2022 - December 2022

8.1 Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular or special meeting of the Board and fifty dollars (\$50.00) for each committee meeting attended by him or her.

8.2 In no event shall Director compensation exceed one hundred dollars (\$100.00) per day.

8.3 Director compensation shall not exceed six hundred (\$600.00) in any one (1) calendar month.

MEETING DATES: 06/08/2022, 06/22/2022, 07/13/2022, 08/24/2022, 09/14/2022, 09/28/2022, 10/06/2022, 11/09/2022

No. of Meetings 8 x \$100.00 = \$ 800.00

### COMMITTEE MEETING(S) OR OTHER REIMBURSEMENT(S)

DATE: Nov 4 MEETING: State Water subcontractor AMOUNT: \$ 50.<sup>00</sup>

DATE: \_\_\_\_\_ MEETING: \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_

DATE: \_\_\_\_\_ MEETING: \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_

DATE: \_\_\_\_\_ MEETING: \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_

TOTAL COMPENSATION: \$ 800.00 <sup>AV</sup> \$ 850.<sup>00</sup>

SIGNATURE: 



# Oceano Community Services District

1655 Front Street | P.O. Box 599 | Oceano, CA 93475  
PHONE: (805) 481-6730 | FAX: (805) 481-6836

RECEIVED

FEB 22 2023

Meeting Date: Nov 4, 2022

Director Name: Villa

Public Meeting / Hearing: State Water Subcontractor

Notes: On Nov. 4 I attended the State Water Subcontractor meeting. I received a report on our water deliveries for the year to date. Oceano has received 349 acre feet with scheduled delivery of 188 acre feet for October thru December.

The CCWA approved the Emergency Transfer on Oct 18. This will give us the ability to provide water to subcontractors in need due to the drought. It is basically a swap where CCWA would provide us capacity for 1000 acre ft. of water. They are currently working on guidelines for the emergency water use.

Attached: Agenda / Other Documents [ ] Yes [X] No

They also asked subcontractors what they want to do with the drought buffer for the upcoming year and to submit their decision by middle of the year.



# Oceano Community Services District

1655 Front Street | P.O. Box 599 | Oceano, CA 93475  
PHONE: (805) 481-6730 | FAX: (805) 481-6836

RECEIVED

FEB 22 2023

Signature





**Oceano Community Services District**  
 Five Star Bank Mastercard

**A/P Mastercard Credit Card Disbursement**

Date	Name	Amount	Description	GL Account #
02/17/2023	INTUIT *QBOOKS ONLINE CL.INTUIT.COMCA	\$55.00	PERMITS, FEES LICENSES	01-5-4100-248
02/02/2023	ZOOM.US 888-799-9666 SAN JOSE CA	\$46.74	OFFICE EXPENSE	01-5-4100-200

Total ACH - 03/02/2023 (\$101.74)

03/08/2023 Board Meeting - Five Star Bank Mastercard Online Payment - paid 03/02/2023	<b>\$101.74</b>
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COMPANY: 99 - POOLED CASH FUND  
 ACCOUNT: 1-1001-000 POOLED CASH OPERATING  
 TYPE: All  
 STATUS: All  
 FOLIO: All

CHECK DATE: 0/00/0000 THRU 99/99/9999  
 CLEAR DATE: 0/00/0000 THRU 99/99/9999  
 STATEMENT: 0/00/0000 THRU 99/99/9999  
 VOIDED DATE: 0/00/0000 THRU 99/99/9999  
 AMOUNT: 0.00 THRU 999,999,999.99  
 CHECK NUMBER: 060095 THRU 060097

ACCOUNT	--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT---	STATUS	FOLIO	CLEAR DATE	
<b>CHECK:</b>									
1-1001-000	3/02/2023	CHECK	060095	MAP COMMUNICATIONS, INC. DBA A	265.50CR	OUTSTND	A	0/00/0000	<b>ANSWERING SVC</b>
1-1001-000	3/02/2023	CHECK	060096	COASTAL COPY, INC.	334.89CR	OUTSTND	A	0/00/0000	<b>COPIES/MAINTENANCE</b>
1-1001-000	3/02/2023	CHECK	060097	PACIFIC GAS & ELECTRIC	6,393.78CR	OUTSTND	A	0/00/0000	<b>UTILITY</b>
TOTALS FOR ACCOUNT 1-1001-0				CHECK	TOTAL:	6,994.17CR			
				DEPOSIT	TOTAL:	0.00			
				INTEREST	TOTAL:	0.00			
				MISCELLANEOUS	TOTAL:	0.00			
				SERVICE CHARGE	TOTAL:	0.00			
				EFT	TOTAL:	0.00			
				BANK-DRAFT	TOTAL:	0.00			
TOTALS FOR POOLED CASH FUND				CHECK	TOTAL:	6,994.17CR			
				DEPOSIT	TOTAL:	0.00			
				INTEREST	TOTAL:	0.00			
				MISCELLANEOUS	TOTAL:	0.00			
				SERVICE CHARGE	TOTAL:	0.00			
				EFT	TOTAL:	0.00			
				BANK-DRAFT	TOTAL:	0.00			



# Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475

(805) 481-6730 FAX (805) 481-6836

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**Date:** March 8, 2023

**To:** Board of Directors

**From:** Will Clemens, General Manager

**Subject:** **Agenda Item #8(A):** Submittal of a resolution authorizing participation in developing the DESAL Plan in coordination with other participating water-purveying agencies and stakeholders.

## Recommendation

It is recommended that the Board, adopt the attached resolution authorizing participation in developing the Desalination Executable Solution and Logistics (DESAL) Plan in coordination with other participating water-purveying agencies and stakeholders.

## Discussion

Water is critical to the health and well-being of the people, economy, and environment and the District has an important role in ensuring water supplies are adequate and able to respond to, and accommodate, change while continuing to meet the many various needs. In the county, existing conditions and future projections indicate that water security is decreasing as demands increase and available supplies and their reliability decrease. Over the past decade, the SLO County Flood Control and Water Conservation District (FCD) has expressed interest in desalination as a water supply opportunity and, on November 16, 2021, as the statewide drought continues, the FCD identified water resilience and desalination as a top priority.

### *Water Supplies, Demand and Outlook*

On March 16, 2021, the FCD Board received a presentation on the various water supply efforts in the county, including conservation, stormwater capture, Nacimiento Water Project optimization, Lopez Water Project spillway raise and optimization, Salinas Dam transfer and spillway raise, State Water Project and Water Management Tools, recycled water, produced water from oil extraction operations, cloudseeding, and regional resiliency. While many of these efforts are in the planning and/or implementation phases and will help extend the county's water supply, they are not enough to overcome long-term shortages or be relied upon to sustainably meet future needs. Competition for existing water supplies (particularly those that depend on precipitation) in the county, and across the state, is anticipated to increase with new regulations related to groundwater/surface water interactions and minimum sustainability thresholds, water quality, environmental flow, and housing directives. Relying on water sourced from precipitation from a different region is challenging due to the county's relative geographic isolation, energy and right of way requirements, and the fluctuating supply availability year to year. A new, drought proof, local water supply will be necessary to sustain the county long-term.



Oceano has a robust water supply consisting of groundwater, Lopez Water, and State Water which is more than sufficient to cover the community’s needs for the foreseeable future. However, the DESAL Plan won’t be implemented for decades and it is always responsible to consider long-term supplies even if not now needed. Oceano’s current sources all rely to some extent on precipitation and desalination is a source of supply that does not.

Desalination is the longest-term and most resilient strategy since it leverages a renewable, almost inexhaustible resource that would not be diminished by insufficient rainfall or water conservation efforts. Desalination is a drought proof solution for current and projected water supply imbalances in the County caused by strained alternative supplies, increased demand and could be scalable such that its capacity could be expanded as future needs increase.

