

Meeting Date 7-12-06

Meeting Type Regular

Call to Order Time 6:05 PM

Director Roll Call P=Present A= Absent

- Lambeth P
- Kiech P
- Russell P
- Fields P
- Mirabal-Boublon P

Staff

- O'Neill P
- Schultz P
- Facility Manager P
- District Manager
- Other Tracy Copeland

Approval of Minutes for: April 12, 2006

Motion Kiech
 Second Russell
 Vote 5/0

with changes

June 14, 2006

Kiech
 Russell
 5/0

with changes

Approval of Minutes for: May 10, 2006

Motion Russell
 Second Fields
 Vote 5/0

with changes

May 31st Special mtg
 Russell
 Fields
 5/0

with changes

Approval of Warrants for: Sun 1 to June 30 2006

Motion Russell
 Second Kiech
 Vote 5/0

Discussions/Action Items Fire Sarpassion Ord 102
Motion Russell
Second Fields
Vote 5/0
with changes

Discussions/Action Items Election
Motion Mitchell/Burton
Second Russell
Vote 5/0

Discussions/Action Items Letter to Mitchell
Motion Russell
Second Laraine
Vote 5/0
AS Amended

Discussions/Action Items

Motion
Second
Vote

Next Meeting Agenda Items

- 1 Request report on conversation with MR Hans and funding
- 2 Review around end of Pico/Status & cleanliness
- 3 Report on discussion with State regarding Young property
- 4

Notes Public Comments - Walt Blankship - State parks plan to develop Young Property

Give Rob Pkx phone #

Look into county funds for park (Rob)

Ben Hall - Commander at Sheriff's Department made presentation

Adjournment Time

7:50 pm

Tom

**Board of Directors – Regular Meeting
San Simeon Community Services District
AGENDA
Wednesday July 12, 2006 6:00 PM
Cavalier Banquet Room**

Note: All comments concerning any item on the agenda are to be directed to the Board Chairperson.

1. 6:00 PM – REGULAR SESSION
 - 1.1 Roll Call
 - 1.2 Pledge of Allegiance

2. PUBLIC COMMENT:

Any member of the public may address and ask questions of the Board relating to any matter within the Board’s jurisdiction, provided the matter is not on the Board’s agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

 - 2.1 Sheriff’s Report
 - 2.2 Public Comment

3. STAFF REPORTS
 - 3.1 General Manager Report
 - 3.1.1 Current Project Report
 - 3.1.1.1 Immediate Plant Upgrades
 - 3.1.1.2 Meter Replacement Program
 - 3.1.1.3 District Financial Consultant
 - 3.1.1.4 Weed Abatement
 - 3.1.1.5 Ethics Training
 - 3.1.2 Superintendent Report
 - 3.1.2.1 Water & Wastewater Operation Report
 - 3.1.3 Other Reports
 - 3.1.3.1 District Financial Summary
 - 3.2 District Counsel Report

4. ITEMS OF BUSINESS
 - 4.1 Approval of Minutes – April 12, 2006
 - 4.2 Approval of Minutes – May 10, 2006
 - 4.3 Approval of Minutes – May 31, 2006 Special Meeting
 - 4.4 Approval of Minutes – June 14, 2006
 - 4.5 Approval of Warrants – June 1, 2006 – June 30, 2006

5. DISCUSSION/ACTION ITEM
 - 5.1 Discussion/Action Regarding the Amendment to Ordinance 101 Exhibit “A” to include Fire Protection as Zero EDU’s

5.2 Board Resolution 06-311 Consolidating San Simeon Community Services District Election With The November 1, 2006 General Election

5.3 Discussion/Action Regarding the approval of a Will Serve Letter for Kent Mitchell's property located at 9540 Castillo.

5.4 Board Committee Reports.

5.5 Board Reports.

6. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS

7. ADJOURNMENT

Discussion/Action Items

July 12, 2006

5.1 Amendment to Ordinance 101 Exhibit “A” to include Fire Protection as Zero EDU’s – Staff was directed at the Special Meeting on June 30, 2006 to amend Ordinance 101, Exhibit “A” to show fire protection to account for zero EDU’s. This is to encourage residents and commercial customers to install fire protection such as sprinkler systems. In the Board packets is Ordinance 102 which complies with Board direction. Staff recommends approval of Ordinance 102.

5.2 Board Resolution 06-311 Consolidating San Simeon Community Services District Election With The November 1, 2006 General Election – Pursuant to California Elections Code Section 1303 (b) the San Simeon CSD biennial election will be held on November 7, 2006 the attached resolution is the District’s request to consolidate the District’s election with General Election. Staff requests approval this resolution.

5.3 Approval of Will Serve Letter for Kent Mitchell’s property located at 9540 Castillo – The Board has determined that the property located at 9450 Castillo is entitled to 2.3 EDU’s as defined in Ordinance 101 for Gas Stations. Mr. Mitchell’s attorney has requested (attached e-mail) the San Simeon CSD Board of Directors to issue a Will Serve Letter for above listed property prior to the preparation and submission of a building application to the County. The letter would state that any construction would be limited to a maximum of 2.3 EDU’s. Staff requests direction from the Board.

General Manager's Report

July 12, 2006

3.1.1.1 Immediate Plant Upgrades – Reactor and clarifier number three upgrade was completed last week and is back on line. Work has begun on the last reactor and clarifier and should be completed by the end of the month.

3.1.1.2 Meter Replacement Program – with the exception of approximately 12 meters all residential meters have been replaced. Last month billings were averaged because the interface from the meter reading equipment and the billing software had not been completed. The interface and equipment training will take place on July 17th, 18th, and 19th. Billing for the month of July will be actual reads. Adjustments for the June averaging will appear on the July bills.

3.1.1.3 District Financial Consultant – Staff is still in the process of identifying candidates. Once identified staff will interview and present qualifications to the Board for review and approval.

3.1.1.4 Weed Abatement- With the exception of one property all lots have been cleared. We are in the process of identifying the new property owner and sending out a notice.

3.1.1.5 Ethics Training – To date staff has only been notified by one Board member that the State required ethics training has been completed. As a reminder the State requires that ethics training be completed by the end of 2006 and repeated every two years. If any Board members have completed the training please submit a copy of your certificate to the District Office. If training has not yet been completed please make arrangements to comply with the State mandate. The Board packet includes copies of two web pages where training information is available.

Superintendent's Report

(For June 2006)

July 6, 2006

During the month of June, continued progress was made towards completing items previously identified for immediate improvements:

- Unit #3 was drained, cleaned and new components were replaced and/or added. As of the date this report is being prepared, it is anticipated that this unit will be placed back in service this week and work will begin on the 4th and last unit.
- Since Equalization basin Pump #1 had been pumping at reduced capacity for some time, with the anticipation that the entire pump needed to be re-built, I had Allen Larsen inspect the pump. Upon inspection, he determined that the pump impeller was blocked with rags and that the wear plate was missing. He cleared the rags out and installed a new wear plate, temporarily shimmed the clearances and we placed the pump back into service. Pump capacity is now back up to within tolerances although additional work, such as shimming clearances as required and re-aligning motor/pump still needs to be done on this unit. The work will be completed as soon as we get proper shims.
- During the process of draining Unit #2, it was discovered that the inlet gate for this unit was fabricated out of mild steel material instead of stainless steel as the others were and that the hinges have rusted out. The present inlet gates do not allow for proper distribution of flow between units in service nor do they allow for completely blocking flow when necessary to take a unit out of service. Mr. Larsen has asked a supplier to give us a quote on a different type inlet gate that would resolve these issues. As soon as we know what the cost would be to replace the inlet gates, we will provide that information to the General Manager in order that a decision can be made to either repair what we have now or to replace the gates.

The Wastewater Treatment Plant operated well overall during the month of June.

To my knowledge and based on lab results received as of the date this report is being prepared, we had two permit exceedances during the month of June. The lab results indicate that on June 5th the sample taken from Dechlorinated Final Effluent had a Total Coliform count of 900 and our permit limit is 230. Another sample, taken at the same time, from the Chlorine Contact Chamber Effluent, showed a test result of 8 and a third sample, from our new dechlorinated final effluent sampling point, showed a result of 110 for Total Coliform.

