

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Post Office Box 339, Oceano, California 93475-0339

1600 Aloha Place, Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

www.sslocsd.org

Agenda

Board of Directors Meeting

1655 Front Street

Oceano, California 93445

Wednesday, March 6, 2013 at 6:00 PM

Board Members

Tony Ferrara, Chairman

Matthew Guerrero, Vice Chairman

Debbie Peterson, Director

Alternates

Jim Guthrie, Director

Mary Lucey, Director

Jeff Lee, Director

Agencies

City of Arroyo Grande

Oceano Community Services District

City of Grover Beach

City of Arroyo Grande

Oceano Community Services District

City of Grover Beach

1. CALL TO ORDER AND ROLL CALL

2. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA

This public comment period is an invitation to members of the community to present comments, thoughts, or suggestions on matters not scheduled on this agenda. Comments should be limited to those matters that are within the jurisdiction of the District. The Brown Act restricts the Board from taking formal action on matters not published on the agenda. In response to your comments, the Chairman or presiding Board Member may:

- Direct staff to assist or coordinate with you.
- It may be the desire of the Board to place your issue or matter on a future Board agenda.

Please adhere to the following procedures when addressing the Board:

- Comments should be limited to 3 minutes or less.
- Your comments should be directed to the Board as a whole and not directed to individual Board members.
- Slanderous, profane or personal remarks against any Board Member, Staff or member of the audience shall not be permitted.

3. CONSENT AGENDA

Any writing or document pertaining to an open session item on this agenda which is distributed to a majority of the Board after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the offices of the Oceano CSD a member agency. 1655 Front Street, Oceano, California. Consistent with the Americans with Disabilities Act and California Government Code §54954.2, requests for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires the modification or accommodation in order to participate at the above referenced public meeting by contacting the District Administrator or Administrative Assistant at 805-544-4011.

The following routine items listed below are scheduled for consideration as a group. Each item is recommended for approval unless noted. Any member of the public who wishes to comment on any Consent Agenda item may do so at this time. Any Board Member may request that any item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action. The Board may approve the remainder of the Consent Agenda on one motion.

3a. Review and Approval of Minutes of February 20, 2013 meeting

3b. Review and Approval of Minutes of February 28, 2013 Special Meeting

3c. Review and Approval of Warrants

3d. Approval of actions taken at the February 29, 2013 board meeting including:

- **6. Consent Agenda (approved)**
- **8B. Revisions to Sewer System Management Plan (staff recommendation approved)**
- **8C. 2013 Tri-annual receiving water benthic monitoring and ocean outfall inspection (staff recommendation approved)**
- **8D. County Winter Storm preparedness (letter approved)**
- **8E. Staff Salary Adjustments (staff recommendations approved)**

3e. Contract with Paul J. Karp for Interim General Manager Services

4. PLANT SUPERINTENDENT'S REPORT

5. BOARD ACTION ON INDIVIDUAL ITEMS:

A. DISTRICT NOMINATION FOR VACANT LAFCO SEAT

Staff recommends the Board review the attached letter of invitation for nominations to fill a vacant seat on LAFCO designated to be filled by a policy maker from an independent special district within the County.

B. SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (SDRMA) NOTICE OF NOMINATIONS

Staff recommends the Board nominate, if desired, persons to the SDRMA Board of Directors and instruct staff to submit prior to May 3, 2013

C. METHANE GAS FLARE MAINTENANCE

Staff recommends that the Varec Biogas flare be serviced by the manufacturer's representative for \$3,623.00.

D. FEMA REIMBURSEMENT UPDATE; STORM OF DECEMBER 2010

Staff recommends the Board receive an update on the status of the District's request for reimbursement resulting from the costs associated with the storms of December 2010.

E. DISCUSSION OF BOARD EXPANSION AND ROTATION OF BOARD MEETING LOCATION

Staff recommends the Board discuss these items

F. REVIEW OF BOARD CHAIRMAN AND VICE-CHAIRMAN POSITIONS

Staff recommends the Board discuss Board positions

6. MISCELLANEOUS ITEMS

- a. Miscellaneous Oral Communications
- b. Miscellaneous Written Communications

7. PUBLIC COMMENT ON CLOSED SESSION

8. CLOSED SESSION

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9; 3 cases
 - a. Mascolo v SSLOCSD et.al. (existing litigation) CV110676
 - b. SSLOCSD vs US Energy et. al. (pending litigation) Case No. CV120008
 - c. Carter v Wallace et.al.(pending litigation) Case No. CV 110124
- 2) Central Coast RWQCB vs SSLOCSD et. al. ACLC No. R3-2012-0030
- 3) Pursuant to Section 54957: Discussion of appointment or employment of public employee

9. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION

19. ADJOURNMENT

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Oceano Community Services District
1655 Front Street
Oceano, CA 93445

Minutes of the Meeting of Wednesday, February 20, 2013
6:00 P.M.

1. CALL TO ORDER AND ROLL CALL

Present: Chairman Tony Ferrara, City of Arroyo Grande; Vice Chairman Matthew Guerrero, Oceano Community Services District; Director Debbie Peterson, City of Grover Beach.

District Staff in Attendance: John Wallace, District Administrator; Mike Seitz, District Counsel; Bob Barlogio, Plant Superintendent; Trini Rodriguez, Shift Supervisor; Matthew Haber, Bookkeeper/Secretary.

Counsel Seitz informed the Board regarding posting of the agenda. OCSD staff had informed him that the Agenda had been posted on Friday and had remained posted until being taken down for several hours on Wednesday. The agenda had also been posted on the District's website continuously. Counsel Seitz said he believes the District was within compliance of the Brown Act, but as a precaution, he recommended to the Board that any action items approved at this meeting be placed on the Consent Agenda at the subsequent meeting.

2. PUBLIC COMMENT ON CLOSED SESSION

Chairman Ferrara asked for public comment. There being none, Chairman Ferrara closed the public comment period.

3. CLOSED SESSION

- (1) Pursuant to Govt. Code Section 54957:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: District Administrator's contract

4. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

Counsel Seitz said that the Board had met in closed session and had received an announcement from John Wallace.

Administrator Wallace proceeded to announce his retirement from District service after more than twenty-seven years. He spoke about the history of the District, the projects accomplished and where it may be headed in the future. He recognized Staff particularly Plant Superintendent Barlogio and Shift Supervisor Trini Rodriguez for their work which has saved the District possibly hundreds of thousands of dollars. He thanked the staff of the Wallace Group for their dedication. He recognized ex-Directors whom he had worked with throughout the years many of whom were in attendance. He thanked Counsel Seitz and the Board.

Chairman Ferrara asked for any public comments.

Mr. Michael Lebrun, General Manager of Nipomo CSD, wished the District the best in finding someone who would live up to the standard which Administrator Wallace had set for professionalism, integrity and dedication.

Ms. Dee Santos of Grover Beach said that she was fortunate to serve on the District Board and said that Administrator Wallace had educated her on what a sanitation district does. She thanked Administrator Wallace for all he had done.