*DESAL Plan*

Recognizing that a desalination project will take time to plan for, permit, and construct, the FCD Board authorized staff to begin planning now. FCD staff has coordinated with the Countywide Water Action Team (CWAT), an informal working group of staff from entities across the county with water supply planning responsibilities, to develop a five-phase approach to developing a DESAL Plan and project. All phases, including an anticipated schedule for Phase 1, are described in the following table:

<p><b>Phase 1: DESAL Plan Agreement Phase</b></p> <ul style="list-style-type: none"> <li>FCD Board direction to proceed on path to desalination</li> <li>Get resolutions from agencies agreeing to be evaluated in DESAL Plan (Fall '22)</li> <li>Develop and vet scope of work with participating agencies (Winter '22/Spring '23)</li> <li>Establish stakeholder and public engagement process (implement through all phases)</li> <li>Seek/pursue grant opportunities (continue through all phases)</li> <li>Review scope of work/engagement process with the Board/direction to proceed (Summer '23)</li> </ul>
<p><b>Phase 2: DESAL Plan Development Phase</b></p> <ul style="list-style-type: none"> <li>FCD procures consultant</li> <li>Implement public engagement process</li> <li>Identify project concept alternatives, vet, and analyze</li> <li>Rank and select preferred project</li> </ul>
<p><b>Phase 3: Project Development Agreement Phase</b></p> <ul style="list-style-type: none"> <li>Commitment from project partners to pay for and proceed with project development and all efforts necessary to get to construction phase</li> </ul>
<p><b>Phase 4: Project Development Phase</b></p> <ul style="list-style-type: none"> <li>Detailed project design, permits and environmental processes, operations and distribution plans, right of way negotiations, water supply and Governance Agreement negotiations, Financing plan</li> </ul>
<p><b>Phase 5: Project Governance Agreement and Construction Phase</b></p> <ul style="list-style-type: none"> <li>Execute Governance agreement for construction and ongoing maintenance</li> </ul>



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## *Stakeholder engagement*

Stakeholder outreach and early engagement are critical to the success of a desalination project for many reasons. One reason is that it takes time to build a broad coalition and public buy-in, both of which are necessary to obtain future permits. This was exhibited recently when Poseidon, in Huntington Beach, had a regional desalination project denied by the California Coastal Commission, in part, because there was not sufficient evidence of local community need/acceptance. Another reason for early engagement is to ensure comprehensive understanding of existing infrastructure deficiencies and opportunities from the outset, informing the widest range of conceptual alternatives for consideration.

To address this need, on June 7, 2022, the FCD Board approved working with stakeholders to update the Countywide Master Water Report. This effort will compliment desalination project planning efforts by providing up-to-date information on supply/demand imbalances and information on short-term water supply strategies such as conservation, recycled water, and groundwater management. It is important to first optimize the use of existing water supplies and there are other separate efforts currently underway to explore and develop those options. However, since they may only be sustainable short-term, it is important to pursue a long-term solution for water supply, such as desalination.

The key stakeholders in a desalination project are water-purveying agencies because they are tasked with supplying water to customers and potentially investing in such a project. The regional infrastructure and/or regional supply associated with these agencies may also be needed both directly and indirectly to make a project feasible. It follows that the DESAL plan, and any resulting project, will be most robust if there is wide interest and involvement from the local water-purveying agencies and their communities. Therefore, a first step is asking those water-purveying agencies to adopt resolutions agreeing to be evaluated and participate in development of the DESAL Plan. The action tonight is necessary if Oceano CSD wants to be included in these efforts. FCD Staff would then work with designated staff from agencies to draft a publicly vetted scope of work for developing the DESAL Plan and approach for involving the full spectrum of stakeholders, from regulatory agencies to the public.

## **Other Agency Involvement**

Throughout development of the DESAL Plan, local stakeholder engagement and public involvement is anticipated to be facilitated by public meetings of the Water Resources Advisory Committee, where regular updates and opportunities for input will be provided.

In addition to local stakeholders, the outreach/coordination/permitting requirements and the practical realities of developing a successful DESAL Plan will require involvement with many other entities across the state. Other likely entities include, but aren't limited to, the State Water Resources Control Board (SWRCB), California Coastal Commission (CCC), California Department of Fish and Wildlife, Central Coast Regional Water Quality Control Board, and National Marine Fisheries Service.



Additionally, it should be noted that on August 11, 2022, Governor Newsom released a publication called California's Water Supply Strategy that discusses how the "...State will help streamline and expedite permitting to provide clarity and to further desalination projects. By June 2023, the SWRCB, CCC, the Department of Water Resources, and other state entities (State Land Commission) will develop criteria for siting of desalination facilities along the coast and recommend new standards to facilitate approval." <sup>1</sup>

## Financial Considerations

Costs for Phase 1 and Phase 2 will be borne by the FCD. The only costs for OCSD would be staff time to participate in the collaborative efforts. These costs are included in the Water Fund Operating Budget. Grants will be pursued by the FCD to offset project costs throughout DESAL Plan development and implementation.

## Results

Approval of the resolution will authorize staff to proceed with developing the DESAL Plan in coordination with other participating entities. Consideration of future water supplies contributes to a prosperous, healthy, and well-governed community.

Attachments:

- Resolution
- June 22, 2022, Letter from the FCD

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<sup>1</sup> <https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Water-Resilience/CA-Water-Supply-Strategy.pdf>

**OCEANO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO: 2023 - XX**

**RESOLUTION APPROVING PARTICIPATION IN THE  
DESALINATION EXECUTABLE SOLUTION AND LOGISTICS (DESAL) PLAN**

The following Resolution is hereby offered and read:

**WHEREAS**, adequate water for the people, economy and environment in San Luis Obispo County is needed in perpetuity; and

**WHEREAS**, conflicts surrounding use of the limited existing water supplies are increasing, including limitations on groundwater use and transfers, limitations on surface water diversion and State policies that lead to water system consolidation mandates; and

**WHEREAS**, water use efficiency practices, low impact development, stormwater capture and recycled water have been implemented to help extend the limited water supplies but are insufficient to overcome long term shortages and cannot be relied upon to sustainably meet future additional needs and maintain a reasonable quality of life; and

**WHEREAS**, despite conservation efforts which have reduced per capita consumption from 231 gallons per day to 146 gallons per day over the last 25 years<sup>1</sup>, the County remains highly vulnerable to water shortages due to its isolated location and dependence on rainfall; and

**WHEREAS**, the future reliability of existing water supplies and infrastructure that depend on rainfall, such as groundwater and surface water reservoirs and streams, is uncertain due to changing hydrologic patterns, land use, environmental regulations, population growth and aging infrastructure; and

**WHEREAS**, water-purveying agencies are best positioned to develop and utilize water supply projects that will reduce dependence on groundwater and surface water and can thereby relieve competition with individual well owners and the environment for those water supplies; and

**WHEREAS**, due to proximity to the ocean, and future water supply quantity, quality and reliability needs, the 2019 San Luis Obispo County Integrated Regional Water Management Plan and 2012 Countywide Master Water Report identify desalination as a water resource management strategy to pursue; and

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<sup>1</sup> <https://www.ppic.org/publication/water-use-in-california/>

**WHEREAS**, while desalination can provide a local, reliable, and sustainable water supply for decades to come, desalination projects take a long time to plan for, permit and construct; and

**WHEREAS**, the San Luis Obispo County Flood Control and Water Conservation District intends to develop the DESAL Plan over the next several years via a public process that, when complete, will ultimately contain balanced recommendations related to responsibly advancing the implementation of a regional desalination project that will benefit the people, economy and environment in the County; and

**WHEREAS**, the San Luis Obispo County Flood Control and Water Conservation District will be the lead agency and contract administrator for the DESAL Plan and is requesting that water-purveying agencies that wish to be evaluated during the development of the DESAL Plan adopt resolutions approving participation.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Board of Directors of the Oceano Community Services District, that:

1. The Oceano Community Services District wishes to be included in the development of the DESAL Plan and to be evaluated as a potential partner in such a regional desalination project in the future in order to inform our decision makers and constituents.
2. The General Manager, or designee, of the Oceano Community Services District is hereby authorized and directed to participate in the development of the DESAL Plan, and to bring forward related recommendations.



**PASSED AND ADOPTED** by the Board of Directors of the Oceano Community Services District on March 8, 2023, by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

\_\_\_\_\_  
President, Board of Directors  
Oceano Community Services District

**ATTEST:**

\_\_\_\_\_  
Board Secretary,  
Oceano Community Services District

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Chase Martin, District Counsel



June 22, 2022

Mr. Will Clemmens, General Manager  
Oceano Community Services District  
P.O. Box 599  
Oceano, CA 93475

Subject: Upcoming request for Agency Resolution Approving Participation in the Development of a Desalination Executable Solution and Logistics (DESAL) Plan

Dear Mr. Clemmens:

On November 16, 2021, the County of San Luis Obispo (County) Board of Supervisors (Board) identified water resilience, including desalination specifically, as a top priority. Pursuant to this, in fall 2022, it is anticipated that the Board will consider directing staff to return with an approach and scope for moving forward on a path to a regional desalination project, starting with the development of a DESAL Plan.

A desalination project in the County could potentially benefit various agencies under current or future conditions, both directly and indirectly, by leveraging existing regional supply and infrastructure. Therefore, the DESAL Plan will be most robust if all agencies are willing to join for this exploratory effort to see what kind of value there may be for their agency. While the approach for developing a DESAL Plan will not require a cost share from agencies willing to be evaluated in it, it will require a formal planning participation commitment; supporting attachments, including a draft Resolution Approving Participation in the DESAL Plan, are enclosed for your agency's reference. This letter is to introduce the proposed approach and give agencies advance notice that our staff will likely request this, or a similar, resolution from your agency, in late 2022, if you wish to be considered in the DESAL Plan.