Page Two

As I explained in my previous report, we received permission from the RWQCB to obtain samples from a new sample point that is above the lower trough, with the stipulation that we sample from both locations for thirty days. We did that through the month of June and the results look positive. As soon as the RWQCB has the opportunity to review the comparative testing results and I've discussed the matter with Mathew Keeling, I hope to be able to establish the new sample site as approved by the RWQCB for future sampling.

The only other exceedance was for June 20th for exceeding the Total Chlorine Residual limit. For some unexplained reason we had a residual of 52 mg/l of Total Chlorine Residual prior to and after dechlorination and our permit limits us to 0.93 for that constituent. It appears that it may have been caused by a combination of factors including low chlorine demand, chemical feed pump losing prime, and short-circuiting occurring in the Chlorine Contact Chamber. We now suspect that "short circuiting" within the CCC is occurring, which, combined with other factors previously stated, would explain why we are getting erratic Total Coliform results periodically. We are giving careful consideration to various options for improvements to the CCC as well as the entire disinfection/de-chlorination process and intend to implement whatever changes are ultimately deemed to be most effective.

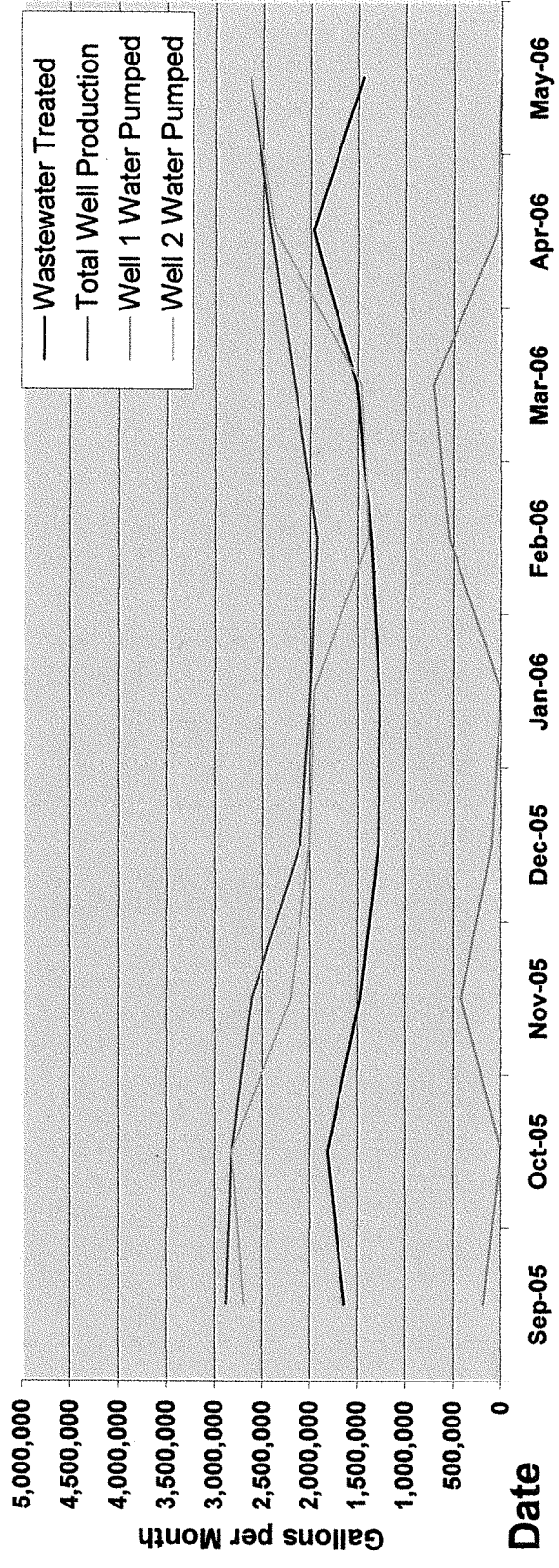
A question was raised during the last Board Meeting regarding the accuracy of wastewater influent flow shown for May 22, 2006. A check of our plant readings indicate that the reading was valid. The plant flow was higher than normal that day, possibly due to the fact that it was a Monday. For some unknown reason our plant flows are sometimes higher on Mondays, possibly due to more laundering being done.

A copy of the report submitted to the Regional Water Quality Control Board (RWQCB) for the month of May 2006 is included with this report.

Report prepared and submitted by: Dan Daniels, Facility Manager, ECO Resources, Inc.

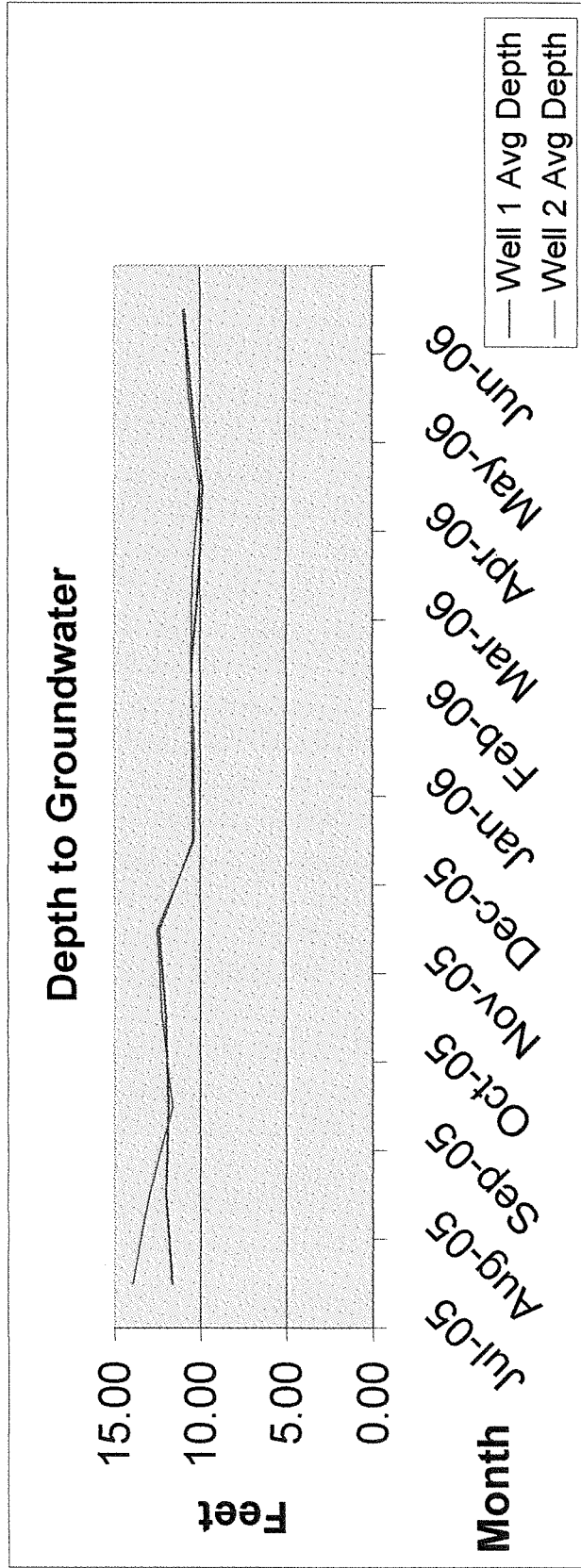
	INPUT Wastewater Inf Meter Tot	CALCULATED Wastewater Daily Flow	INPUT Well 1 Readings	CALCULATED Well 1 Total Pumped	INPUT Well 2 Readings	CALCULATED Well 2 Total Pumped	CALCULATED Total Daily Water Produced	INPUT Well 1 level	INPUT Well 2 level	INPUT State Sewer Daily Flow
31-May	8115973		3189		26185					
6/1/06	8159953	43,980	3190	748	26241	42,187	42,935	10.7	10.8	7,639
6/2/06	8189620	29,667	3190	0	26341	74,501	74,501			7,491
6/3/06	8252080	62,460	3191	748	26440	74,351	75,099	11.8	Running	7,499
6/4/06	8324388	72,308	3191	0	26588	110,405	110,405	10.8	10.9	8,937
6/5/06	8383769	59,381	3191	0	26737	111,452	111,452			8,934
6/6/06	8433717	49,948	3191	0	26851	85,272	85,272			8,292
6/7/06	8505980	72,263	3191	0	26965	85,272	85,272			8,288
6/8/06	8558877	52,897	3191	0	27079	85,272	85,272			8,485
6/9/06	8589448	30,571	3191	0	27193	85,272	85,272			7,725
6/10/06	8635555	46,107	3191	0	27307	85,272	85,272			8,030
6/11/06	8724266	88,711	3191	0	27421	85,272	85,272			8,842
6/12/06	8782315	58,049	3191	0	27532	83,028	83,028	10.6	10.7	8,943
6/13/06	8840002	57,687	3191	0	27644	83,776	83,776			9,240
6/14/06	8896027	56,025	3191	0	27755	83,028	83,028	10.8	10.9	9,344
6/15/06	8955662	59,635	3191	0	27889	100,232	100,232			7,602
6/16/06	9015564	59,902	3191	0	28032	106,964	106,964			10,271
6/17/06	9086222	70,658	3191	0	28166	100,232	100,232			13,780
6/18/06	9182080	95,858	3191	0	28300	100,232	100,232			13,977
6/19/06	9261840	79,760	3191	0	28423	91,929	91,929	10.8	10.9	14,847
6/20/06	9317886	56,046	3191	0	28543	89,835	89,835			13,087
6/21/06	9368378	50,492	3191	0	28662	89,012	89,012	10.6	10.8	13,489
6/22/06	9421118	52,740	3308	87516	28667	3,740	91,256			13,872
6/23/06	9498709	77,591	3424	86768	28671	2,992	89,760	10.7	11.9	13,378
6/24/06	9581729	83,020	3426	1496	28764	69,564	71,060	10.7	11.0	15,154
6/25/06	9653387	71,658	3426	0	28940	131,648	131,648	12.0	Running	11,178
6/26/06	9769408	116,021	3426	0	29160	164,560	164,560	10.8	10.9	9,900
6/27/06	9806690	37,282	3426	0	29285	93,500	93,500			15,295
6/28/06	9863686	56,996	3426	0	29410	93,500	93,500			9,227
6/29/06	9927561	63,875	3426	0	29535	93,500	93,500	10.9	11.0	11,432
6/30/06	10033181	105,620	3426	0	29648	84,524	84,524	10.8	10.9	10,853
		Total Wastewater		Total Well 1		Total Well 2	Total Water Pumped			Total State WW
		1,539,298		177,276		2,590,324	2,767,600			315,831
			Average	5909	Average	86344	89299	10.92	10.97	10,528
			Min	0	Min	2992	31416	10.6	10.7	7,491
			Max	87516	Max	164560	151096	12.0	11.9	15,295