Mr. Bill Nicolls of Grover Beach said that the full audience in attendance tonight is a tribute to Administrator Wallace. He said that he had enjoyed working with Administrator Wallace and that he appreciated the time and effort Administrator Wallace had personally given to him. Mr. Nicolls also thanked Chairman Ferrara.

Ms. Barbara Mann said that she had wanted to tell Administrator Wallace how much she appreciated working with him. While serving on the Board, when she had wanted to know anything, no matter how silly, he had always treated her with respect. She said that she thinks that Administrator Wallace has done a wonderful job and thanked him for his service.

5. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA

Chairman Ferrara asked for any public comments. There being none, Chairman Ferrara closed the public comment period.

6. CONSENT AGENDA

Chairman Ferrara asked for public comments regarding the Consent Agenda. There being none, Chairman Ferrara closed the public comment period.

Chairman Ferrara asked the Board for any items to be pulled from the Consent Agenda. Director Peterson asked to pull Item 6B - Warrant Register.

Action: It was moved by Vice Chairman Guerrero to approve Consent Agenda Item 6A – Review and Approval of Minutes of the February 6, 2013 meeting, as presented; Item 6C – Review of the Financial Report Ending January 31, 2013, as presented; and Item 6D – Adoption of Resolution No. 2013-304, as presented. Director Peterson seconded; motion carried unanimously.

B. Review and Approval of Warrants.

Director Peterson asked for feedback from Administrator Wallace and Plant Superintendent Barlogio regarding several items on the Warrant Register.

Action: It was moved by Vice Chairman Guerrero to approve Consent Agenda Item 6B, as presented. Director Peterson seconded; motion carried unanimously.

7. PLANT SUPERINTENDENT'S REPORT

Plant Superintendent Barlogio presented the final results for January and the to-date February results in his Plant Superintendent's Report saying that the Plant has been running pretty well.

Chairman Ferrara asked for public comment. There being none, Chairman Ferrara closed the public comment period.

Administrator Wallace added that it is the dedication and talent of the Staff which allow the District to self-perform this work which saves the District thousands of dollars.

Action: Received and filed the Plant Superintendent's report.

8. BOARD ACTION ON INDIVIDUAL ITEMS

**A. SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (SDRMA)
NOTICE OF NOMINATIONS**

Administrator Wallace presented the staff report regarding the nominations for SDRMA's Board of Directors. He said that Friday, May 3, 2013 is the nomination filing deadline.

Chairman Ferrara asked for public comments. There being none, he closed the public comment period.

Action: The Board reached consensus to move this item to a future agenda.

B. REVISIONS TO SEWER SYSTEM MANAGEMENT PLAN

Administrator Wallace presented the staff recommendation regarding the annual review and revision of the District's Sewer System Management Plan (SSMP), update the Preventative Maintenance Program and Rehabilitation & Replacement Plan and to incorporate the drafted Emergency Operating Procedures into the SSMP.

Chairman Ferrara asked for public comments. There being none, he closed the public comment period.

Action: It was moved by Vice Chairman Guerrero to approve Staff's recommendation. Director Peterson seconded; motion carried unanimously.

**C. 2013 TRI-ANNUAL RECEIVING WATER BENTHIC MONITORING AND
OCEAN OUTFALL INSPECTION**

Administrator Wallace presented the staff recommendation that the Board increase budget item 10 MBI 09 by \$4,000 and direct Staff to develop and issue a Request for Proposal to conduct Receiving Water Benthic Sediment and Benthic Biota sampling as well as the Ocean Outfall Inspection as required by the District's permit.

Chairman Ferrara asked for public comment. There being none, Chairman Ferrara closed the public comment period.

Action: It was moved by Director Peterson to approve Staff's recommendation. Vice Chairman Guerrero seconded; motion carried unanimously.

D. COUNTY STORM WATER PREPAREDNESS

Administrator Wallace presented the recommended draft letter to the County regarding the flooding which occurred in December 2010 and what may be done for this winter and for future winters.

Chairman Ferrara asked for public comment.

Mr. Jeff Edwards of Los Osos commented on the draft letter and believed it should be stronger.

Ms. Julie Tacker of Los Osos said that the County Board of Supervisors had not approved any short-term or long-term projects for Meadow Creek.

There being no more public comments, Chairman Ferrara closed the public comment period.

Action: It was moved by Vice Chairman Guerrero to approve the letter, as presented. Director Peterson seconded; motion carried unanimously.

E. STAFF SALARY ADJUSTMENTS

Administrator Wallace presented the staff recommendation that the Board consider salary adjustments for District Staff effective January 1, 2013 and adopt Resolution No. 2013-305. He spoke about the significant savings as a result of Staff self-performing major projects at the Plant.

Chairman Ferrara asked for public comment. There being none, Chairman Ferrara closed the public comment period.

Action: It was moved by Vice Chairman Guerrero to approve Staff's recommendation to adopt Resolution No. 2013-305 - A Resolution Adopting an Employee Compensation Package Including a Salary Schedule, Position Classifications and Salary Steps Within the Perspective Ranges for the 2012-13 Fiscal Year, as presented. Director Peterson seconded, and on the following roll call vote to wit:

AYES: Vice Chairman Guerrero, Director Peterson, Chairman Ferrara

NOES: None

ABSENT: None

the foregoing resolution was passed and adopted this 20th day of February 2013.

9. MISCELLANEOUS ITEMS

a. Miscellaneous Oral Communications

Director Peterson spoke about getting direction from the Member Agencies regarding a change to a five-member Board and the rotation of the location of Board meetings.

Action: The Directors reached consensus to receive feedback from their respective Member Agencies and to have a discussion at a subsequent meeting.

Administrator Wallace said that the mid-year budget review has been completed and can be on the agenda for the next Board meeting.

b. Miscellaneous Written Communications

10. PUBLIC COMMENT ON CLOSED SESSION

Chairman Ferrara asked for public comment. There being none, Chairman Ferrara closed the public comment period.

11. CLOSED SESSION

- (1) Conference with Legal Counsel pursuant to Government Code Section 54956.9;
3 cases
Mascolo v. SSLOCSD et al. (existing litigation) CV110676
SSLOCSD vs. US Energy et al. (pending litigation) Case No. CV120008
John Carter et al. vs. John L. Wallace et al. (pending litigation) Case No. CV
110124
- (2) Pursuant to Govt. Code Section 54957: Discussion of appointment or employment
of public employee

12. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

District Counsel Seitz reported that the Board had discussed these items and action as follows:

- (1) Litigation: Heard report but took no reportable action
- (2) Employment: Retained the services of Paul Karp as Interim General Manager
subject to contract being drawn; cost, \$3,500 per month.

13. ADJOURNMENT

There being no further business to come before the Board, Chairman Ferrara adjourned the meeting at approximately 9:30 p.m.

THESE MINUTES ARE DRAFT AND NOT OFFICIAL UNTIL APPROVED BY THE BOARD OF DIRECTORS AT A SUBSEQUENT MEETING.

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Arroyo Grande City Council Chambers
215 East Branch Street
Arroyo Grande, California

Minutes of the Special Meeting of Thursday February 28, 2013
2:00 P.M.