Ideally, at a minimum, the agencies that comprise the Countywide Water Action Team (CWAT), will adopt resolutions agreeing to participate in the DESAL Plan. The CWAT last met on May 24, 2022, to discuss this proposed approach and advised our staff to proceed and provide this letter to initiate participating agency internal efforts accordingly. Please see enclosed CWAT meeting material for more information and contact Angela Ford at (805) 781-5139 with any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Diodati".

JOHN DIODATI  
Director of Public Works

Enclosure: May 24, 2022 CWAT Meeting Material with Attachments

L:\Water Resources\2022\June\CWAT\CWAT\_itr.docx.AF.sc

**Countywide Water Action Team (CWAT) Participants**

<b>Staff Representative</b>	<b>Entity</b>
Aaron Floyd	<b>SLO City</b>
Mychal Boerman	<b>SLO City</b>
Bill Robeson	<b>Arroyo Grande</b>
Greg Ray	<b>Grover Beach</b>
Ben Fine	<b>Pismo Beach</b>
Will Clemens	<b>Oceano CSD</b>
John Neil	<b>Atascadero MWC</b>
Jeff Britz	<b>Templeton CSD</b>
Kirk Gonzalez	<b>Paso Robles</b>
Christopher Alakel	<b>Paso Robles</b>
Rob Livick	<b>Morro Bay</b>
Greg Kwolek	<b>Morro Bay</b>
Mario Iglesias	<b>Nipomo CSD</b>
Mark Zimmer	<b>Golden State Water Co</b>
Toby Moore	<b>Golden State Water Co</b>
Ron Munds	<b>Los Osos CSD</b>
Kelly Dodds	<b>San Miguel CSD</b>
Brad Hagemann	<b>Avila Area Water Agencies</b>

**To: Countywide Water Action Team (CWAT)**  
**From: Desal Working Group**  
**Date: May 24, 2022**  
**Subject: Request to obtain governing body support to participate in the development of a DESAL Plan**

### **Recommendation**

Support moving forward on the proposed approach to developing a regional desalination project, including demonstrating commitment to participate in the Desalination Executable Solution and Logistics (DESAL) Plan phase by taking a resolution to your governing body, and provide feedback on what is needed for communicating about this with your organization.

### **Discussion**

In October 2021, the CWAT reviewed the Desal Working Group's recommended approach to developing a regional desalination project. Feedback included concern that agencies would not be willing to participate if they were asked to share in the cost at an early planning stage. Therefore, the updated approach does not include a cost share for developing the DESAL Plan. However, the approach does still require a formal planning participation commitment and an updated draft Resolution of Participation in the DESAL Plan phase is attached (Attachment 1).

#### *DESAL Plan Phase Approach*

A wide range of conceptual alternatives (i.e., locations, partners/beneficiaries, sizes, etc.) will be included and evaluated in the DESAL Plan to inform decision makers, stakeholders and the public, and to document the ways a project could feasibly be implemented to meet a variety of needs and provide a variety of benefits. More information on why desalination is important for all to consider is included in Attachment 2.

Before moving forward with the overall approach, we will first request approval from the SLO County Flood Control and Water Conservation District (District) to proceed. To be evaluated in the DESAL Plan phase as to whether your agency might be a potential partner in the future, participants must have a resolution approved by their governing body or authorized representative. The District's Board staff report and the final version of the attached Resolution would be provided to agencies for their use when deciding whether to participate.

Once the willing participants have approved Resolutions agreeing to be evaluated in the DESAL Plan, District staff will take them, along with the approach and scope, to the District Board seeking direction to return with a consultant contract. Pending their approval, we will proceed with the consultant procurement process before returning to the Board one more time to approve the consultant contract for development of the DESAL Plan.

Desalination projects are controversial, and it will take significant time and effort to develop one. Transparency and trust among all stakeholders from the outset are critical. The District needs a clear commitment from agencies willing to be evaluated in the DESAL Plan prior to embarking on the effort. The attached draft Resolution is proposed as the key first step that local agencies, their elected officials and potential partners can use to signal intent to participate meaningfully in the evaluation of alternatives for, and selection of, a preferred regional desalination project.

#### *Overall Approach*

The Resolution includes key messages regarding the need for a regional desalination project, and Attachment 3 provides details on the path to get there. These details include a public process to:

1. develop a DESAL Plan that would vet concepts through an alternatives analysis, ranking and project selection process; and
2. establish project development agreement terms for the selected concept; and
3. develop the project to a point where it could be implemented.

In parallel with developing the DESAL Plan, the District will be updating the county-wide Master Water Report, which will complement this effort by identifying solutions that have already been implemented, and the water management strategies to meet remaining needs, including desalination.

We have learned a lot from the development of the State Water Project and the Nacimiento Water Project in our county and we will use those lessons learned to improve our approach to implementing a regional desalination project.

#### **Attachments:**

1. Draft Resolution
2. Desalination Considerations
3. Desalination Project example Timelines

**[INSERT HEADING]**

\_\_\_\_\_ day \_\_\_\_\_, 20\_\_

PRESENT:

ABSENT:

**RESOLUTION NO.** \_\_\_\_\_

**RESOLUTION APPROVING PARTICIPATION IN THE  
DESALINATION EXECUTABLE SOLUTION AND LOGISTICS (DESAL) PLAN**

The following Resolution is hereby offered and read:

**WHEREAS**, the future reliability of existing water supplies and infrastructure that depend on rainfall, such as groundwater and surface water reservoirs and streams, is uncertain due to changing hydrologic patterns, land use, environmental regulations, population growth and aging infrastructure; and

**WHEREAS**, adequate water for the people, economy and environment in San Luis Obispo County is needed in perpetuity; and

**WHEREAS**, conflicts surrounding use of the limited existing water supplies are increasing, including limitations on groundwater use and transfers, limitations on surface water diversion and State policies that lead to water system consolidation mandates; and

**WHEREAS**, water use efficiency practices, low impact development, stormwater capture and recycled water have been implemented to help extend the limited water supplies but are not enough to overcome long term shortages or be relied upon to sustainably meet future additional needs and maintain a reasonable quality of life; and

**WHEREAS**, despite conservation efforts which have reduced per capita consumption from 231 gallons per day to 146 gallons per day over the last 25 years<sup>1</sup>, due to our county's isolated location and dependence on rainfall, the region remains highly vulnerable to water shortages; and

**WHEREAS**, water management entities are better positioned to develop and utilize water supply projects that will reduce dependence on groundwater and surface water and can thereby relieve competition with individual well owners and the environment for those water supplies; and

**WHEREAS**, due to proximity to the ocean, and future water supply quantity, quality and reliability

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<sup>1</sup> <https://www.ppic.org/publication/water-use-in-california/>

## Attachment 1: Template Resolution Draft

needs, the 2019 San Luis Obispo County Integrated Regional Water Management Plan and 2012 Countywide Master Water Report identify desalination as a water resource management strategy to pursue; and

**WHEREAS**, while desalination can provide a local, reliable, and sustainable water supply for decades to come, desalination projects take a long time to plan for, permit and construct; and

**WHEREAS**, the San Luis Obispo County Flood Control and Water Conservation District intends to develop the DESAL Plan over the next several years via a public process that, when complete, will ultimately contain balanced recommendations related to responsibly advancing the implementation of a regional desalination project that will benefit the people, economy and environment in San Luis Obispo County.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the [INSERT NAME OF GOVERNING BODY] of [INSERT AGENCY/ORGANIZATION NAME HERE], that:

1. The [INSERT AGENCY/ORGANIZATION NAME HERE] wishes to be included in the development of the DESAL Plan and to be evaluated as a potential partner in such a regional desalination project in the future in order to inform our decision makers and constituents.
2. The [INSERT POSITION], or designee, of the [INSERT AGENCY/ORGANIZATION NAME HERE] is hereby authorized and directed to participate in the development of the DESAL Plan, and to bring forward related recommendations.

[INSERT OFFICIAL RESOLUTION LANGUAGE PER YOUR AGENCY/ORGANIZATION STANDARDS]

## Attachment 2.1: Desal Considerations – Why Desal?

As described in the Governor's March 28, 2022, Executive Order (N-7-22), California is in a state of emergency due to extreme and expanding drought conditions. California is in the third year of a drought and has been setting records for both heat and dryness over the past year. Research has shown that the past two decades rank as the driest 22-year period in 1,200 years, surpassing the severity of megadroughts that were previously considered worst-case scenarios<sup>1</sup>. With rising temperatures, erratic rain patterns, and the fact that almost all water supply sources are impacted by climate (e.g., surface water supplies, imported supplies, groundwater basins), existing supplies throughout the County have and will decrease accordingly.

While supply availability declines, potential future scenarios indicate an increase in water stress and demand due to changing hydrologic behavior and projected regulations (e.g., enforcement of groundwater/surface water interaction regulations, increasing environmental flow requirements, decreasing availability and reliability of existing water supplies, enforcement of housing mandates, increased water quality requirements, etc.).