Superintendent Report - June 2006



Superintendent Report For June 2006

	May-05	Jun-05	Jul-05	Aug-05	Sep-05	Oct-05	Nov-05	Dec-05	Jan-06	Feb-06	Mar-06	Apr-06	5/6/2006	6/6/2006
Well 1 Avg Depth	10.70	10.63	11.64	12.00	11.86	12.00	12.39	10.40	10.44	10.50	10.07	9.83	10.48	10.92
Well 2 Avg Depth	10.70	12.23	13.97	13.00	11.62	12.20	12.51	10.34	10.34	10.53	10.44	10.02	10.61	10.97



Date: June 29, 2006

California Regional Water Quality Control Board
Central Coast Region
Attn: Monitoring and Reporting Review Section
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Dear Mr. Briggs:

Facility Name: San Simeon Community Services District
Wastewater Treatment Plant

Address: 9245 Balboa Avenue
San Simeon, CA 93452

Contact person: Dan Daniels
Job Title: Facility Manager
Phone number: 805 431-3206

WDR\NPDES Order Number: R3-2002-0046
WDID Number: 3 400110001

Type of Report (circle one): **Monthly** Quarterly Semi-Annual Annual

Month(s) (circle applicable months*): JAN FEB MAR APR **MAY** JUN
JUL AUG SEP OCT NOV DEC

*Annual Reports (circle the first month of the reporting period)

Year: 2006

Violation(s) (Place an X by the appropriate choice): No (there are no violations to report) **Yes**

If Yes is marked (complete a-g):

a) Parameter(s) in Violation:

Total Chlorine Residual for De-chlorinated Final Effluent
Total Coliform for De-chlorinated Final Effluent

**b) Section(s) of WDR/NPDES Section B, a
Violated:**

c) Reported Value(s)

**Dechlorinated Final Effluent Total Chlorine Residual
05/24/06 = 7.10 MG/L**

**Final Effluent Total Coliform Bacteria Daily Max =
05/03/06 = 300 MPN/100ML
05/08/06 = 1600 MPN/100ML
05/19/06 = 350 MPN/100ML**

**d) WDR/NPDES
Limit/Condition:**

**0.93 mg/l Total Chlorine Residual Daily Maximum - Final Effluent
230 MPN/100ml / Final Effluent Total Coliform Daily Maximum**

e) Dates of Violation(s):

(reference page of report/data sheet):

**Effluent Cl2 Residual, (Ref. page 1 of data sheet)
05/24/06 = 7.10 MG/L**

**Dechlor Effluent Total Coliform, (Ref. page 1 of data sheet)
05/03/06 = 300 MPN/100ML
05/08/06 = 1600 MPN/100ML
05/19/06 = 350 MPN/100ML**

f) Explanation of Cause(s): On May 24th the Total Chlorine Residual for De-chlorinated Final Effluent reached 7.10 mg/l for a short period of time. This appears to have been caused by combination of factors including a decrease on chlorine demand due to an increased efficiency of the upstream processes which resulted in a very clear effluent going into the Chlorine Contact Chamber (CCC); by a decrease in through plant flow; and, what we now suspect to be a problem with short circuiting within the CCC. We are giving consideration to various options for improvements to the CCC as well as the entire disinfection/de-chlorination process and intend to implement whatever changes are ultimately deemed to be most effective.

The laboratory results for sample taken on May 3rd, of De-chlorinated Final Effluent, showed a Total Coliform of 300 MPN/100ml. This sample was taken from the lower trough where the de-chlorinated flow leaves the plant. A sample taken at the same time, from the Chlorinated Effluent leaving the CCC but before de-chlorination tested at a Total Coliform count of 170 MPN/100ml, which is within our limit of 230 MPN/100ml and we feel, as we have expressed previously, that the lower sample area is subject to contamination.

Lab results for samples taken May 8th from both the lower trough and the Chlorinated Effluent showed Total Coliform counts of 1600 MPN/100ml. Although the Total Chlorine Residual was 2.5 mg/l leaving the CCC, which would be expected to provide ample disinfection, as stated above, we now suspect that "short circuiting" is taking place in the CCC and we are studying that issue in an effort to implement a solution.

Lab results for samples taken on May 19th, from the lower trough showed Total Coliform counts of 350 MPN/100ml. However, the sample taken at the same time, from the Chlorinated Effluent, showed Total Coliform counts of 4 MPN/100ml, which is well below our permit daily limit of 230 MPN/100ml and, as we have expressed previously, the lower sample point is subject to contamination.

g) Corrective Action(s): As previously stated in our reports, we have suspected for some time the reason, that on occasion for no apparent reason, the test results will indicate that the Total Coliform count has been higher than our permit allows, has been due to organic growth taking place in the lower outlet of the Chlorine Contact Chamber, after de-chlorination has taken place. Since we could not maintain a level of chlorination adequate to maintain disinfection in that area, it would appear quite probable that contamination due to organic growth or from the possible introduction of some other type of contaminant could occur. In addition, we now suspect that "short circuiting" within the CCC is occurring, which, combined with other factors previously stated, would explain why we are getting erratic Total Coliform results. We are giving careful consideration to various options for improvements to the CCC as well as the entire disinfection/de-chlorination process and intend to implement whatever changes are ultimately deemed to be most effective.

As stated in last months report, we have modified the area where the de-chlorination takes place and, as stipulated by Mr. Mathew Keeling, are running Total Coliform tests on samples taken from the lower trough as well as from the new Final Effluent sample point, past de-chlorination. I will address those comparative results in my monthly report for June.