1. CALL TO ORDER AND ROLL CALL

Present: Chairman Tony Ferrara, City of Arroyo Grande; Vice Chairman Matthew Guerrero, Oceano Community Services District; Director Debbie Peterson, City of Grover Beach.

District Staff in Attendance: Mike Seitz, District Counsel; Paul Karp, Interim General Manager

2. PUBLIC COMMENT ON CLOSED SESSION

Chairman Ferrara asked for public comment. There being none, Chairman Ferrara closed the public comment period.

3. CLOSED SESSION

- a. Conference with Legal Counsel pursuant to Government Code Section 54956.9 Central Coast RWQCB vs SSLOCSD et. al. ACLC No. R3-2012-0030
- b. Pursuant to Section 54957: discussion of appointment or employment of public employee

4. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

District Counsel Seitz reported that the Board had discussed the following items:

ACL	Heard report and gave direction but took no reportable action
Personnel	Authorized the retention of Shannon Sweeney and Eric Sweeney; contract to be drafted, anticipated monthly compensation \$16,200.

13. ADJOURNMENT

There being no further business to come before the Board, Chairman Ferrara adjourned the meeting at approximately 3:45 p.m.

THESE MINUTES ARE DRAFT AND NOT OFFICIAL UNTIL APPROVED BY THE BOARD OF DIRECTORS AT A SUBSEQUENT MEETING.

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
WARRANT REGISTER
3/6/2013

ISSUED TO	PURCHASE/SERVICE	INV. # / SERVICE PERIOD	WARRANT NO	ACCT	ACCT BRKDN	TOTAL
ABBA EMPLOYER SERVICES	CONTRACT LABOR	18581 18595	030613-7413	6085	2,321.68	2,321.68
AMERICAN INDUSTRIAL SUPPLY	MISC SUPPLIES	0248251-IN	14	8060	86.12	86.12
ARAMARK UNIFORMS	EMPLOYEE UNIFORMS	7650395 7667313	15	7025	461.17	461.17
B&B STEEL & SUPPLY	STEEL	549766 549825	16	8060	609.25	609.25
BRENNTAG PACIFIC, INC	PLANT CHEMICALS	280277	17	8050	4,336.78	4,336.78
CA ELECTRIC SUPPLY	ELEC SYS UPGRADE 04 MBI 16	7826-513763 7826-514220 7826-515240	18	26/8065	150.53	150.53
CARQUEST	VEHICLE SUPPLIES	7314-611918 7314-612174	19	8032	59.90	59.90
CHARTER	INTERNET SERVICE	MARCH	20	7011	59.99	59.99
DEBBIE PETERSON	BOARD SERVICE	FEBRUARY	21	7075	300.00	300.00
DIAL LONG DISTANCE, INC.	LONG DISTANCE SERVICE	3696	22	7013	46.98	46.98
DOWNEY BRAND LLP	LEGAL SERVICES	446310	23	7070	311.30	311.30
FARM SUPPLY COMPANY	MISC SUPPLIES	3789 9389	24	8060	237.18	237.18
FEDEX	SHIPPING	2-178-36943 2-185-92999	25	8045	67.31	67.31
FGL ENVIRONMENTAL	CHEMICAL ANALYSIS	380479A 380457A 380381A	26	7078	252.00	252.00
HACH	LAB SUPPLIES	8163750	27	8040	220.74	220.74
I.I. SUPPLY	MISC SUPPLIES	17643 17668	28	8060	455.50	455.50
JB DEWAR INC	VEHICLE FUEL	21855	29	8020	175.37	310.11
	GREASE AND OIL	969258		8030	134.74	
JOHN LISEE PUMPS INC.	COGEN PUMP PARTS	84880	30	7097	376.65	376.65
KARISH INDUSTRIES	ELECTRICAL WIRE	12756 04 MBI 16	31	26/8065	1,206.90	1,206.90
MATTHEW GUERRERO	BOARD SERVICE	FEBRUARY	32	7075	300.00	300.00
McCARNEY STEEL, INC.	MISC SUPPLIES	14152	33	8060	171.12	171.12
McMASTER CARR	MISC SUPPLIES	46501658 46501659	34	8060	527.87	527.87
OFFICE DEPOT	OFFICE SUPPLIES	FEBRUARY	35	8045	180.28	180.28
PAUL KARP	ADMINISTRATIVE SERVICES	2/20/13 TO 3/06/13	36	7076	1,750.00	1,750.00
PERRY'S ELECTRIC MOTORS	FAN HOUSINGS FOR ELEC MOTORS	14983	37	8030	10.73	10.73
PRAXAIR	WELDING SUPPLIES	45359554	38	8060	45.18	45.18
SSLOCS PETTY CASH FUND	EMPLOYEE SEMINARS		39	7050	80.00	134.36
	HOUSEHOLD SUPPLIES			8035	5.00	
	POSTAGE			8045	32.95	
	MISC SUPPLIES			8060	16.41	
STAR DRUG TESTING	PRE-EMPLOYMENT DRUG TEST	32463	40	7068	40.00	40.00
STATE FUND COMPENSATION	WORKERS' COMP PREMIUM	MARCH	41	6080	10,391.75	10,391.75
TEKTEGRITY	MANAGED IT SERVICE - MARCH	25425-113	42	7015	346.50	346.50
TITAN INDUSTRIAL	SAFETY SUPPLIES	1053158	43	8056	59.45	218.68
	MISC SUPPLIES	1053176 1053177		8060	159.23	
TONY FERRARA	BOARD SERVICE	FEBRUARY	44	7075	300.00	300.00
UNITED RENTALS	TRUCK RENTAL EXCHANGE	107968342-003 08 MBI 25	45	20/8065	99.67	99.67
U.S. POSTAL SERVICE	STAMPED ENVELOPES		46	8045	286.30	286.30
WW GRAINGER	SAFETY SUPPLIES	9063767074	47	8056	238.92	272.89
	MISC SUPPLIES	9070637336		8060	33.97	
SUB TOTAL					26,945.42	26,945.42
PAYROLL	PPE 02/22/2013				31,903.09	31,903.09
GRAND TOTAL					58,848.51	58,848.51

We hereby certify that the demands numbered serially from 030613-7413 to 030613-7447 together with the supporting evidence have been examined, and that they comply with the requirements of the SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT. The demands are hereby approved by motion of the SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT, together with warrants authorizing and ordering the issuance of checks numbered identically with the particular demands and warrants.