Lack of water has severe impacts on communities, the environment, the economy, agriculture, etc. and desal is the only climate-independent, almost inexhaustible water resource.

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<sup>1</sup> <https://www.mercurynews.com/2022/02/14/current-drought-is-worst-in-1200-years-in-california-and-the-american-west-new-study-shows/>; <https://www.nature.com/articles/s41558-022-01290-z.epdf>



## **Attachment 2.2: Desal Location Opportunities**

The San Luis Obispo County Desalination Opportunities Summary Report<sup>2</sup>, developed in 2015 at the direction of the Board of Supervisors during the previous drought (2012 – 2016), identified opportunities and challenges of desalination as a water supply for San Luis Obispo County. The Report described the following potential opportunities for locating a desalination project in in San Luis Obispo County and would be a starting point for vetting which are most feasible:

- i. Expansion of the Morro Bay Desalination Facility
- ii. Expansion of the Cambria Emergency Water Supply (EWS) Project
- iii. Expansion of the Diablo Canyon Power Plant (DCPP) desalination facility
- iv. Co-location at the South SLO County Wastewater Treatment Plant
- v. Co-location at the Nipomo Mesa Refinery
- vi. Co-location at the Morro Bay Power Plant
- vii. New facility at the Estero Marine Terminal

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<sup>2</sup> <https://agenda.slocounty.ca.gov/IIIP/sanluisobispo/file/getfile/49174>

### **Attachment 2.3: Desal Partnership Opportunities**

A desalination project in San Luis Obispo County could potentially benefit various agencies, both directly and indirectly, by leveraging existing regional supply and infrastructure. For example, in the future, if more water is needed in the North County to help the Paso Basin GSAs address the groundwater/surface water sustainability indicators or other issues, and the City of San Luis Obispo needs a source of supply that is not rainfall dependent, there could be a mutually beneficial opportunity for an exchange of Salinas and/or Nacimiento allocations for help with a desalination project. Similarly, if more water is needed in the South County due to decreased yield from the Arroyo Grande Creek watershed, and Santa Barbara County or other State Water contractors are needing additional State Water reliability, there could be a mutually beneficial opportunity for an exchange of State Water allocation for help with a desalination project.

These are just a couple of the many potential alternatives that could be explored; however, it should be noted that concepts will be limited to the agencies that are willing to be considered in the DESAL Plan development. Therefore, the DESAL Plan will be most robust if all agencies are willing to join for this exploratory effort to see what kind of value there may be for their agency.

## **Attachment 2.4: Desalination Challenges**

The San Luis Obispo County Desalination Opportunities Summary Report, and various case studies, also identify major implementation issues associated with desalination, including but not limited to: permitting and regulatory framework; energy use and sources; climate change; funding; intakes and ocean and freshwater ecosystems; concentrate (brine) management; subsurface extraction; planning and growth; political and social appetite.

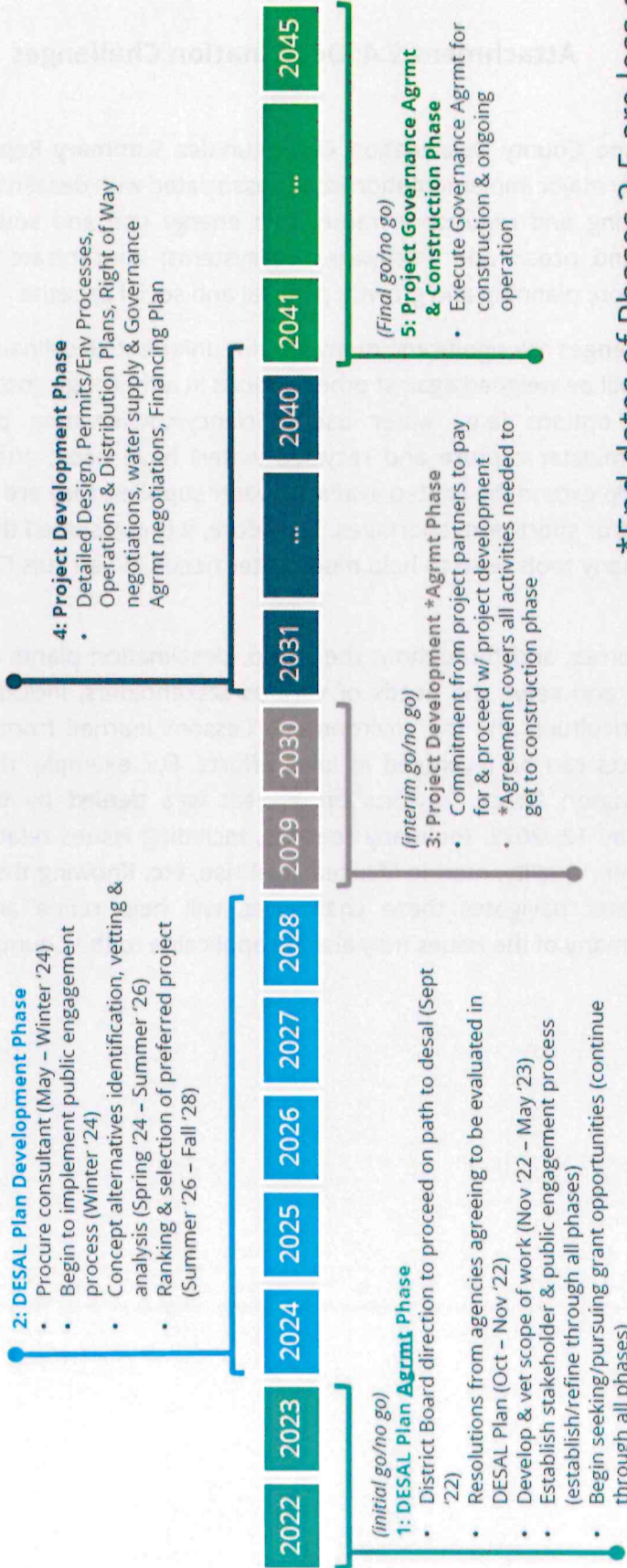
Though these challenges are significant, many are not unique to desalination; the pros and cons of a desal project will be weighed against other options in a thorough cost/benefit analysis. That said, while other options (e.g., water use efficiency/conservation practices, low impact development, stormwater capture and recycled water) have been, and will continue to be, implemented to help extend the limited available water supplies, they are not enough to reliably overcome long and/or short-term shortages. Therefore, it is envisioned that desalination would be just one of many tools used to help meet water needs in San Luis Obispo County into the future.

Elsewhere in California, and throughout the world, desalination plants are operating to help improve resilience and serve the needs of various stakeholders, including beneficial use for drinking water, agriculture, and the environment. Lessons learned from failed and successful desalination projects can be leveraged in local efforts. For example, the application for the Poseidon – Huntington Beach Desalination Project was denied by the California Coastal Commission on May 12, 2022, for many reasons, including issues related to adverse effects associated with water quality, marine life, sea level rise, etc. Knowing these issues, and seeing how Poseidon Water navigates these challenges, will help refine an approach for local desalination since many of the issues may also be applicable to the County.

# Attachment 3.1: DESAL Plan Timeline (Phases 1-5)

## Desalination Executable Solution And Logistics Plan

### DESAL Plan\*



COUNTY OF SAN LUIS OBISPO

www.slocounty.ca.gov

# Attachment 3.2: DESAL Plan Timeline (Phase 1)

## *Desalination Executable Solution And Logistics Plan* **DESAL Plan**



### *4-Step process for Phase 1: DESAL Plan Agreement Phase*



COUNTY OF SAN LUIS OBISPO

[www.slocounty.ca.gov](http://www.slocounty.ca.gov)



# Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475

(805) 481-6730 FAX (805) 481-6836

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**Date:** March 8, 2023  
**To:** Board of Directors  
**From:** Will Clemens, General Manager  
**Subject:** **Agenda Item #8(B): Resolution to Amend the District By-Laws**

## Recommendation

It is recommended that your Board adopt a resolution to amend the District By-Laws.

## Discussion

At the February 8, 2023, Board meeting, amendments to the District's By-Laws were discussed and direction was provided to staff to return and finalize the amendments. The purpose of amending the By-Laws at this time is to attempt to clarify the By-Laws related to recent Board discussions. In addition, amendments are recommended that will improve staff efficiencies and the conducting of District business.

A clean version of the amended By-Laws is attached with the Resolution. Also attached is a redline-strikeout version of the District's current by-laws showing the recommended changes for easy reference. A brief discussion of each recommended change follows:

### **By-Law 1.2**

This change is intended to provide more flexibility on timing of the election of District Officers within the established limits of Government Code 61043.

### **By-Law 2.4(c)**

This change will allow two members of the Board of Directors to place a matter on a future agenda rather than a majority of the Board.

### **By-Law 2.12**

Board direction was given to change the requirements for suspending the rules from a 2/3 majority to a simple majority.