Please note that . on May 30th we ran a composite sample for Influent Suspended Solids (Total Non-Filterable Residue), although that test was not required of us for the Month of May, and the lab results shown for sample was 22 mg/l. As the Suspended Solids for raw sewage is expected to be with the range of BOD, which was also run at the same time and showed a result of 310 mg/l, I feel that the 22 mg/l was an anomaly due to some type of error in obtaining the sample for Suspended Solids.

In accordance with the Standard Provisions and Reporting Requirements, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision following a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my knowledge of the person(s) who manage the system or those directly responsible for data gathering, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

If you have any questions or require additional information, please contact Dan Daniels at the number provided above.

Sincerely,

Name: Cephas R. (Dan) Daniels

Title: Facilities Manager

FACILITY I.D.# 3400110001 BEGINNING: 6/1/2006 MO/DAY/YR ENDING: 6/30/2006 MO/DAY/YR

STATION	EFFLUENT FLOW	EFFLUENT CL2 RESIDUAL	EFFLUENT SETTLING SOLIDS	EFFLUENT SETTLING SOLIDS	EFFLUENT SETTLING SOLIDS	CCC Effluent T COLIFORM	DeChlor Effluent "Top" T COLIFORM	DeChlor Effluent "Bottom" T COLIFORM	EFFLUENT PH	EFFLUENT TURBIDITY	EFFLUENT TURBIDITY	EFFLUENT DIS OXYGEN
CONSTITUENT	GALLONS	MG/L	M/L	M/L	M/L	MPN/100ML	MPN/100ML	MPN/100ML	PH UNITS	NTU	NTU	MS/L
SAMPLE TYPE	METERED	GRAB	GRAB	GRAB	CALCULATION	MPN/100ML	MPN/100ML	MPN/100ML	GRAB	GRAB	CALCULATION	GRAB
FREQUENCY	DAILY	DAILY	DAILY	DAILY	7-DAY AVG	4 X Week*	4 X Week*	4 X Week*	WEEKLY	WEEKLY	7-DAY AVG	WEEKLY
MONTH	June	June	June	June	June	June	June	June	June	June	June	June
6/1/2006	98,594	0.01	0.2	0.2		ND	4	9				
6/2/2006	36,432	0.01	0.2	0.2		ND	11	30				
6/3/2006	45,668	0.02	<0.01									
6/4/2006	41,971	0.03	0.2									
6/5/2006	29,971	0.02	<0.1			8	110	900				
6/6/2006	24,242	0.02	<0.1			30	2	4				
6/7/2006	109,201	0.00	0.2	0.20		ND	4	8	6.9	4.00	4.00	6.2
6/8/2006	65,320	0.00	<0.1			2	4	2				
6/9/2006	30,875	0.00	0.2									
6/10/2006	30,486	0.00	<0.1									
6/11/2006	50,547	0.01	<0.1									
6/12/2006	61,551	0.00	0.3			2	23	23				
6/13/2006	59,057	0.01	0.2			2	ND	23	6.9	3.00		5.4
6/14/2006	66,308	0.01	0.6	0.33		4	ND	23				
6/15/2006	52,172	0.01	0.1			ND	ND	ND				
6/16/2006	47,800	0.00	<0.1			ND	30	50				
6/17/2006	40,244	0.10	<0.1									
6/18/2006	43,021	0.07	<0.1									
6/19/2006	44,911	0.00	<0.1			ND	33	170	7.0	3.50		6.2
6/20/2006	58,984	52.00	0.2			ND	ND	ND				
6/21/2006	60,003	0.00	0.2	0.17		7	4	4				
6/22/2006	162,789	0.01	0.3			4	ND	8				
6/23/2006	53,392	0.00	0.2									
6/24/2006	79,467	0.04	0.2									
6/25/2006	51,713	0.02	0.2									
6/26/2006	29,890	0.00	0.1			ND	ND	7	6.6	4.00		3.6
6/27/2006	79,249	0.01	0.2									
6/28/2006	117,807	0.00	0.2	0.20								
6/29/2006	51,714	0.00	0.2									
6/30/2006	99,311	0.00	0.3									
MONTHLY AVERAGE	66,063	1.75	0.2	0.22		7		95	6.9	4		5.4
MONTHLY HIGH	162,789	52.00	0.6	0.33		30		900	7.0	4		6.2
MONTHLY LOW	24,242	0.00	0.1	0.17		2		2	6.6	3		3.6
REQUIREMENT #1	EDDWF 0.2mgd	6-Mo. Avg. 0.23	30-D AVG 1.0	7-D AVG 1.5		DAILY MAX 230	DAILY MAX 230	MINIMUM 6.0	30-D AVG 7.5	7-D AVG 10.0		
TIMES EXCEEDED	0	0	0.0	0		3		0	0	0		0
REQUIREMENT #2		DAILY MAX 0.93	DAILY MAX 3.0			INST MAX 2400		MAXIMUM 9.0	MAX 225			0
TIMES EXCEEDED	0	1	0.0	0		0		0	0			0
REQUIREMENT #3		INST MAX 6.96										
TIMES EXCEEDED	0	0	0.0	0				0				

Other Reports
District Financials Summary

3.1.3.1 District Financials

May Billings	\$31,796.58
June Billings	\$37,062.12
Past Due	\$3,170.63
LAIF Account	\$1,061,371.59
SEP Account	\$82,076.59
	\$19,740.40
Accounts Payable	\$67,964.74
Checking Account Balance	\$68,556.68

**Board of Directors-Regular Meeting
San Simeon Community Services District
MINUTES
Wednesday April 12, 2006**

CLOSED SESSION 5:30-6:00 PM: Discussions regarding Personnel issues including two public employee evaluations of General Manager and District Counsel.

1. REGULAR SESSION

1.1 Roll Call: All directors in attendance

1.2 Pledge of Allegiance

2. PUBLIC COMMENT: Bob McLaughlin expressed concerns regarding the new hire of an additional wastewater operator. Chairperson Lambeth explained the purpose in doing so was to save money by not having an outside contractor do the work. Karina Tiwana mentioned how she liked the purpose of the North Coast Advisory Council of bringing different perspectives and how it may be beneficial for San Simeon to have a similar type of committee.

2.1 Sheriff's Report: None

3. STAFF REPORTS

3.1 General Managers Report

3.1.1 Current Project Report

3.1.1.1 Immediate Plant Upgrades: General Manager O'Neill said the Immediate Plant Upgrades continue to be made. It is taking longer due to weather, delays in the receiving of materials and the additional discovery of needed repairs. Director Russell wanted to know the status of expenses.

3.1.1.2 Presentation of District's New Website: The website is almost presentable. Some items still aren't opening correctly. There is a link to the Chamber of Commerce, the weather, and there will be a link to the Castle. The well curves aren't correct yet, either. Staff is working with M29 to make improvements.

3.1.1.3 Rip Rap and Water Master Plan update: Boyle Engineering is continuing to collect information requested by the Coastal Commission to complete the application for the permitting of the Riprap. Boyle is progressing on the Water Master Plan, although it is behind schedule due to difficulty in finding the required historical information.

3.1.1.4 Meter Replacement Program: The new meters have arrived and staff is waiting to install them until all the equipment is in. Sometime in May is a rough start date and installation is dependent upon when the software is delivered. Staff will notify residents the day before they can expect their water service to be interrupted.

3.1.1.5 FEMA Disaster Relief Reimbursement: An application was submitted along with documentation describing the storm damage done to the tool shed roof and motor control building and a cost estimate of \$3,248 for repairs. The claim was approved and a portion (approximately 75%) of the cost of the repairs will be reimbursed.

3.1.2 SUPERINTENDENT REPORT: Facility Manager Dan Daniels reported continued progress by contractor Allen Larsen towards completing items for the immediate upgrades. There has also been progress on completion of the electrical upgrades. Most of the old electrical panels have been removed and new ones installed. There have been problems with the telemetry system working and all 3 radio antennas needed to be replaced. The instrumentation is very old and should be changed. There were no reported violations for the month of March.

3.1.3.1 DISTRICT FINANCIAL SUMMARY:

March Billings	\$26,175
February Billings	\$27,492
Past Due	\$1,944
LAIF Balance	\$1,149,580
SEP Accounts	\$19,556
	\$81,165
Accounts Payable	\$40,087
Checking Account Balance	\$64,495

3.2 DISTRICT COUNSEL REPORT: District Counsel Rob Schultz attended the closed session meeting for the evaluation of the General Manager and Legal Counsel. Mr. Schultz reviewed the amendment to the contract with ECO and the District. He met with Cathy Novak regarding the Seifert Property and worked on the Community Plan Update.