BOARD OF DIRECTORS:

DATE: _____

Chairman

Board Member

Board Member

Secretary



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Post Office Box 339 Oceano, California 93475-0339

1600 Aloha Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

<http://www.sslocsd.org/>

To: Board of Directors
From: Bob Barlogio, Plant Superintendent
Via: Paul Karp, interim District Administrator
Date: March 6, 2013

Subject: Superintendent's Report

For up to February 25, 2013, the numbers are as follows;

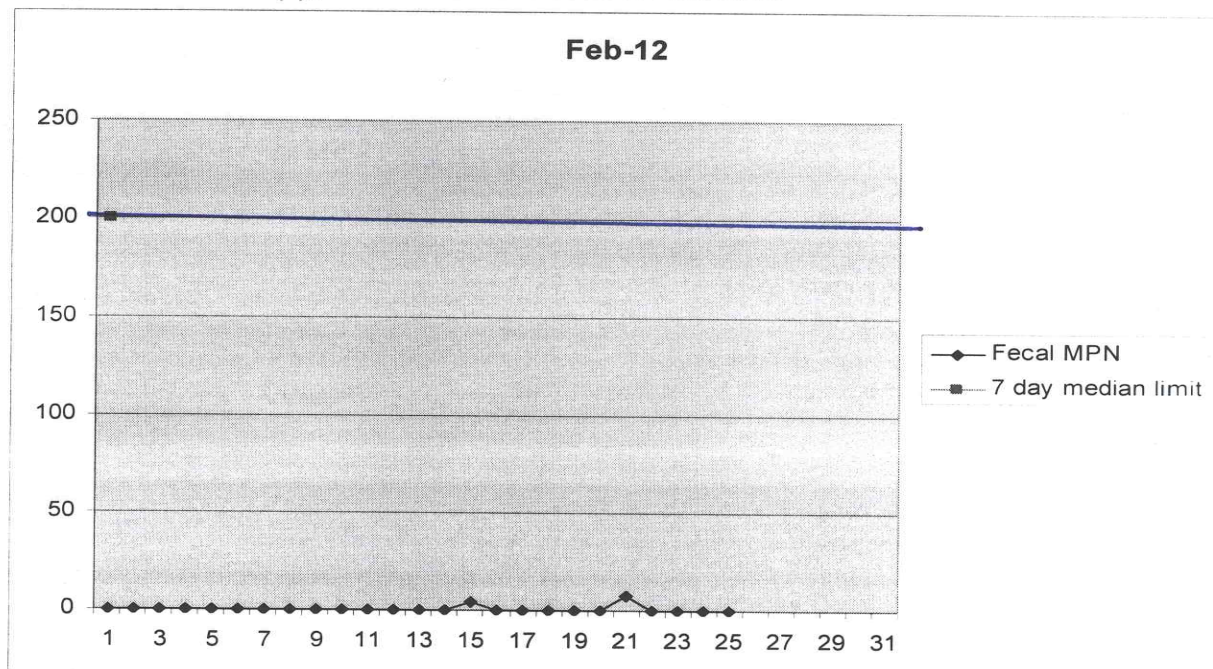
Average daily flow is 2.52 million gallons per day

Average chlorine use is 323 gallons per day

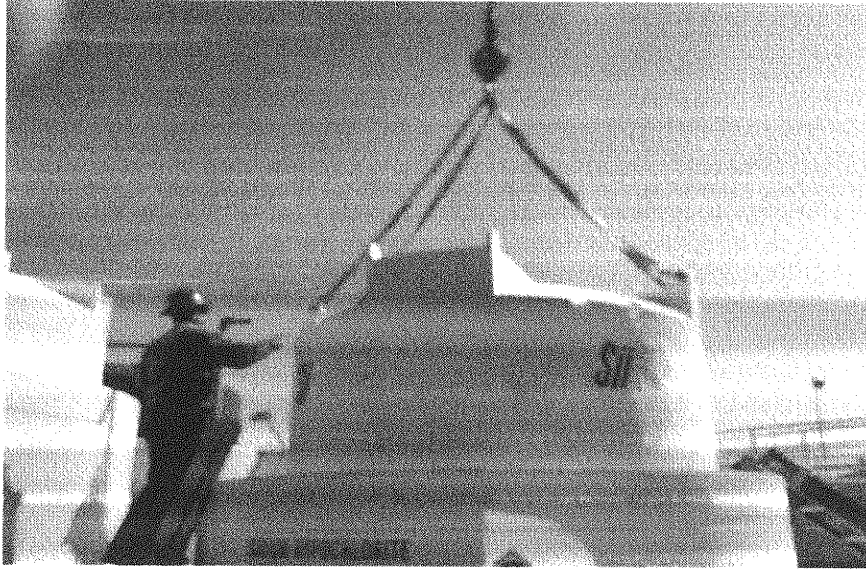
BOD in 375 mg/l, out 16 mg/l

TSS in 329 mg/l, out 22 mg/l

Fecal coliform results have been good. The highest as of Feb 25th of this year, is an eight (8) MPN, we had a four (4), and the rest have been not detected.



Staff replaced the second sodium hypochlorite (bleach) tank. We now will have a cushion of about 3000 gallons between orders of bleach.



Staff repaired the auger behind the grinder at the headworks. Trini was able weld the shaft to the spiral on the auger. It is getting very thin and will need to be replaced. The auger will be an item in the Major Budget Items in the 2013/14 fiscal year.

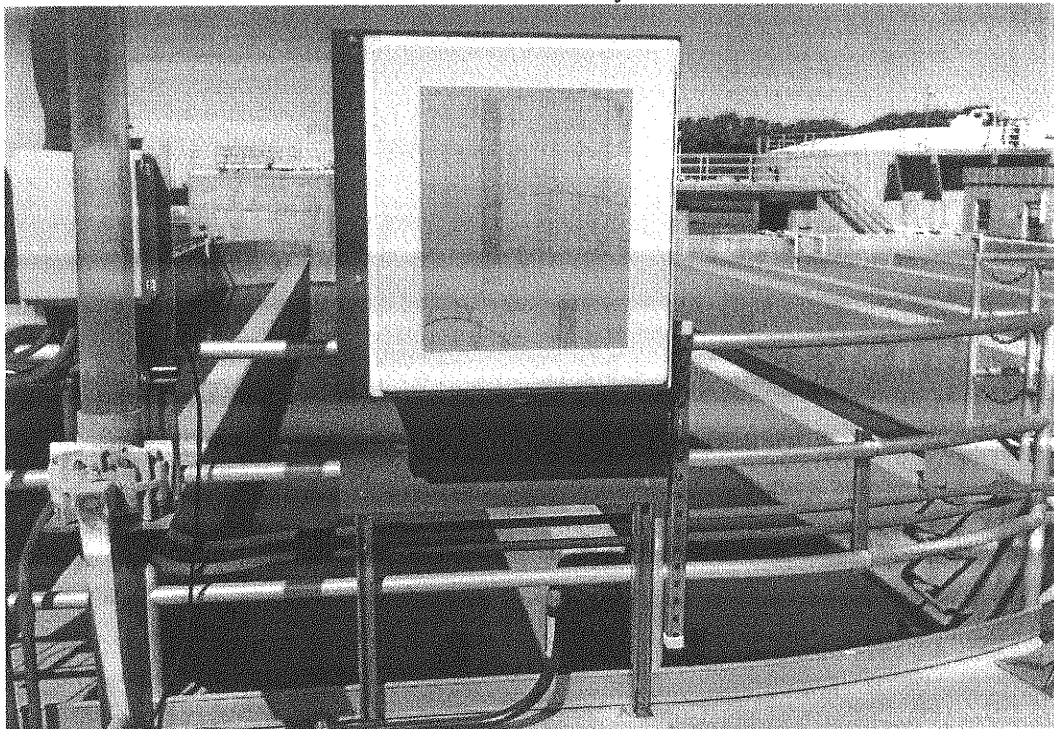
Staff recoated the metal and installed brushes.