### **By-Law 6.3**

Board direction was given to clarify that the Board represents the whole community even though elected by Divisions within the community.

### **By-Law 12**

Board direction was given to provide more flexibility in the evaluation of District Consultants.

### **By-Law 15.4**

Board direction was given to clarify that District money should be deposited in conformance with the District Investment Policy.

### **Other Agency Involvement**

N/A

### **Other Financial Considerations**

N/A

### **Results**

Review and update to the District's By-Laws promotes a well-governed community.

### **Attachments:**

- A. Resolution
- B. District By-Laws (Redline Strikeout)

**RESOLUTION NO. 2023-\_\_\_**

**A RESOLUTION OF THE OCEANO COMMUNITY SERVICES DISTRICT ADOPTING  
AMENDED BOARD OF DIRECTOR BYLAWS**

**RECITALS**

WHEREAS, the Board of Directors of the Oceano Community Services District (the "District") is dedicated to providing efficient and effective leadership; and

WHEREAS, Government Code Section 61045(f) requires the Board of Directors to adopt rules or bylaws for its proceedings.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the Oceano Community Services District, as follows:

1. The Oceano Community Services District Board of Directors Bylaws are attached hereto as Exhibit "A."
2. All prior versions of the Board of Directors Bylaws are hereby rescinded and superseded.

**PASSED AND ADOPTED** by the Board of Directors of the Oceano Community Services District on March 8, 2023, by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

\_\_\_\_\_  
President, Board of Directors  
Oceano Community Services District

**ATTEST:**

\_\_\_\_\_  
Board Secretary,  
Oceano Community Services District

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Chase Martin, District Counsel



**EXHIBIT A**  
**OCEANO COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS — BYLAWS**

**1. OFFICERS OF THE BOARD OF DIRECTORS.**

1.1. The officers of the Board are the President and Vice President.

1.2. The President and Vice President shall be elected annually during a meeting in December, after any newly elected Board members are seated in conformance with Government Code Section 61043. The term of office for the President and Vice-President of the Board shall commence immediately after the election.

1.3. The President of the Board shall serve as presiding officer at all Board meetings. The President shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

1.4. In the absence of the President, the Vice-President of the Board shall serve as presiding officer over all meetings of the Board. If the President and Vice-President of the Board are both absent, the remaining members present shall select one of themselves to act as presiding officer of the meeting.

1.5. The Board may at any time determine, by majority vote of all members, that the President has demonstrated an inability to serve. Upon such determination, the Vice President shall preside instead of the President.

1.6. The Board may at any time determine, by majority vote of all members, that the Vice President, when acting as the presiding officer pursuant to Section 1.5 above, has demonstrated an inability to serve. Upon such determination, the Board shall, by majority vote, elect another member to be the presiding officer.

**2. MEETINGS.**

2.1. Regular meetings of the Board of Directors (the Board) shall commence on the second and fourth Wednesday of each calendar month in the Board room at the District Office currently located at 1655 Front Street, Oceano, CA, 93475. Regular meeting times shall be set annually pursuant to the current Director's schedules and/or preference with the consideration to the public's right to participate.

2.2. Members of the Board shall attend all regular and special meetings of the Board unless there is good cause for absence.

2.3. The General Manager, in cooperation with the Board at the prior meeting shall prepare an agenda for each regular and special meeting of the Board. Any Director, before or during a regular meeting, may request that the General Manager place an item on the agenda. The General Manager may also put emergent District business on the agenda. Items being placed on any agenda are subject to Brown Act regulations.

2.4. No action or discussion may be taken on an item not on the posted agenda. However, matters deemed to be emergencies or of an urgent nature may be added to the agenda of a regular meeting under the procedures of the Brown Act. Pursuant to the Brown Act and at regular meetings:

- a) Board Members may briefly respond to statements or questions from the public; and
  
- b) Board Members may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information, or request staff to report back at a subsequent meeting; and
  
- c) The President or no fewer than two members of the Board of Directors may, after consulting with District staff, direct the staff to place a matter on a future agenda.

2.5. The presiding officer shall conduct all meetings in a manner consistent with the policies of the District and the Brown Act. He/she shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board. He/she shall announce the Board's final decision on all subjects. He/she shall vote on all questions; and on roll call his/her name shall be called last.

2.6. A majority of the Board shall constitute a quorum for the transaction of business. While a majority of the Board is sufficient to do business, motions must be passed unanimously if only three Board members are present. Only those Board members present at a meeting may vote on business conducted at that meeting.

2.7. If a quorum does not arrive within fifteen (15) minutes of the time the meeting has been scheduled, it shall be determined that a quorum is not present. When there is no quorum for a regular meeting, the President, Vice President, or any Board member shall adjourn such meeting or, if no Board member is present, the District secretary shall adjourn the meeting.

2.8. Roll call shall be taken on the passage of all business items before the Board. The roll call vote shall be entered in the minutes of the Board meeting showing those Board members voting aye, those voting no, and those not voting or absent. Unless a Board member states that he or she is not voting on an item because of a conflict of interest, his or her silence or abstention shall be deemed and recorded as an affirmative vote.

2.9. Any person attending a meeting of the Board may record the proceedings with an audio or video tape recorder or a still or motion picture camera unless the recording causes unreasonable noise, illumination, or obstruction of view that constitutes or would constitute a disruption of the proceedings or would impair the ability of the public to observe the proceedings. All video tape recorders, still, and/or motion picture cameras shall remain stationary and shall be located and operated from behind the public speakers' podium once the meeting begins.

2.10. During each meeting, time shall be set aside to receive public comment in accordance with the Brown Act and District policy. Public comment shall be directed to the Board as a whole and not to any member individually or to the public.

2.11. If an individual or group willfully interrupts a meeting, fails to adhere to the District's policies pertaining to public comment, or otherwise creates an unreasonable disruption to the proceedings, the meeting may be stopped and the room may be cleared. In such circumstances, members of the media must be allowed to remain and only matters on the agenda can be discussed.

2.12. No regular meeting will be conducted past 9:30p.m. At that time the meeting will be continued, to a time and place acceptable to a majority of the Board Members present, to consider any items where action is necessary prior to the next regular Board meeting. If a second meeting is held and continues until 9:30p.m., then the meeting will be adjourned and remaining agenda items continued to the next regular Board meeting. Adjournment at 9:30p.m. may be disregarded by means of a motion to suspend the rules, if seconded and approved by a vote of a majority of the Board Members present.

### **3. COMMITTEES.**

3.1. The Board may create Committees that are reflective of the District's business and its enumerated powers at its discretion. Committees shall be advisory committees to the Board and shall not commit the District to any policy, act or expenditure. The duties of the committees shall be outlined at the time of creation.

3.2. All committee meetings shall be conducted as public meetings in accordance with the Brown Act.

3.3. No committee shall include in its membership more than two (2) Board members.

3.4. An alternate member may be assigned by the Board in advance for those meetings where a regular member is unable to attend.

3.5. Committee assignments and District appointments will be coordinated with the election of the District officers annually. Upon a motion and a majority vote, committee assignments and appointments may be reconsidered at any time during the calendar year.

### **4. PREPARATION OF MINUTES AND MAINTENANCE OF TAPES.**

4.1. The minutes of the Board shall be kept by the District Secretary and shall be neatly produced and kept in a file created for that purpose, with a record of each particular type of business transacted set off in paragraphs with proper subheadings. However, the District Secretary shall be required to make a record only of such business as was actually passed upon by a vote of the Board and, except as provided in Section 4.2 below, shall not be required to record any remarks of Board Members or any other person. The Minutes shall record all of the votes taken for the passage of all ordinances, resolutions or motions.

4.2. Any Director may request that brief comments pertinent to an agenda item be included in the minutes, but only at the meeting in which the item is discussed.

4.3. The District Secretary shall attempt to record the names and place of residence of persons addressing the Board, the title of the subject matter to which their remarks related, and whether they spoke in support or opposition to such matter.

4.4. Whenever the Board acts in a quasi-judicial proceeding, such as in assessment matters, the District Secretary shall compile a summary of the testimony of the witnesses.

4.5. Any audio or visual recording of a District meeting made for whatever purpose at the direction of the District shall be subject to inspection pursuant to the California Public Records Act. Audio and/or visual recordings will be posted on the District's website for 30 days before being taken down. Physical copies of the audio/visual recordings will be retained in the District archive for five (5) years and may be destroyed thereafter.

4.6. Nothing herein shall be deemed to create a requirement that minutes from the meeting be taken, or tape or film recordings be made, of any closed sessions of the Board.

4.7. All correspondence should have Name and Address of record to be entered in the minutes.

## **5. MEMBERS OF THE BOARD OF DIRECTORS.**

5.1. Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.

5.2. Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and options, but in a respectful manner.

5.3. Once the Board takes action, Directors should commit to supporting the action and should not obstruct implementation of the action.