4.1 Approval of Minutes-March 8, 2006: Director Russell suggested the changing the word "wear" as it refers to the Facility Manager. Wear as been removed and changed to "time Constraints". The correct name of the committee that was represented in a letter read on behalf of Elizabeth O'Leary needs to be incorporated in the March minutes.

Motion made Director Kiech
Second by Director Russell
Approved 5-0 with changes

4.2 Approval of Warrants-March 1, 2006- March 31, 2006:

Motion made Director Russell
Second by Director Fields
Approved 5-0 without exception

5. DISCUSSION/ACTION ITEMS

5.1 Former Mayor of Morro Bay Cathy Novak addressed the Board in support of the construction for the Joy Seifert property at the corner of Vista del Mar and Balboa. Discussion followed regarding whether the structure should be connected to the sewer system and water for fire suppression only. Other concerns were the coastal and environmental impact. Support was received for the projects creativity, but it is still not certain whether the County Building and Planning and the Coastal Commission will ultimately approve the project.

5.2 Discussion/Approval to Amend the Five Year Term of the ECO Contract:

Director Mirabal-Boubion was concerned with the ability of the Board to make changes if a rolling contract is adopted.

Motion made by Director Kiech
Second by Director Russell
Approved 4-1, one nay by Director Mirabal-Boubion

5.3 Discussion/Approval Water Committee Recommendations regarding Water

Wait List: The recommendation is that the wait list should not be reopened until the issue of water availability is resolved.

5.4 Discussion/Direction Regarding Counties Cambria and San Simeon Acres

Community Plan Update: District Counsel Schultz mentioned the plan is still in draft form and some of the wording needs clarification. One concern is that the document implies San Simeon may have intentions of developing a plan to draw water from Pico Creek when there are no such intentions. Another issue is the Plan suggests the District has control over jurisdiction on the affordable housing issue. This needs to be removed since the District does not have power over this jurisdiction.

5.5 Board Committee Reports: There is training being held at the Community Center in Cambria for restaurants and hotels regarding grease trap maintenance.

5.6 BOARD REPORTS

6. Proposed Agenda Items: The Budget will be coming up soon as an agenda item but not the next meeting. The pot holes need to be addressed as soon as the rainy season is over.

7. Adjournment

**Board of Directors – Regular Meeting
San Simeon Community Services District
MINUTES
Wednesday May 10, 2006 6:00 PM**

1.1 Roll Call: Chairperson Lambeth called the meeting to order. All Directors were present.

2.1 Sheriff's Report: No Representative present

2.2 Public Comment: None

STAFF REPORTS

3.1 General Manager's Report

3.1.1.1 Immediate Plant Upgrades: General Manager Tom O'Neill said the first of four reactor/clarifier upgrades has been completed and is back in operation. The first upgrade took longer than anticipated because of weather, vendor delays and additional (out of scope) repairs that were discovered after the reactor/clarifier was taken off line and drained.

3.1.1.2 2006/2007 Budget: Work is continuing on preparation of the budget. Staff is waiting for information from Boyle Engineering regarding capital improvements (Plant upgrade to tertiary treatment). A special meeting will be held on May 30, 2006 at 4:30 PM to present a draft budget before its final review at the June meeting.

3.1.1.3 Rip-Rap Update: The biological report, site plan, cross-section of the rip-rap and other required elements of the permit application have been completed by Boyle Engineering. The last element, report on bluff stability, is being prepared by Earth Systems and will be complete within a couple of weeks. Once Boyle receives the bluff stability report they will submit the application to the Coastal Commission for review and comment. San Simeon's permit application is due to the Coastal Commission by June 6, 2006. It is not certain how long the Commission will take to review the permit.

3.1.1.4 Meter Replacement Program: All the equipment has been received to begin the residential meter replacement. Staff is working with both RVS (billing Software Company) and Hersey Meters (meter reading equipment supplier) on the testing of the interface between the software and hardware. Once the testing is complete staff will then begin the replacement of the meters. A draft of the letter that will be sent to the residents (special mailing) has been included in the board packets. This letter will be produced in both English and Spanish. Some of the items in the letter will be changed and a draft of the letter will be presented to the board members before mailing.

3.1.1.5 Regional Water Quality Control Board, Notice of Violation: On April 12, 2006 the RWQCB issued the District a Notice of Violation (NOV) for exceeding total coliform requirements on eight occasions from July 9, 2005 through January 19, 2006. These eight exceedances are subject to mandatory minimum penalties of \$3,000 each.

The NOV states “the chronic coliform violations are primarily the result of poorly designed and aging clarifiers and not improper sampling locations or protocols...” The notice also states that issuance of any mandatory minimum penalties (MMP) will be deferred until the necessary repairs and modifications have been completed. This MMP deferral method is not acceptable to the District. The exceeding of coliform limits will continue until the repairs and modifications to the plant can be completed and to continue to assess MMP’s or even to defer assessment of MMP’s will place a financial hardship on the District. Tom O’Neill and Rob Schultz are in the process of developing an alternative to the RWQCB Mandatory Minimum Penalties policy and will begin discussion with the RWQCB. Mr. Schultz has seen fines abated by requesting the RWQCB issue a Time Service Order (Cease and Desist Order) which would stop further fines until the plant improvements are complete.

3.1.1.5. Consumer Confidence Report: State and Federal regulations require that every year the District produce and distribute a report on drinking water quality. The Consumer Confidence Report for the San Simeon Groundwater Wells #1 and #2 is included in the board packets. The report indicates that the groundwater quality for the San Simeon wells meets all state and federal requirements. This report will be distributed to the community with the next utility bill mailing.

3.1.2 Superintendent’s Report: Facility Manager Dan Daniels explained that April brought additional progress in the area of immediate improvements. New flights were installed in clarifier #1 along with the drive mechanism, chains, skimmer piping, and skimmers. Aeration of unit #1 and final clarifier #1 has been placed in operation. Unit #2 has been drained down and an order has been placed for new sprockets needed for the remaining three clarifier units.

More progress was made on the electrical upgrades approved by the Board. Old electrical panels have been removed and new equipment is being installed.

Mr. Daniels knows of one violation during the month. The sample taken on April 11th had lab results of 900 for Total Coliform at the sample location for Dechlorinated Final Effluent. The permit limit is 230. Results are calculated in MPN, or most probable number per 100,000.

3.1.3.1 District Financial Summary:

April Billings	\$28,730.43
March Billing	\$26,175.00
Past Due	N/A
LAIF Account	\$1,149,580.12
SEP Accounts	\$19,683.72
	\$81,785.70
Accounts Payable	\$130,259.84
Checking Account Balance	\$32,249.60

3.2 District Counsel Report: District Counsel Rob Schultz received a letter from Cathy Novak regarding the Seifert Project asking about different things-one being transfer credits.

Mr. Schultz also spoke with Chevron and the property owner. There is a dispute between the two that the District should not be involved with.

ITEMS OF BUSINESS

4.1 Approval of Minutes: Minutes for April 12, 2006 will be presented at the June Meeting.

4.2 Approval of Warrants: April 1, 2006 – April 30, 2006

Motion made by Director Russell

Second made by Director Fields

Approved unanimously 5-0

5. DISCUSSION/ACTION ITEM

5.1 SLO Department of Planning and Building New Project Referral for 16420 Cabrillo Highway/APN 011-231-012: The project is not in the jurisdiction of the District, but just for review. The proposal is to tear down the gas station and put in a motel.

5.2 Presentation of SSCSD Website: Mr. O'Neill presented the new San Simeon Community Services District website. The new web address is www.sansimeoncsd.com. The front page has links to the local weather and the Chamber of Commerce website. Agendas and Minutes are posted going back for one year and are in PDF format.

Motion made by Director Kiech to approve the website design as presented

Second made by Director Russell

Approved unanimously 5-0

5.3 Board Committee Reports: None

5.4 Board Reports: None

6. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA

ITEMS: Chairperson Lambeth announced that Proposition 50 may have money becoming available again. He recommends putting on as a future agenda item. Also discussed was that the Water Master Plan draft is due in November.