Trini raising the auger up to place in position at the headworks.



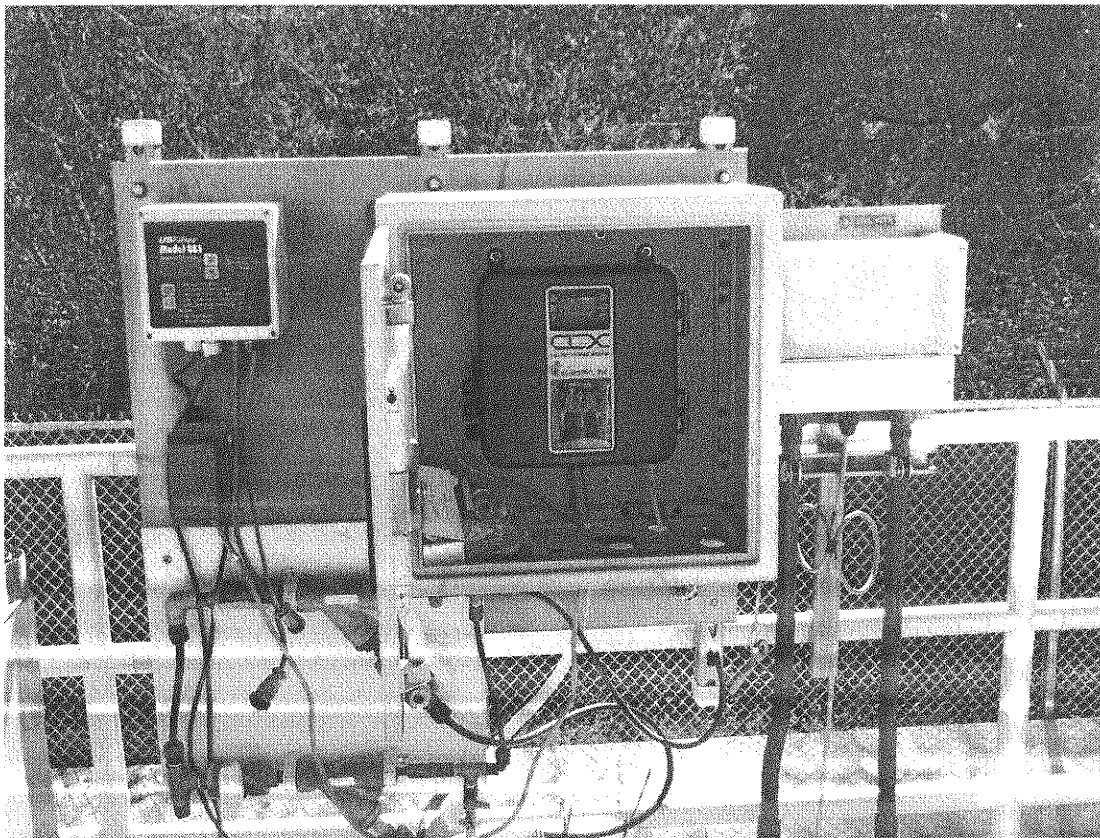
Cabinet for the chlorine analyzer at the CCT



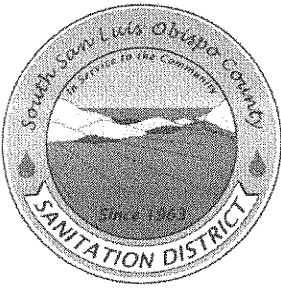
The redundancy chlorine pump that will be driven by the chlorine analyzer above.



The chlorine analyzer that will drive the de-chlorination pump



I will give a verbal report on the replacement of the valves on the # 2 Influent pump.



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<http://sslocsd.org/>

Staff Report

To: Board of Directors
From: Paul J. Karp, Interim General Manager
Date: March 6, 2013
Subject: District Nomination for Vacant LAFCO Seat

Recommendation:

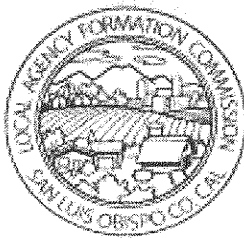
Staff recommends the Board review the attached letter of invitation for nominations to fill a vacant seat on LAFCO designated to be filled by a policy maker from a special district within the County. If the Board desires to nominate a board member of any independent Special District, staff should be directed to fill out and submit the appropriate application.

Funding:

Not applicable.

Discussion:

Attached is a self-explanatory February 27, 2013 memo, from the LAFCO Executive Officer. Should the Board desire to nominate a member of the Board of any of the County's 35 independent Districts to fill the vacant LAFCO seat, it may do so. However, the nominee may not also be sitting as a representative from a City Council or Board of Supervisors. This action may be completed with this agenda item, or it may be placed on a future agenda as long as the application arrives at LAFCO prior to the stated deadline of March 29, at 5:00 PM.



LAFCO - San Luis Obispo - Local Agency Formation Commission

SLO LAFCO - Serving the Area of San Luis Obispo County

COMMISSIONERS

Chairman

MURIL CLIFT

Special District Member

Vice-Chairman

KRIS VARDAS

City Member

BRUCE GIBSON

County Member

FRANK MECHAM

County Member

TOM MURRAY

Public Member

DUANE PICANCO

City Member

VACANT

Special District Member

ALTERNATES

ROBERTA FONZI

City Member

DAVID BROOKS

Public Member

MARSHALL OCHYLSKI

Special District Member

PAUL TEIXEIRA

County Member

STAFF

DAVID CHURCH

Executive Officer

RAYMOND A. BIERING

Legal Counsel

MIKE PRATER

Analyst

DONNA J. BLOYD

Commission Clerk

TO: EACH INDEPENDENT SPECIAL DISTRICT

FROM: DAVID CHURCH, LAFCO EXECUTIVE OFFICER

DATE: FEBRUARY 27, 2013

**RE: REQUEST FOR NOMINATIONS FOR VACANT REGULAR
LAFCO SPECIAL DISTRICT MEMBER**

The term of the vacant regular LAFCO Special District seat expires in December 2014. As allowed by the Cortese-Knox-Hertzberg Act, Alternate LAFCO Commissioner Marshall Ochylski is currently filling this position on LAFCO. If only one person is nominated, then that individual is deemed the Commissioner to fill this position.

Background. The appointment could not be completed by the Independent Special District Selection Committee due to the difficulty in gathering a quorum of District representatives. In the event that a meeting of the Selection Committee is not feasible, the Government Code allows the LAFCO Executive Officer to conduct the election via e-mail. The Special Districts Selection Committee has authorized the Executive Officer to complete the election process via e-mail as allowed in the government code.