5.4. Any vacancy in the office of a member elected to the Board shall be filled pursuant to Government Code Section 1780.

## **6. AUTHORITY OF DIRECTORS.**

6.1. The full Board of Directors, in actions taken pursuant to The Brown Act, retain absolute power to set policy, direct staff, and conduct the business of the District.

6.2. The Board is the unit of authority within the District. Apart from their normal functions as a part of the Board, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.

6.3. Directors represent and act for the community as a whole.

6.4. The primary responsibility of the Board is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are the responsibility of the professional staff members of the District. Directors should not obstruct the professional staff in the performance of their duties.

6.5. The Board at a regular or special meeting may authorize a Director or staff to speak or communicate on behalf of the District or represent the District at a meeting or related function. Otherwise, Board members attending such events as described above shall make it clear that they are speaking on their own behalf and not representing the District or its Board of Directors.

## 7. DIRECTOR GUIDELINES.

7.1. It is the intent of the Board of Directors to:

- a) Maintain control and direction of the District by action of the Board of Directors taken pursuant to the Brown Act;
- b) Allow Board Members access to information relative to the running of the District;
- c) Protect staff from undue influence, threats, harassment, and/or pressure from individual Board Members or members of the public; and
- d) Allow staff to execute priorities given by the Board of Directors and management without fear of reprisal.

7.2. Individual Board members, by making a request to the General Manager shall have access to information relative to the operation of the District, including but not limited to statistical information, information serving as a basis for certain actions of staff or as justification for staff recommendations. Board Members shall receive the cooperation and candor of the General Manager in being provided with the requested information. If the General Manager cannot timely provide the requested information because it is not presently available or its production would cause an interruption in work schedules or workloads, then the General Manager shall inform the Board member why the information is not available or cannot be made available in a timely manner, and when it may be made available.

7.3. If the information still cannot be provided the General Manager shall, or the Board Members shall direct the General Manager to, place an item on the Board agenda for direction as to the Board's desire and method of providing the information.

7.4. In handling complaints from residents, property owners within the District or other constituents, Directors are encouraged to listen carefully to the concerns, but the complaint should be referred to the General Manager for processing and appropriate response.

7.5. Directors, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programs, should refer said concerns directly to the General Manager.

7.6. When approached by District personnel concerning specific District policy, Directors should direct inquiries to the General Manager.

7.7. Directors and the General Manager should develop a working relationship so that current issues, concerns and District projects can be discussed comfortably and openly.

7.8. When responding to constituent requests and concerns, Directors should respond to individuals in a positive manner and route their questions to the General Manager.

7.9. Sitting Directors should not enter into Litigation against the District. Should a Director enter into litigation against the District, it will be presumed that said Director has a conflict of interest on all matters presented to the Board for discussion and action.

## **8. DIRECTOR COMPENSATION.**

8.1. Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular or special meeting of the Board and fifty dollars (\$50.00) for each committee meeting attended by him or her as the appointed Board representative or as the alternate. An alternate will be compensated only if attendance of the alternate at a committee is required because

- 1) the appointed representative is unable to attend or
- 2) the Board has directed the alternate to attend

8.2. In no event shall Director compensation exceed one hundred dollars (\$100.00) per day.

8.3. Director compensation shall not exceed six hundred (\$600.00) in any one (1) calendar month.

## **9. EXPENSE REIMBURSEMENT.**

9.1. Each Board Member is entitled to reimbursement for their actual and necessary traveling and incidental expenses incurred in the performance of the duties required and authorized by the Board. Personal phone calls are not reimbursed.

- a) It is the policy of the District to exercise prudence with respect to hotel or motel accommodations. It is also the policy of the District for Board members and staff to stay at

the hotel or motel location of a conference, seminar, or class to gain maximum participation and advantage of interaction with others whenever possible.

b) Any Director traveling on District business shall receive transportation and lodging expenses, and ordinary expenses such as meals and tips. If a Director is called upon to personally pay District business expenses during travel, the Director shall maintain all receipts from any such District business trips. Such receipts will be used to calculate the amount of reimbursement.

c) Mileage reimbursement for use of privately-owned vehicles used for District business shall be as established by the Internal Revenue Service.

## **10. CORRESPONDENCE DISTRIBUTION POLICY.**

10.1. The following letters and other documents shall be accumulated and delivered to the Board on Friday of each week.

a) All letters approved by the Board and/or signed by the President on behalf of the District.

b) All correspondence received by the District that are of District-wide concern as reasonably determined by the General Manager.

## **11. CONFLICTS OF INTEREST AND RELATED POLICY.**

11.1. State laws exist which attempt to eliminate any action by a Board Member or the District which may reflect a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. The following provides a brief policy summary of various conflict related laws. Directors are encouraged to consult with the Fair Political Practices Commission (the "FPPC") at (916) 322-5660, prior to the day of the meeting if they have a question about a particular agenda item.

11.2. Each Director is encouraged to review the District's Conflicts of Interest Code on a regular basis. The general rule is that an official may not participate in making a governmental decision if it is reasonably foreseeable that the decision will have a material financial effect on the official or a member of his or her immediate family or on an economic interest of the official, and the effect is distinguishable from the effect on the public generally. If real property in which the Director has an interest is located within 500 feet of the boundaries of the property affected by decision, that interest is deemed to be directly involved in the decision. Additionally, FPPC rules generally require a disqualified Board member to leave the room during the discussion of the matter.

11.3. The prohibitions of Government Code Section 1090 provide that the District may not contract with any business in which a Board member has a financial interest.

11.4. The basic rule is that public policy requires that when the duties of two offices are repugnant or overlap so that their exercise may require contradictory or inconsistent action, to the detriment of either public office, the discharge of the duties of the two offices by one person is incompatible with the affected office and the official must step down from one of the offices.

## 12. EVALUATION OF CONSULTANTS.

The District Consultants, including the District's Legal Counsel and Consulting Engineer, shall be evaluated as needed.

## 13. CONTINUING EDUCATION.

13.1. Board Members are required to attend training on ethics and sexual harassment every other year on an alternating schedule. Board members are also required to attend training on the National Incident Management System (NIMS).

13.2. Members of the Board and the General Manager are encouraged to attend educational conferences and professional meetings to improve District operation, such as Special District Administration, Finance and Governance, and other programs that emphasize employee relationships.

13.3. Subject to budgetary constraints, there is no limit on the number of Directors attending a particular conference or seminar when their attendance is beneficial to the District and in compliance with the Brown Act.

## 14. RELATIONSHIP AND CONDUCT BETWEEN BOARD MEMBERS AND STAFF.

14.1. The Board of Directors recognizes that the primary function of staff is to execute Board policy and to keep the Board of Directors informed.

14.2. Members of the Board of Directors shall not attempt to pressure and/or influence staff decisions, recommendations, workloads, schedules, and priorities.

14.3. Staff shall take guidance and direction only from action taken by the Board of Directors or from appropriate management supervisors as may be the case. Staff shall reject any attempts by an individual Board Member to influence or otherwise pressure them into making, changing or otherwise affecting staff decisions or recommendations, or changing work schedules and priorities. Staff shall report such attempts, without fear of



reprisal, to the General Manager, or to the President or the Vice President of the Board of Directors, who shall take appropriate action.

14.4. In the event that an employee has been the subject of any unlawful conduct from a Board Member, the employee shall report such conduct in writing and without fear of reprisal to the President or the Vice President of the Board of Directors, or to the Grand Jury directly, who shall investigate the complaint and take further necessary action.

## 15. FIDUCIARY RESPONSIBILITY.

15.1. No member of the Board of Directors shall serve as the District treasurer.

15.2. The General Manager shall be responsible for supervision of the District's finances.

15.3. The Board of Directors shall adopt by resolution a system of accounting and auditing that shall completely and at all times show the District's financial condition. The system of accounting shall adhere to generally accepted accounting principles (Government Code Section 61053).

15.4. The District's money shall be deposited in conformance with the District Investment Policy.

15.5. The General Manager shall make quarterly or more frequent written reports to the Board of Directors, as the Board shall determine, regarding the receipts and disbursements and balances in the accounts of the District.

15.6. The Board will review and approve the District Investment Policy on an annual basis.

15.7. The budget shall be prepared annually for Board approval by the following procedures:

a) On or before June 1st of each year, the Board of Directors should adopt a preliminary budget that conforms to generally accepted accounting procedures applicable to special districts. The preliminary budget shall be prepared by the General Manager.

b) On or before July 1st of each year, the Board of Directors shall publish a notice in a newspaper of general circulation stating the date, time, and place when the Board will meet to adopt the final budget, and that the preliminary budget is available for inspection at the District office.

c) On or before September 1st of each year, the Board of Directors shall adopt a final budget that conforms to generally accepted accounting procedures applicable to special districts.

d) The procedures for adopting a budget shall comply with Government Code Section 61110.