7. ADJOURNMENT: 7:29 PM

**Board of Directors-Special Meeting
San Simeon Community Services District
MINUTES
Wednesday, May 31, 2006 4:30 PM
Cavalier Banquet Room**

CALL TO ORDER

1.1 Roll Call: The meeting was called to order by Chairman Lambeth. Directors Kiech and Fields were not in attendance.

2.1 SHERIFF'S REPORT- No Representative was present.

2.2 PUBLIC COMMENT- None

3. STAFF REPORTS

3.1 GENERAL MANAGERS REPORT

3.1.1 General Manager O'Neill advised the Board that ECO Resources had hired Jerry Copeland as a Grade I plant operator as approved by the Board. Director Mirabal-Boubion wanted to know why Mr. Copeland's salary was so high. Her research showed that a nation wide average for Grade I operators were much lower than the additional funds requested by ECO. Mr. O'Neill reminded Director Mirabal-Boubion that the approval of the Board to amend the ECO contract to include an additional \$5,000 per month was not just for Mr. Copeland's salary and benefits but also for the addition of out of scope services ECO had been performing. Mr. O'Neill reminded the Board their contract with ECO was a fixed price contract for the scope of work outlined in the contract and that ECO's request for a contract amendment was to cover the additional person required to allow the Facility Manager to perform the additional services not addressed in the original scope of services and to cover the costs of those additional services. Mr. O'Neill declined to discuss Mr. Copeland's salary.

3.1.2 SUPERINTENDENT'S REPORT: NONE

3.1.3 OTHER REPORTS

3.1.3.1 District Financial Summary: NONE

3.2 DISTRICT COUNSEL REPORT:

4. DISCUSSION/ACTION ITEMS

4.1 Draft Budget - Mr. O'Neill presented to the Board a draft 2006/2007 budget for review, comment and suggested changes. It was suggested that to balance the budget a line item needed to be added to the revenue budget under Funds Transfer called LAIF Fund. The LAIF Fund should reflect the funds required to be withdrawn from the account to balance the budget. Mr. O'Neill confirmed that he would make those changes.

4.2 Ordinance 66 and 101 Amendment - There was discussion regarding how Ordinance 101 and Ordinance 66 have conflicting language. It was agreed that the Water Committee would review each Ordinance and make necessary changes. These changes would be sent to District Counsel Schultz for recommendations. Recommended changes would be brought to the Board at the July meeting for review and approval.

Director Mirabal-Boubion wanted to make sure that attachments B and C were included as part of Ordinance 101.

Mr. O'Neill was directed to amend Ordinance 101 to include Fire Protection as zero Equivalent Dwelling Units (EDU).

4.3 Financial Consultant - Mr. O'Neill requested approval from the Board to begin the search for a Financial Consultant for the District. This consultant would assist the District in developing a financial strategy that would best utilize the District's financial position now and in the future. It was suggested that the District look to the Small District Association for possible recommendations for such a consultant. There was a motion made by Director Russell for staff to begin the search for a financial consultant and to bring back recommendations to the Board. Motion was seconded by Director Mirabal-Boubion and approved unanimously.

5 BOARD COMMITTEE REPORTS-

5.1 BOARD REPORTS- NONE

6. Board/Staff General Discussions and Proposed Agenda Items: NONE

7. ADJOURNMENT 6:15 pm

**Board of Directors-Regular Meeting
San Simeon Community Services District
MINUTES
Wednesday June 14, 2006
Cavalier Banquet Room**

1. REGULAR SESSION

1.1 Roll Call: All directors in attendance

1.2 Pledge of Allegiance

2. PUBLIC COMMENT: Bob McLaughlin said the meter change went well and how the meter installer Bob Haifley was quick to respond to any glitches. Director Mirabal-Boubion would like to have an emergency number made available for people to call if they have concerns.

2.1 Sheriff's Report: Deputy Sheriff David Haydock arrived later and said he had no information to announce, but was willing to answer any questions. Chairperson Lambeth mentioned the concern of cars spinning out on Highway One. Mr. Haydock said to get the description of the vehicle and its direction of travel, since usually the license plate number is difficult to acquire.

3. STAFF REPORTS

3.1 General Manager Report

3.1.1.1 Immediate Plant Upgrades: General Manager O'Neill said the upgrades to reactor two have been completed. Reactor three upgrades have begun. Reactors three and four upgrades should go more quickly because reactor two had been used as a holding tank, prolonging completion.

3.1.1.2 Meter Replacement Program: More than half of the meters have been installed with approximately 30 more in need of replacement. The software interface is being tested for accuracy and soon the training for using the new touch read meters handheld and software system will begin.

3.1.1.3 Proposition 50 Update: Mr. O'Neill looked into the possibility that San Simeon may qualify for Chapter 3: Water Security or Chapter 4a4: Drinking Water Source Protection. He spoke with the Department of Health Services and it is questionable whether the District will be eligible for the funds.

3.1.1.4 – Loss of Property Taxes to State Education Augmentation Fund: The State of California, for the third year in a row, has imposed a special tax on certain Special

Districts. This tax will take \$52,502 away from the District to support the fund, leaving around only \$1500.00 for District use. Since the majority of the District's revenue comes from two sources, water and wastewater user fees and property taxes, the District cannot afford to lose their property taxes for another year and therefore must look for a means for recovering that lost revenue. Mr. O'Neill provided a spreadsheet that outlines a water, wastewater and service fee increase. This increase along with the projected revenue increase from the new meters will offset the property tax revenue loss. This is presented to the Board as a starting point to begin a dialog regarding alternate sources of revenue for the District

3.1.2 SUPERINTENDENT REPORT: Facility Manager Dan Daniels was unable to present the report as he was supervising the plant while Lee Wilson Electric finished some contract work. District Operations Manager Charlie Grace substituted for Mr. Daniels. Mr. Grace reported that the work done on Clarifier #2 was completed and the unit was being used as a holding tank as mentioned earlier by Mr. O'Neill. Approval for the new sample location for Final Effluent was given by the Regional Water Quality Control Board with the stipulation that samples continue to be taken from both the old and new locations. The roof ventilators at the MCC Building have been replaced after being torn off by winter storms. Well levels have remained at around 10 feet.

3.1.3.1 DISTRICT FINANCIAL SUMMARY:

May Billings	\$31,796.58
April Billings	\$28,730.43
Past Due	\$3,485.04
LAIIF Account	\$1,161,371.59
SEP Account	\$81,993.57
	\$19,726.37
Accounts Payable	\$140,348.10
Checking Account Balance	\$68,556.68

3.2 DISTRICT COUNSEL REPORT: District Counsel Rob Schultz prepared a draft letter to Cathy Novak. A copy is in the packet for the Board's review. Mr. Schultz will be on vacation for the next couple of weeks.

4.1 Approval of Minutes: April 12, 2006: Minutes will be brought back to the following meeting for approval after they have been reviewed by the General Manager.

4.2 Approval of Warrants-May 1, 2006- May 31, 2006: Mr. O'Neill explained item #6 which is a bill issued for \$12,493.08 by ECO Resources for work done as authorized by the Gant Chart. When the bill was received, it was never paid. The District Office never forwarded the invoice. Also, in May of 2005, a generator permit was paid by ECO in the amount of \$861. The Air Quality Control Board said they made a mistake and the invoice did not have to be paid.

Director Fields questioned why a FedEx bill was being paid by the District when it was a shipment requested by ECO Resources. Mr. O'Neill said he would have the bill paid by ECO and refund the District for the amount paid.

Motion made Director Kiech
Second by Director Russell
Approved 5-0 without exception

5. DISCUSSION/ACTION ITEMS

5.1 Discussion/Approval of the District's 2006/2007 Budget: Budget is approved with staff direction to bring back recommendations for immediate rate increases.

Motion made Director Russell
Second Director Fields
Approved 4-1, nay by Director Mirabal-Boubion

5.2 Discussion/Action regarding District Counsel's letter to Ms. Novak: Mr. Schultz's letter to Ms. Novak suggests entering into an agreement that would reimburse the cost to the District and Boyle engineering for their work in assisting the projects completion. Upon payment of fees, the District would allow Ms. Seifert connection to the wastewater system, the water system for fire suppression only, and an access permit to the Balboa property. All this would occur upon approval of the project by County Planning and Building and the San Simeon District.
Motion is to approve the letter as presented.