Instructions. Nominations are required to be submitted by **5:00 p.m. on March 29, 2013**. Late nominations will not be considered. A nomination must be approved by the District's governing body as an agenda item at a noticed Board of Directors meeting. The attached completed nomination form may be submitted to the LAFCO office via Mail, Fax-788-2072, or e-mail-DChurch@slolafco.com. If more than one nomination is received, the Executive Officer shall prepare and send by electronic mail to each independent special district a ballot with voting instructions. A nomination form is attached to assist you. A nominee may submit a one page Statement of Qualifications.

The LAFCO website (www.slolafco.com) has additional information about LAFCO. Also, please call me at 781-5795 if you have any questions. Thank you.

cc: Members, Formation Commission

**NOMINATION FOR LAFCO
SPECIAL DISTRICT MEMBER**

The _____
(Insert Name of Special District)

Hereby nominates _____ to be placed on the
(Insert Name of Nominee)

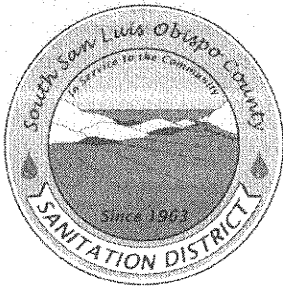
ballot for consideration as the Special District Member on the San Luis Obispo Local
Agency Formation Commission (LAFCO).

Board of Director's action in the nomination was taken on:

(Insert Date of Board Action)

(General Manager or Chairman/President)

(Email address)



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Staff Report

To: Board of Directors
From: Paul Karp, Interim District Administrator
Date: March 6, 2013
Subject: Special District Risk Management Authority (SDRMA) Board Nominations

Recommendation:

Staff recommends the Board, if desired, nominate persons to the SDRMA Board and instruct staff to submit prior to May 3, 2013

Funding:

N/A

Discussion:

Attached is material from SDRMA requesting nominations to their Board of Directors. At the District's Board meeting on February 20, 2013, the Board requested that this item be brought back to the next meeting for further consideration.

Notification of Nominations – 2013 Election SDRMA Board of Directors

January 24, 2013

Mr. Bill Nicolls
Board Chairman
South San Luis Obispo County Sanitation District
Post Office Box 339
Oceano, California 93475-0339

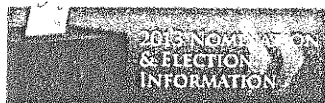
Dear Mr. Nicolls:

Notice of Nominations for the Special District Risk Management Authority (SDRMA) Board of Directors 2013 Election is being provided in accordance with the SDRMA Sixth Amended and Restated Joint Powers Agreement. The following nomination information is enclosed: Nomination Packet Checklist, Board of Director Fact Sheet, Nomination/Election Schedule, SDRMA Election Policy No. 2012-05, Candidate Nomination Resolution and Candidate Statement of Qualifications.

General Election Information - Four (4) Directors seats are up for election. The nomination filing deadline is Friday, May 3, 2013. Ballots will be mailed to all SDRMA member agencies in mid-May. Mail-in ballots will be due Tuesday, August 27, 2013.

Nominee Qualifications - Nominees must be a member or the agency's governing body or full-time management employee (see SDRMA Election Policy 2012-05, Section 4.1) and be an active member agency of **both** SDRMA's property/liability and workers' compensation programs. Candidates must be nominated by resolution of their member agency's governing body and complete and submit a "Statement of Qualifications".

Nomination Documents and Information - Nomination documents (Nominating Resolution and Candidates Statement of Qualifications) and nomination guideline information may also be obtained on SDRMA's website at www.sdrma.org. To obtain documents electronically:



From the SDRMA homepage, click on the "2013 Nomination & Election Information" button. All necessary nomination documents and election information may be downloaded and printed.

Term of Office – Directors are elected to 4-year terms. The term of office for the newly elected Directors will begin January 1, 2014 and expire December 31, 2017.

Nomination Filing Deadline – Nomination documents **must be received in SDRMA's office no later than 5:00 P.M. on Friday, May 3, 2013.**

Please do not hesitate to contact SDRMA Chief Financial Officer Paul Frydendal at 800.537.7790, if you have any questions regarding the 2013 SDRMA Board of Director Nominations or the election process.

Sincerely,
Special District Risk Management Authority


Gregory S. Hall, ARM
Chief Executive Officer

2013 Nomination Packet Checklist



SDRMA BOARD OF DIRECTORS NOMINATION AND ELECTION GUIDELINES

January 9, 2013, marked the official commencement of nominations for the SDRMA Board of Directors. Four seats on the Board of Directors are up for election in August 2013.

For your convenience we have enclosed the necessary nomination documents and election process schedule. Please note that some items have important deadlines. All document contained in this packet, as well as additional information regarding SDRMA Board elections are available on our website www.sdrma.org and/or by calling SDRMA Chief Financial Officer Paul Frydendal at 800.537.7790.

- ____ Attachment One: **SDRMA Board of Directors Fact Sheet:** SDRMA Board of Directors has established a policy that requires candidates seeking election to the SDRMA Board of Directors to be: 1) a member of the agency's governing body or full-time management employee (per SDRMA Election Policy 2012-05, Section 4.1) of their respective member agency that is currently participating in both SDRMA's Property/Liability and Workers' Compensation Programs, and 2) nominated by resolution of the Board of Directors of their respective member agency. This document also reviews the Board of Directors' Role and Responsibilities along with additional information.

- ____ Attachment Two: **SDRMA Board of Directors 2013 Election Schedule:** Please review this document for important deadlines.

- ____ Attachment Three: **SDRMA Election Policy No. 2012-05:** A Policy of the Board of Directors of the Special District Risk Management Authority establishing guidelines for Director elections.

- ____ Attachment Four: **Resolution for Candidate Nomination:** A resolution of the Governing Body of the Agency nominating a candidate for the Special District Risk Management Authority Board of Directors.

- ____ Attachment Five: **Candidate Statement of Qualifications:** Please be advised that no statements are endorsed by SDRMA. Candidate statements of qualification will be distributed to the membership with the SDRMA election ballot, "exactly as submitted" by the candidate.

Please complete and return all required nomination and election documents to:

SDRMA Election Committee
C/O Paul Frydendal, CFO
Special District Risk Management Authority
1112 "I" Street, Suite 300
Sacramento, California 95814

SDRMA BOARD OF DIRECTORS FACT SHEET

SDRMA BOARD OF DIRECTORS ROLE AND RESPONSIBILITIES

Special District Risk Management Authority (SDRMA) is a public entity Joint Powers Authority established to provide cost-effective property/liability, worker's compensation, health benefit coverages and comprehensive risk management programs for special districts and other public agencies and providers of municipal services throughout California. SDRMA is governed by a Board of Directors elected from the membership by the programs' members.