15.8. Audits shall be conducted as soon after the end of the Fiscal Year as possible, preferably within 120 days.

## 16. PUBLICATION OF POLICY.

16.1. Copies of this Policy shall be distributed to:

- a) All current District employees and new employees at the time of hire.
- b) All current Directors of the District and new Directors at the time they take office.
- c) Staff will provide orientation for new Directors.

16.2. The General Manager shall be available to answer questions of District employees regarding the District Policy on relationship and conduct between Board Members and staff.

## 17. RESTRICTIONS ON BYLAWS.

These Bylaws shall govern the Board in all cases to which they are applicable and not otherwise inconsistent with State and Federal laws.

**OCEANO COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS — BYLAWS**

**1. OFFICERS OF THE BOARD OF DIRECTORS.**

1.1. The officers of the Board are the President and Vice President.

1.2. The President and Vice President shall be elected annually during ~~the first regular~~ meeting in December, after any newly elected Board members are seated in conformance with ~~(Government Code Section 61043)~~. The term of office for the President and Vice-President of the Board shall commence immediately after the election.

1.3. The President of the Board shall serve as presiding officer at all Board meetings. The President shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

1.4. In the absence of the President, the Vice-President of the Board shall serve as presiding officer over all meetings of the Board. If the President and Vice-President of the Board are both absent, the remaining members present shall select one of themselves to act as presiding officer of the meeting.

1.5. The Board may at any time determine, by majority vote of all members, that the President has demonstrated an inability to serve. Upon such determination, the Vice President shall preside instead of the President.

1.6. The Board may at any time determine, by majority vote of all members, that the Vice President, when acting as the presiding officer pursuant to Section 1.5 above, has demonstrated an inability to serve. Upon such determination, the Board shall, by majority vote, elect another member to be the presiding officer.

**2. MEETINGS.**

2.1. Regular meetings of the Board of Directors (the Board) shall commence on the second and fourth Wednesday of each calendar month in the Board room at the District Office currently located at 1655 Front Street, Oceano, CA, 93475. Regular meeting times shall be set annually pursuant to the current Director's schedules and/or preference with the consideration to the public's right to participate.

2.2. Members of the Board shall attend all regular and special meetings of the Board unless there is good cause for absence.

2.3. The General Manager, in cooperation with the Board at the prior meeting shall prepare an agenda for each regular and special meeting of the Board. Any Director, before or during a regular meeting, may request that the General Manager place an item on the agenda. The General Manager may also put emergent District business on the agenda. Items being placed on any agenda are subject to Brown Act regulations.

2.4. No action or discussion may be taken on an item not on the posted agenda. However, matters deemed to be emergencies or of an urgent nature may be added to the agenda of a

regular meeting under the procedures of the Brown Act. Pursuant to the Brown Act and at regular meetings:

- a) Board Members may briefly respond to statements or questions from the public; and
- b) Board Members may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information, or request staff to report back at a subsequent meeting; and
- c) The President or a majority of no fewer than two members of the Board itself of Directors may, after consulting with District staff, direct the staff to place a matter on a future agenda.

2.5. The presiding officer shall conduct all meetings in a manner consistent with the policies of the District and the Brown Act. He/she shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board. He/she shall announce the Board's final decision on all subjects. He/she shall vote on all questions; and on roll call his/her name shall be called last.

2.6. A majority of the Board shall constitute a quorum for the transaction of business. While a majority of the Board is sufficient to do business, motions must be passed unanimously if only three Board members are present. Only those Board members present at a meeting may vote on business conducted at that meeting.

2.7. If a quorum does not arrive within fifteen (15) minutes of the time the meeting has been scheduled, it shall be determined that a quorum is not present. When there is no quorum for a regular meeting, the President, Vice President, or any Board member shall adjourn such meeting or, if no Board member is present, the District secretary shall adjourn the meeting.

2.8. Roll call shall be taken on the passage of all business items before the Board. The roll call vote shall be entered in the minutes of the Board meeting showing those Board members voting aye, those voting no, and those not voting or absent. Unless a Board member states that he or she is not voting on an item because of a conflict of interest, his or her silence or abstention shall be deemed and recorded as an affirmative vote.

2.9. Any person attending a meeting of the Board may record the proceedings with an audio or video tape recorder or a still or motion picture camera unless the recording causes unreasonable noise, illumination, or obstruction of view that constitutes or would constitute a disruption of the proceedings or would impair the ability of the public to observe the proceedings. All video tape recorders, still, and/or motion picture cameras shall remain stationary and shall be located and operated from behind the public speakers' podium once the meeting begins.

2.10. During each meeting, time shall be set aside to receive public comment in accordance with the Brown Act and District policy. Public comment shall be directed to the Board as a whole and not to any member individually or to the public.

2.11. If an individual or group willfully interrupts a meeting, fails to adhere to the District's policies pertaining to public comment, or otherwise creates an unreasonable disruption to the

proceedings, the meeting may be stopped and the room may be cleared. In such circumstances, members of the media must be allowed to remain and only matters on the agenda can be discussed.

2.12. No regular meeting will be conducted past 9:30p.m. At that time the meeting will be continued, to a time and place acceptable to a majority of the Board Members present, to consider any items where action is necessary prior to the next regular Board meeting. If a second meeting is held and continues until 9:30p.m., then the meeting will be adjourned and remaining agenda items continued to the next regular Board meeting. Adjournment at 9:30p.m. may be disregarded by means of a motion to suspend the rules, if seconded and approved by a vote of ~~two-thirds~~ a majority of the Board Members present.

### 3. COMMITTEES.

3.1. The Board may create Committees that are reflective of the District's business and its enumerated powers at its discretion. Committees shall be advisory committees to the Board and shall not commit the District to any policy, act or expenditure. The duties of the committees shall be outlined at the time of creation.

3.2. All committee meetings shall be conducted as public meetings in accordance with the Brown Act.

3.3. No committee shall include in its membership more than two (2) Board members.

3.4. An alternate member may be assigned by the Board in advance for those meetings where a regular member is unable to attend.

3.5. Committee assignments and District appointments will be coordinated with the election of the District officers annually. Upon a motion and a majority vote, committee assignments and appointments may be reconsidered at any time during the calendar year.

### 4. PREPARATION OF MINUTES AND MAINTENANCE OF TAPES.

4.1. The minutes of the Board shall be kept by the District Secretary and shall be neatly produced and kept in a file created for that purpose, with a record of each particular type of business transacted set off in paragraphs with proper subheadings. However, the District Secretary shall be required to make a record only of such business as was actually passed upon by a vote of the Board and, except as provided in Section 4.2 below, shall not be required to record any remarks of Board Members or any other person. The Minutes shall record all of the votes taken for the passage of all ordinances, resolutions or motions.

4.2. Any Director may request that brief comments pertinent to an agenda item be included in the minutes, but only at the meeting in which the item is discussed.

4.3. The District Secretary shall attempt to record the names and place of residence of persons addressing the Board, the title of the subject matter to which their remarks related, and whether they spoke in support or opposition to such matter.

4.4. Whenever the Board acts in a quasi-judicial proceeding, such as in assessment matters, the District Secretary shall compile a summary of the testimony of the witnesses.

4.5. Any audio or visual recording of a District meeting made for whatever purpose at the direction of the District shall be subject to inspection pursuant to the California Public Records Act. Audio and/or visual recordings will be posted on the District's website for 30 days before being taken down. Physical copies of the audio/visual recordings will be retained in the District archive for five (5) years and may be destroyed thereafter.

4.6. Nothing herein shall be deemed to create a requirement that minutes from the meeting be taken, or tape or film recordings be made, of any closed sessions of the Board.

4.7. All correspondence should have Name and Address of record to be entered in the minutes.

## 5. MEMBERS OF THE BOARD OF DIRECTORS.

5.1. Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.

5.2. Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and options, but in a respectful manner.

5.3. Once the Board takes action, Directors should commit to supporting the action and should not obstruct implementation of the action.

5.4. Any vacancy in the office of a member elected to the Board shall be filled pursuant to Government Code Section 1780.

## 6. AUTHORITY OF DIRECTORS.

6.1. The full Board of Directors, in actions taken pursuant to The Brown Act, retain absolute power to set policy, direct staff, and conduct the business of the District.

6.2. The Board is the unit of authority within the District. Apart from their normal functions as a part of the Board, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.

6.3. Directors ~~do not represent any fractional segment of the community. Rather, they are part of the body which represents~~ and acts for the community as a whole.

6.4. The primary responsibility of the Board is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are the responsibility of the professional staff members of the District. Directors should not obstruct the professional staff in the performance of their duties.

6.5. The Board at a regular or special meeting may authorize a Director or staff to speak or communicate on behalf of the District or represent the District at a meeting or related function.

Otherwise, Board members attending such events as described above shall make it clear that they are speaking on their own behalf and not representing the District or its Board of Directors.