Motion made by Director Fields
Second by Director Russell
Approved 5-0

5.5 Board Committee Reports: None

5.6 BOARD REPORTS: Mr. O'Neill sent certified letters to all of the Board members at the Cambria Community Services District. He received a message from Tammy Ruddock and after attempting contact is waiting to hear back again. Another certified letter will be sent to the CCSD Board so a meeting time between the two District's members can be arranged.
Director Kiech would like to see a copy of the audited report from Crosby and Cindrich.

6. Proposed Agenda Items: None

7. Adjournment: 7:48 PM

San Simeon Community Services District
WARRANT REPORT
June 1 - June 30, 2006

	Type	Date	Open Balance	Warrant #	Check #
Fields, Alan	Bill	7/8/2006	\$ 100.00	0807-001	5462
Kiech, David	Bill	7/8/2006	\$ 100.00	0807-002	5467
Lambeth, Terry	Bill	7/8/2006	\$ 100.00	00807-003	5478
Mirabal-Boubion, Loraine	Bill	7/8/2006	\$ 100.00	0807-004	5472
Russell, John	Bill	7/8/2006	\$ 100.00	0807-005	5471
Schultz, Rob	Bill	7/8/2006	\$ 1,575.00	0807-006	5476
ECO Resources	Bill	7/8/2006	\$ 28,571.95	0807-007	5485
PERS Health	Bill	7/8/2006	\$ 177.97	0807-008	5474
GBP&B	Bill	7/8/2006	\$ 1,200.00	0807-009	5468
ECO Resources	Bill	7/8/2006	\$ 358.52	0807-010	5483
Groeniger and Company	Bill	7/8/2006	\$ 84.05	0807-011	5469
Earth Systems Pacific	Bill	7/8/2006	\$ 5,500.00	0807-012	5482
Gus Jones Concrete Cutting	Bill	7/8/2006	\$ 370.00	0807-013	5470
PG and E	Bill	7/8/2006	\$ 638.55	0807-014	5475
Daun Putney	Bill	7/8/2006	\$ 50.00	0807-016	5461

McMaster Carr	Bill	Task Order 5-05	7/8/2006	\$ 590.84	0807-017	5473
Boyle Engineering	Bill	Task Order 5-05 , 1-06, SRF Fund	7/8/2006	\$ 4,990.48	0807-018	5480
Boyle Engineering	Bill	Task Orders 3-05, 6-05, 7-05	7/8/2006	\$ 10,924.20	0807-019	5465
AMES Industrial	Bill	Lilly Pad Skimmer, Task Order 5-05	7/8/2006	\$ 163.59	0807-020	5463
AMI Pipe and Supply	Bill	Task Order Improvements ⁵⁻⁰⁵	7/8/2006	\$ 402.52	0807-021	5464
Saddleback Environmental	Bill	Task order 5-05 ^{Out of Scope}	7/8/2006	\$ 3,018.62	0807-022	5484
Cambria hardware	Bill	Task Order 5-05, Storm Damage	7/8/2006	\$ 148.84	0807-023	5481
CED Paso Robles	Bill	Electrical Upgrades	7/8/2006	\$ 2,908.42	0807-024	5466
SLO County Auditor Controller	Bill	LAFCO	7/8/2006	\$ 2,723.00	0807-029	5477
US Filter Envirex	Bill	Task Order 5-05	7/8/2006	\$ 3,050.19	0807-032	5479

Total:

\$ 67,946.74

SAN SIMEON COMMUNITY SERVICES DISTRICT
 ORDINANCE 101
 AN ORDINANCE AMENDING 101
 EXHIBIT "A"

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE SAN SIMEON COMMUNITY SEERVICES DISTRICT (SSCSD) as follows:

SECTION I: That Ordinance 101 Exhibit "A" is hereby amended and shall read as follows:

EXHIBIT "A"

CHART OF EQUIVALENT DWELLING UNITS

<u>Land Use</u>	<u>Equivalent Dwelling Units</u>
Motels (per unit)	.7
Motels (managers apartment)	1.0
Restaurant	1.0/184 sq. ft. of total area
Service Stations	2.3/2 restrooms
Residence (single family, condominium and mobile home)	1.0
Retail Shops	.4/950 sq. ft.
Public Restrooms	.9/restroom
Commercial Laundries	.4/washing machine
Irrigation	.5/meter
CDF Approved Fire Protection/Sprinkler Systems	0

SECTION II: This ordinance shall take effect and be in force immediately after its passage.

SECTION III: This Ordinance shall be posted for one (1) week in three (3) public places in the District.

This Ordinance was INTRODUCED, READ, PASSED and ADOPTED on this 12th day of July 2006, on the following roll call vote, to-wit:

AYES:

NOES:

ABSTAIN:

Chairperson, Board of Directors

ATTEST:

District Secretary

APPROVED AS TO FORM:

General Counsel

Leah Rice

From: Tom O'Neill **Sent:** Fri 7/7/2006 12:16 PM
To: Leah Rice
Cc:
Subject: FW: Kent Mitchell - 9540 Castillo Drive, San Simeon
Attachments:

Here's the e-mail for the board packets.

Tom

From: Pam Silkwood [mailto:psilkwood@horanlegal.com]
Sent: Fri 7/7/2006 10:23 AM
To: toneill@sansimeoncsd.com
Subject: Kent Mitchell - 9540 Castillo Drive, San Simeon

Hi Tom,

We have finally settled the various issues with Chevron, and Mr. Mitchell is interested in pursuing the development of his property. He currently does not have building plans prepared for the property. I am wondering if we can move forward with receiving a can and will serve letter (which would limit water use to past water use) prior to the preparation and submission of a building permit application to the County. It would be more advantageous for Mr. Mitchell in leasing the property for construction if he can demonstrate that water rights exist on the property.

Please let me know. Thanks again.

Best regards,
Pam

Pamela Silkwood

HORAN, LLOYD LAW OFFICES
499 VAN BUREN STREET
POST OFFICE BOX 3350
MONTEREY, CA 93942-3350
(831) 373-4131 Telephone
(831) 373-8302 Facsimile

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RESOLUTION 06-311

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON
COMMUNITY SERVICES DISTRICT REQUESTING THEIR BIENNIAL
ELECTION BE CONSOLIDATED WITH THE NOVEMBER 7, 2006
CONSOLIDATED GENERAL ELECTION**

WHEREAS, an election shall be conducted for this District pursuant to the Uniform District Election Law commencing with Elections Code Section 10500 on November 7, 2006; and

WHEREAS, pursuant to section 10555 of the Elections Code, said election may be consolidated with other elections pursuant to part 3, (commencing with Section 10400); and

WHEREAS, The Board of Directors requests the San Luis Obispo County Board of Supervisors consolidate this District's General District Election with any other election which may be held on the same day;

NOW, THEREFORE BE IT RESOLVED, by the Board of Directors, as follows: The Board of Supervisors of San Luis Obispo County is hereby requested to consolidate the General District Election of this District to be held on November 7, 2006, with all other elections held on the same date. This request is made pursuant to Section 10555 and 10400, et seq of the California Elections Code. The Board of Directors agrees to reimburse the County of San Luis Obispo in full for services performed relating to this election upon presentation of an invoice to the District.

ON MOTION of Director _____, seconded by Director _____ and on the following roll call vote to wit:

AYES:

NOES:

ABSENT:

The foregoing resolution is hereby adopted this 12th day of July 2006.

Terry Lambeth, Chairperson

ATTEST:

Secretary to Board

BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

Ethics Training for Local Government Officials

Government Code section 53235 requires ethics training for specified local government officials. The training can consist of self-study materials, an online course, or in-person training. The Attorney General's Office anticipates that an online training course may be developed to satisfy core curriculum requirements, but additional local training would still be necessary to address purely local issues.

Persons wishing to create a local ethics training course must consult with the Attorney General and the Fair Political Practices Commission concerning the sufficiency and accuracy of course content. (Gov. Code, § 53235, subd. (c).) In response to this requirement for consultation with the Attorney General, the following outline has been prepared to provide uniform guidance from the Office of the Attorney General regarding appropriate course content. The outline also provides links to relevant educational materials regarding ethics. Due to the demand for ethics training, it is anticipated that the Office of the Attorney General will be unable to review and comment on individual course materials. This outline provides uniform guidance, but the course preparer must be familiar with applicable law and the publications issued by the Attorney General and the Fair Political Practices Commission.