Number of Board Members	7-Board Members: SDRMA Board of Directors consists of seven Board Members, who are elected at-large from members participating in either program.
Board of Directors' Role	SDRMA Board of Directors provide effective governance by supporting a unified vision, and ensuring accountability, <i>setting direction based on SDRMA's mission and purpose, as well as establishing and approving policy to ensure SDRMA meets its obligations and commitment to its members.</i>
Board of Directors' Responsibilities	<i>Board Member responsibilities include a commitment to: serve as a part of a unified governance body; govern within Board of Directors' policies, standards and ethics; commit the time and energy to be effective; represent and make policy decisions for the benefit, and in the best interest, of all SDRMA members; support collective decisions; communicate as a cohesive Board of Directors with a common vision and voice; and operate with the highest standards of integrity and trust.</i>
Four (4) Seats For this Election	4-Seats: Elections for Directors are staggered and held every two years, four seats during one election and three seats in the following election. Four seats are up for election this year.
Term of Directors	4-Year Terms: Directors are elected for 4-year terms. Terms for directors elected this election begin January 1, 2014 and end on December 31, 2017.
Board Member Travel Reimbursement	Board Members are reimbursed for reasonable travel and lodging in accordance with SDRMA Board Policy Manual 2011-04 and applicable laws.
Number of Meetings per Year	8-Board Meetings Annually: Generally not more than one meeting per month, with an average of eight board meetings per year.
Meeting Location	SDRMA office in Sacramento, California.
Meeting Dates	Typically the first Tuesday afternoon and Wednesday morning of the month.
Meeting Starting Times	4:00 p.m. and 8:00 a.m.: Meetings are from 4:00 p.m. on Tuesday afternoon until 5:30 p.m. and Wednesday from 8:00 a.m. to noon.
Meeting Length	6 - 8 hours: Length of meetings on average.
Average Time Commitment	15 - 20 hours: Commitment per month.

"The mission of Special District Risk Management Authority is to provide renewable, efficiently priced risk financing and risk management services through a financially sound pool to CSDA member districts, delivered in a timely, cost efficient manner, responsive to the needs of the districts."

SDRMA BOARD OF DIRECTORS 2013 ELECTION SCHEDULE

2013 Election Schedule



JANUARY						
S	M	T	W	T	F	S
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

FEBRUARY						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

MARCH						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

TASK TIMELINE
1/9 Board approved Election Schedule

1/24-25 Mail Notification of Election and
Nomination Procedure to Members in January
90 days prior to mailing Ballots (110 actual days)

APRIL						
S	M	T	W	T	F	S
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MAY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

JUNE						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

5/03 Deadline to return Nominations
5/09 Tentative Election Comm. Reviews
Nominations
5/15-16 Mail Ballots 60 days prior to
ballot receipt deadline (103 actual days)

JULY						
S	M	T	W	T	F	S
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AUGUST						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SEPTEMBER						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

8/27 Deadline to Receive Ballots
8/29 Tentative Election Committee
Counts Ballots
8/30 Election Committee Notifies Successful
Candidates and Provides Them With
Upcoming Board Meeting Schedule
9/18 Directors' Elect Invited to CSDA Annual
Conf/SDRMA Breakfast/Super Session

OCTOBER						
S	M	T	W	T	F	S
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

NOVEMBER						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

DECEMBER						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

10/29-30 Directors' Elect Invited to SDRMA
Board Meeting
1/2014 Newly Elected Directors Seated and
Election of Officers

SDRMA BOARD OF DIRECTORS
ELECTION POLICY NO. 2012-05

A POLICY OF THE BOARD OF DIRECTORS OF SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY
ESTABLISHING GUIDELINES FOR DIRECTOR ELECTIONS, DIRECTOR APPOINTMENTS, AND CREATION OF
A SUPERVISING ELECTION COMMITTEE

- WHEREAS, SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (SDRMA) is a joint powers authority, created pursuant to Section 6500, et. seq. of the California Government Code; and
- WHEREAS, the Board of Directors recognizes that it is in the best interest of the Authority and its members to adopt a written policy for conducting the business of the Board; and
- WHEREAS, establishing guidelines for Director elections and appointments will help ensure a process that is consistent for all nominees and candidates, will promote active participation by SDRMA members in the election/appointment process, and will help ensure election/appointment of the most qualified candidate(s); and
- WHEREAS, the Bylaws provide the Board with the option of conducting the election using a mail-in ballot process; and
- WHEREAS, the Board of Directors of SDRMA has an overriding and compelling interest in insuring the accuracy of the election/appointment process of its Board members through the creation of an election committee;

NOW, THEREFORE, it is the policy of the Board of Directors of SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY, until such policy shall have been amended or rescinded, that the following procedures shall be followed when conducting Director elections or filling a Director vacancy by appointment:

1.0. Election Schedule

- 1.1. Not later than the first Board meeting of each election year, the Board of Directors shall approve an election schedule based on the following criteria and time frames.

2.0. Election Committee

- 2.1. The Board of Directors herein establishes an election committee with the following composition, duties and responsibilities; The five (5) members of the Election Committee shall include two presently sitting members of the Board of Directors of SDRMA whose seats are not up for election, the Chief Financial Officer of SDRMA, and the CPA/auditor regularly used and retained by SDRMA at the time of counting ballots of and for an election to the Board of Directors. For good reason found and stated, the Board of Directors of SDRMA may appoint any CPA/auditor who, in the discretion of the Board of Directors, would appropriately serve the Election Committee. The General Counsel for SDRMA shall also sit as a member of the Election Committee with the additional obligation of providing legal advice to the balance of the Committee as legal questions may arise.

3.0. Member Notification of Election

- 3.1. Authority staff shall provide written notification, of an election for the Board of Directors, to all member agencies during March of each election year. Such written notification shall be provided a minimum of ninety (90) days prior to the distribution of ballots and shall include; (1) the number of Director seats to be filled by election; (2) a copy of this nomination and election procedure; and (3) an outline of nomination/election deadline dates.

4.0. Qualifications

- 4.1. A candidate seeking election, re-election or appointment to SDRMA's Board of Directors must be a member of the Governing Body or a full-time management employee of an SDRMA member participating in both the

Property/Liability and Workers' Compensation Programs. To qualify as a "full-time management employee," the candidate must be a full-time, management-level (as determined by the Governing Body) employee whose wages are reported to the IRS on a "W-2" form. Only one (1) representative from any Member may serve on the Board of Directors at the same time. [Per Bylaws, Article II, (2) (b)]

- 4.2. Each nominated candidate must submit a properly completed and signed "Statement of Qualifications" (required form attached) on or before the filing deadline in June in order for the candidate's name to be placed on the official ballot. A candidate shall provide responses to all questions on the candidate's "Statement of Qualifications". Each nominated candidate's "Statement of Qualifications" must be filed on or before the aforementioned deadline by (1) personal delivery to SDRMA's office; or (2) by U.S. mail received by the SDRMA office. When ballots are mailed to the membership, each candidate's "Statement of Qualifications" form will be distributed to the membership exactly as submitted by the candidate to SDRMA. However, any attachments submitted by the candidate(s) with the Statement of Qualifications will not be sent by SDRMA with the ballots to any members.
- 4.3. If a nominated candidate elects not to use the provided form "Statement of Qualifications," and prepares instead the candidate's own completed form, the candidate's form must include the title "Statement of Qualifications" and contain exactly all information required and requested by the provided form.

NOTE: The candidate's "Statement of Qualifications" form must be submitted as a part of the nominating process. When ballots are mailed to the membership, each candidate's "Statement of Qualifications" form will be distributed "exactly as submitted" to SDRMA, except that any attachments submitted by the candidate will not be sent to any SDRMA members.