## **7. DIRECTOR GUIDELINES.**

**7.1.** It is the intent of the Board of Directors to:

- a) Maintain control and direction of the District by action of the Board of Directors taken pursuant to the Brown Act;
- b) Allow Board Members access to information relative to the running of the District;
- c) Protect staff from undue influence, threats, harassment, and/or pressure from individual Board Members or members of the public; and
- d) Allow staff to execute priorities given by the Board of Directors and management without fear of reprisal.

**7.2.** Individual Board members, by making a request to the General Manager shall have access to information relative to the operation of the District, including but not limited to statistical information, information serving as a basis for certain actions of staff or as justification for staff recommendations. Board Members shall receive the cooperation and candor of the General Manager in being provided with the requested information. If the General Manager cannot timely provide the requested information because it is not presently available or its production would cause an interruption in work schedules or workloads, then the General Manager shall inform the Board member why the information is not available or cannot be made available in a timely manner, and when it may be made available.

**7.3.** If the information still cannot be provided the General Manager shall, or the Board Members shall direct the General Manager to, place an item on the Board agenda for direction as to the Board's desire and method of providing the information.

**7.4.** In handling complaints from residents, property owners within the District or other constituents, Directors are encouraged to listen carefully to the concerns, but the complaint should be referred to the General Manager for processing and appropriate response.

**7.5.** Directors, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programs, should refer said concerns directly to the General Manager.

**7.6.** When approached by District personnel concerning specific District policy, Directors should direct inquiries to the General Manager.

**7.7.** Directors and the General Manager should develop a working relationship so that current issues, concerns and District projects can be discussed comfortably and openly.

**7.8.** When responding to constituent requests and concerns, Directors should respond to individuals in a positive manner and route their questions to the General Manager.

7.9. Sitting Directors should not enter into Litigation against the District. Should a Director enter into litigation against the District, it will be presumed that said Director has a conflict of interest on all matters presented to the Board for discussion and action.

## 8. DIRECTOR COMPENSATION.

8.1. Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular or special meeting of the Board and fifty dollars (\$50.00) for each committee meeting attended by him or her as the appointed Board representative or as the alternate. An alternate will be compensated only if attendance of the alternate at a committee is required because

- 1) the appointed representative is unable to attend or
- 2) the Board has directed the alternate to attend

8.2. In no event shall Director compensation exceed one hundred dollars (\$100.00) per day.

8.3. Director compensation shall not exceed six hundred (\$600.00) in any one (1) calendar month.

## 9. EXPENSE REIMBURSEMENT.

9.1. Each Board Member is entitled to reimbursement for their actual and necessary traveling and incidental expenses incurred in the performance of the duties required and authorized by the Board. Personal phone calls are not reimbursed.

a) It is the policy of the District to exercise prudence with respect to hotel or motel accommodations. It is also the policy of the District for Board members and staff to stay at the hotel or motel location of a conference, seminar, or class to gain maximum participation and advantage of interaction with others whenever possible.

b) Any Director traveling on District business shall receive transportation and lodging expenses, and ordinary expenses such as meals and tips. If a Director is called upon to personally pay District business expenses during travel, the Director shall maintain all receipts from any such District business trips. Such receipts will be used to calculate the amount of reimbursement.

c) Mileage reimbursement for use of privately-owned vehicles used for District business shall be as established by the Internal Revenue Service.

## 10. CORRESPONDENCE DISTRIBUTION POLICY.

10.1. The following letters and other documents shall be accumulated and delivered to the Board on Friday of each week.

a) All letters approved by the Board and/or signed by the President on behalf of the District.



- b) All correspondence received by the District that are of District-wide concern as reasonably determined by the General Manager.

## 11. CONFLICTS OF INTEREST AND RELATED POLICY.

11.1. State laws exist which attempt to eliminate any action by a Board Member or the District which may reflect a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. The following provides a brief policy summary of various conflict related laws. Directors are encouraged to consult with the Fair Political Practices Commission (the "FPPC") at (916) 322-5660, prior to the day of the meeting if they have a question about a particular agenda item.

11.2. Each Director is encouraged to review the District's Conflicts of Interest Code on a regular basis. The general rule is that an official may not participate in making a governmental decision if it is reasonably foreseeable that the decision will have a material financial effect on the official or a member of his or her immediate family or on an economic interest of the official, and the effect is distinguishable from the effect on the public generally. If real property in which the Director has an interest is located within 500 feet of the boundaries of the property affected by decision, that interest is deemed to be directly involved in the decision. Additionally, FPPC rules generally require a disqualified Board member to leave the room during the discussion of the matter.

11.3. The prohibitions of Government Code Section 1090 provide that the District may not contract with any business in which a Board member has a financial interest.

11.4. The basic rule is that public policy requires that when the duties of two offices are repugnant or overlap so that their exercise may require contradictory or inconsistent action, to the detriment of either public office, the discharge of the duties of the two offices by one person is incompatible with the affected office and the official must step down from one of the offices.

## 12. EVALUATION OF CONSULTANTS.

The District Consultants, including the District's Legal Counsel and Consulting Engineer, shall be evaluated ~~annually during the months of May or June as needed.~~

## 13. CONTINUING EDUCATION.

13.1. Board Members are required to attend training on ethics and sexual harassment every other year on an alternating schedule. Board members are also required to attend training on the National Incident Management System (NIMS).

13.2. Members of the Board and the General Manager are encouraged to attend educational conferences and professional meetings to improve District operation, such as Special District Administration, Finance and Governance, and other programs that emphasize employee relationships.

13.3. Subject to budgetary constraints, there is no limit on the number of Directors attending a particular conference or seminar when their attendance is beneficial to the District and in compliance with the Brown Act.

#### 14. RELATIONSHIP AND CONDUCT BETWEEN BOARD MEMBERS AND STAFF.

14.1. The Board of Directors recognizes that the primary function of staff is to execute Board policy and to keep the Board of Directors informed.

14.2. Members of the Board of Directors shall not attempt to pressure and/or influence staff decisions, recommendations, workloads, schedules, and priorities.

14.3. Staff shall take guidance and direction only from action taken by the Board of Directors or from appropriate management supervisors as may be the case. Staff shall reject any attempts by an individual Board Member to influence or otherwise pressure them into making, changing or otherwise affecting staff decisions or recommendations, or changing work schedules and priorities. Staff shall report such attempts, without fear of reprisal, to the General Manager, or to the President or the Vice President of the Board of Directors, who shall take appropriate action.

14.4. In the event that an employee has been the subject of any unlawful conduct from a Board Member, the employee shall report such conduct in writing and without fear of reprisal to the President or the Vice President of the Board of Directors, or to the Grand Jury directly, who shall investigate the complaint and take further necessary action.

#### 15. FIDUCIARY RESPONSIBILITY.

15.1. No member of the Board of Directors shall serve as the District treasurer.

15.2. The General Manager shall be responsible for supervision of the District's finances.

15.3. The Board of Directors shall adopt by resolution a system of accounting and auditing that shall completely and at all times show the District's financial condition. The system of accounting shall adhere to generally accepted accounting principles (Government Code Section 61053).

15.4. ~~Any portion of the District's money may be deposited in the county treasury of San Luis Obispo County or the treasury of the State of California. The Board shall, by resolution, designate a bank as the depository of all District money not deposited with the County or State Treasury~~The District's money shall be deposited in conformance with the District Investment Policy.

15.5. The General Manager shall make quarterly or more frequent written reports to the Board of Directors, as the Board shall determine, regarding the receipts and disbursements and balances in the accounts of the District.

15.6. The Board will review and approve the District Investment Policy on an annual basis.

15.7. The budget shall be prepared annually for Board approval by the following procedures:

- a) On or before June 1st of each year, the Board of Directors should adopt a preliminary budget that conforms to generally accepted accounting procedures applicable to special districts. The preliminary budget shall be prepared by the General Manager.

b) On or before July 1st of each year, the Board of Directors shall publish a notice in a newspaper of general circulation stating the date, time, and place when the Board will meet to adopt the final budget, and that the preliminary budget is available for inspection at the District office.

c) On or before September 1st of each year, the Board of Directors shall adopt a final budget that conforms to generally accepted accounting procedures applicable to special districts.

d) The procedures for adopting a budget shall comply with Government Code Section 61110.

15.8. Audits shall be conducted as soon after the end of the Fiscal Year as possible, preferably within 120 days.

## 16. PUBLICATION OF POLICY.

16.1. Copies of this Policy shall be distributed to:

a) All current District employees and new employees at the time of hire.

b) All current Directors of the District and new Directors at the time they take office.

c) Staff will provide orientation for new Directors.

16.2. The General Manager shall be available to answer questions of District employees regarding the District Policy on relationship and conduct between Board Members and staff.

## 17. RESTRICTIONS ON BYLAWS.

These Bylaws shall govern the Board in all cases to which they are applicable and not otherwise inconsistent with State and Federal laws.