Of course, review of this outline and/or the linked materials, or completion of an ethics course, is no substitute for competent legal advice in a given situation. You should seek the advice of counsel if you have a specific legal question.

Curriculum Accuracy

For in-person training, the ethics law portion of any course should be delivered by an attorney licensed to practice law in California and knowledgeable about California's ethics laws. (For online and self-study training materials, the course should be prepared under the supervision of such an attorney.)

All course content should comply with the ethics laws contained in California's Constitution, statutes and common law. In addition, the course content should be consistent with the publications issued by the Office of the Attorney General, including, but not necessarily limited to, publications on conflicts of interest, the Brown Act and the Public Records Act. (See the "Publications" link on the Attorney General's web site.) Course content should also comply with the informational materials issued by the Fair Political Practices Commission, which are available at www.fppc.ca.gov

Course Sufficiency

Local government officials must receive training in two areas. Instruction should be provided on general ethics principles (Gov. Code, § 53235, subd. (d)), and the training must provide a brief summary of specific laws concerning conflicts of interests, perquisites of office and government transparency.

General Ethics Principles

The discussion of general ethical principles should include the manner in which values such as trustworthiness, respect, fairness and responsibility promote public trust in government. It should also include the importance of avoiding even the appearance of impropriety.

Conflicts of Interest, Perquisites of Office, Government Transparency

The training regarding conflicts of interest, perquisites of office and governmental transparency should include the following:

- (1) Laws relating to personal financial gain by public servants, including, but not limited to:
 - (A) Laws prohibiting bribery (Pen. Code, § 68).
 - (B) Conflicts of Interest under the Political Reform Act (Gov. Code, §§ 87100, 87103).
 - (C) Contractual Conflicts of Interest (Gov. Code, § 1090 et seq.).
 - (D) Conflicts of Interest and Campaign Contributions (Gov. Code, § 84308).
 - (E) Conflicts of Interest When Leaving Office (Gov. Code, §§ 87406.3, 87407).
- (2) Laws relating to claiming perquisites of office, including, but not limited to:
 - (A) Limitations on the Receipt of Gifts (Gov. Code, §§ 86203, 89503, 89506).
 - (B) Honoraria Ban (Gov. Code, § 89502).
 - (C) Misuse of Public Funds (Pen. Code, § 424; Gov. Code, § 8314; *Fair Political Practices Commission v. Suitt* (1979) 90 Cal.App.3d 125; *Stanson v. Mott* (1976) 17 Cal.3d 206).
 - (D) Prohibitions against gifts of public funds (Cal. Const., art. XVI, § 6).
 - (E) Mass mailing restrictions (Gov. Code, § 89001).

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(F) Prohibitions against acceptance of free or discounted transportation by transportation companies (Cal. Const., art. XII, § 7).

(3) Government transparency laws, including, but not limited to:

(A) Economic interest disclosure under the Political Reform Act (Gov. Code, §§ 87200 et seq.).

(B) Brown Act (Gov. Code, §§ 54950 et seq.).

(C) Public Records Act (Gov. Code, §§ 6250 et seq.).

(4) Laws relating to fair processes, including, but not limited to:

(A) Common law bias prohibitions.

(B) Due process requirements.

(C) Doctrine of Incompatible Offices (Gov. Code, §§ 1099).

(D) Competitive bidding requirements for public contracts.

(E) Disqualification from participating in decisions affecting family members (anti-nepotism laws).

A self-study or online course should include testing to assess the official's retention of the information presented. (§ 53235, subd. (d).)

Both in-person and self-study training materials should refer participating local agency officials to additional resources to assure that the participating official has access to the full range of information required by these curriculum guidelines. These resources may be found on the Attorney General's webpage at www.caag.state.ca.us, the Fair Political Practices Commission webpage at www.fppc.ca.gov, and the Institute for Local Government at www.ca-ilg.org/AB1234Compliance.

Once the initial ethics training has been completed, agencies may wish to focus more intensely on specific areas of concern in subsequent training sessions and provide a more cursory review of the enumerated laws. We recognize that the two hours of mandatory training is a basic minimum, and encourage agencies to provide additional training throughout the year in order to promote ethical and transparent government at the local level.

Training Deadlines

Initial Compliance Period: Local agency officials in local agency service as of January 1, 2006 (except for officials whose term of office ends before January 1, 2007), must complete their training by December 31, 2006. For local agency officials who commence service after January 1, 2006, they must complete their training by no later than one year after their first day of service in public office.¹

Subsequent Compliance Periods: After the initial training, each official must complete a training course once in each subsequent two-year period.

Learning Objectives

The Attorney General would encourage every course preparer to assure that his or her course content will satisfy the following desirable objectives:

- (1) Alert officials to the kinds of financial interests, relationships and/or activities that may either be prohibited or trigger disclosure or disqualification obligations under ethics laws described in Government Code section 53234(d).
- (2) Advise officials to 1) avoid prohibited activities, 2) comply with disclosure, disqualification and other affirmative ethics law requirements, and 3) consult with qualified legal counsel and/or regulatory authorities regarding the specifics of any situation that may involve prohibited or required conduct.
- (3) Note that ethics laws create minimum standards for ethical conduct by public officials; the public's expectations and ethics principles are likely to create a higher standard for behavior.
- (4) Advise participants of the legal and other consequences of violating ethics laws.
- (5) Include examples of conduct scenarios that are covered by the ethics laws in question.

¹ Government Code section 53235.1(b) provides as follows:

Each local agency official who commences service with a local agency on or after January 1, 2006, shall receive the training required by subdivision (a) of Section 53235 no later than one year from the first day of service with the local agency.

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Proof of Participation

Government Code section 53235.2 requires local agency officials to maintain records that indicate both the dates of training and the entity that provided the training. These records are disclosable public records and must be maintained for five years after the training.



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AB 1234 Self-Study

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The Institute offers two, one-hour self-study exercises as an option for local officials to satisfy AB 1234 requirements, or to make up for time missed at in-person sessions if the official either arrived late or left early. In each instance, local officials need to:

- Print out and read the substantive materials;
- Print out and take the test; and
- Mail the test to the Institute with the \$25 processing fee for each segment.

The Institute will then send you your corrected test with the correct answers and explanations, along with your proof of participation certificate(s).

The two segments are:

- Hour One: Financial Interests and Perks Self-Study Materials + Test and Transmittal Instructions
- Hour Two: Transparency and Fairness Self-Study Materials + Test and Transmittal Instructions

Proceeds from the processing fees help cover the Institute's costs in developing these materials, grading the test and providing the proof of participation certificate(s). Thank you in advance for supporting the Institute's work in public service ethics!

last updated : 6/30/2006

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AB 1234 COMPLIANCE TRAINING OPPORTUNITIES - In Person Training

Regional Trainings (All Local Officials Welcome)				
Date	Time	Place	Sponsor	Cost
July 10	5 - 7 p.m.	Concord	Contra Costa Mosquito and Vector Control District (Click here for RSVP flyer)	\$30
July 27	3 - 5 p.m.	Salinas	Monterey Bay Division	\$35 flyer
Nov. 13	6 - 8 p.m.	Santa Cruz	Monterey Bay Division	\$35 flyer
Dec. 7	8- 11a.m.	La Jolla, Hilton, Torrey Pines	City Clerks	TBA
Dec. 11	3 - 5 p.m.	MetroCenter Auditorium, Oakland	Association of Bay Area Governments (online registration available at http://www.abag.ca.gov/)	\$75

Statewide Events

- July 28, 9:00 - 11:00 a.m., League Executive Forum, Monterey. [Click here for registration.](#)
- September 6 - 9, [League Annual Conference](#), San Diego
- September 20 - 22, California Association of Joint Powers Authorities 2006 Fall Conference & Training Seminar, South Lake Tahoe. Registration fee includes an Ethics Training Workshop conducted by the Institute for Local Government that is scheduled for Friday, September 22 from 9:00 - 11:00 a.m. See [flyer](#).

last updated : 7/5/2006