- 4.4. A candidate that does not submit a Candidate's Statement of Qualifications which complies with Section 4.2 or 4.3 will be disqualified by the SDRMA Election Committee.

5.0. Nominating Procedure

- 5.1. Candidates seeking election or reelection must be nominated by action of their respective Governing Body. Only one (1) candidate may be nominated per member agency and one (1) candidate shall not represent more than one (1) member agency. A resolution from the candidate's district/agency Governing Body nominating the candidate must be received by the Authority on or before the scheduled date in June. (A sample of the resolution is enclosed). Actual receipt by the Authority on or before the scheduled deadline date in June is required. The resolution nominating the candidate may be hand-delivered to the Authority or sent by U.S. mail. In the event a candidate is nominated by two (2) or more member agencies, he or she shall represent the member agency whose nominating resolution is first received by the Authority. The other member agency or agencies that nominated the candidate shall be entitled to select a replacement nominee as long as a resolution nominating the replacement is received by the Authority prior to the scheduled deadline date.
- 5.2. A member may not nominate a candidate unless that member is participating in both the Property/Liability and Workers' Compensation Programs and is in "good standing" on the date the nominations are due. "Good standing" is defined as no accounts receivable more than ninety (90) days past due.
- 5.3. The Election Committee, as hereinabove defined and comprised, shall review all nominations received from members and will reject any nominations that do not meet all of the qualifications specified and set forth in this policy. Following the Election Committee's review of all nominations, the Election Committee shall direct that a ballot be prepared stating and listing all of the qualified nominees. The ballot of qualified nominees shall be distributed to the membership for election by mail as described below.
- 5.4. Upon verification or rejection of each nominee by the Election Committee, staff will mail acknowledgment to both the nominee and the district/agency of its acceptance or rejection as a qualified nominee for election.

- 5.5. A nominee requesting that his/her nomination be withdrawn prior to the election, shall submit such requests in writing to SDRMA's office a minimum of three (3) days prior to the scheduled date for mailing the ballots. After that date, all qualified nominees names shall appear on the ballot mailed to the membership.

6.0. Terms of Directors

- 6.1. The election of directors shall be held in each odd-numbered year. The terms of the directors elected by the Members will be staggered. Four directors will serve four-year terms, to end on December 31 of one odd-numbered year. Three directors will serve four-year terms, to end on December 31 of the alternate off-numbered year. [Per Bylaws, Article II, (3), paragraph 1].

7.0. Campaigning

- 7.1. SDRMA staff will mail each qualified candidate's "Statement of Qualifications", "exactly as submitted" by the candidate with the ballots to the membership.
- 7.2. Candidates, at their own expense, may distribute additional information to member agency(s) after the ballots have been mailed and prior to the election.
- 7.3. SDRMA staff is prohibited from actively promoting a candidate or participating in the election process while on Authority premises.
- 7.4. SDRMA staff may provide member information, mailing lists, financial reports or operational data and information, that is normally available through the Public Records Act, to candidates to assist them in their research and campaigning. In addition to obtaining such information under the Public Records Act, candidates may request SDRMA staff prepare mailing labels for the distribution of campaign materials to member agencies. Under existing policy, charges will apply for this service. The SDRMA logo is trademarked for use by SDRMA only. Neither the logo, nor any other Trademark of SDRMA may be used in any campaign literature. No campaign literature is to imply support of any candidate by SDRMA.
- 7.5. SDRMA election mailings to the membership, including ballots and candidates' "Statement of Qualifications", shall be sent via first class mail.

8.0. Limitations on Campaigning

- 8.1. As used in this section the following terms have the following meanings:

"Campaign Activity" means any activity that expressly advocates the election or defeat of a candidate or provides direct support to a candidate for his or her candidacy. "Campaign activity" does not include the incidental and minimal use of public resources, such as equipment or office space, for campaign purposes or the use of public resources to nominate a candidate or vote in any Board of Directors election.

"Candidate" means an individual who has been nominated by the Member Agency to have his or her name listed on the ballot for election to the Board of Directors.

"Expenditure" means a payment of Member Agency funds that is used for communications that expressly advocate the election or defeat of a clearly identified candidate. "Expenditure" does not include the use of public funds to nominate a candidate or vote in any Board of Directors election.

"Public resources" means any property or asset owned by the Member Agency, including, but not limited to, land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, and Member Agency-compensated time.

- 8.2. An officer, official, employee, or consultant of a Member Agency may not expend or authorize the expenditure of any of the funds of the Member Agency to support or oppose the election or defeat of a candidate for the Board of Directors.
- 8.3. No officer, official, employee, or consultant of a Member Agency shall use or permit others to use public resources for campaign activity.
- 8.4. At any time during an election campaign, if a Member Agency or its officers, officials, employees or consultants violate this section, that Member Agency shall be ineligible to nominate a candidate for the Board of Directors election in which the violation occurred. Any candidate of an offending Member Agency shall be deemed to have withdrawn his or her candidacy. Prior to declaring a Member Agency ineligible to nominate a candidate or a specific candidate's candidacy withdrawn, the Elections Committee shall hold a hearing to determine whether or not a violation of this section occurred. The hearing shall be conducted pursuant to reasonable procedures that the Elections Committee shall prescribe, provided that the affected Member Agency or candidate shall have an opportunity to dispute the violation. At the conclusion of the hearing, the Elections Committee shall determine by a majority vote whether the violation occurred.

9.0. Balloting

- 9.1. A ballot containing nominees for the Board of Directors, accepted and approved by the Election Committee, shall be mailed by first class mail, to each SDRMA member agency, except as provided in Section 9.2 below, no less than sixty (60) days prior to the deadline for receiving ballots and the closing date for voting. Ballots shall show the date and time the ballots must be received in SDRMA's office. A self-addressed, stamped, return envelope shall be mailed with each ballot.
- 9.2. In the event that the number of qualified/approved nominees is equal to or less than the number of director seats up for election, the mailing of the ballots as outlined in Section 9.1 shall be waived.
- 9.3. Only those qualified nominees approved by the Election Committee will be eligible candidates on the ballot. Write-in candidates shall not be accepted.
- 9.4. It is required that the Governing Body of each member vote on behalf of their agency (sample Resolution enclosed) and the ballot MUST be signed by the agency's Presiding Officer.
- 9.5. A member may not vote unless the member was a member of the Authority in "good standing" on or before the nomination due date for the pending election. "Good standing" is defined as no accounts receivable more than ninety (90) days past due.
- 9.6. A member may cast only one (1) vote for the same candidate. By way of example, if there are four (4) candidates on the ballot, a member may not cast two (2) to four (4) votes for any single candidate. Any ballot casting more than one (1) vote for the same candidate will be considered void.
- 9.7. A member may vote by using the official ballot provided by SDRMA, or a copy of SDRMA's original ballot, or a reasonable duplicate prepared by the member agency. Whichever of the three foregoing formats is used, the ballot must contain an original signature and confirmation that the ballot was approved at a public meeting of the agency's Governing Body. Ballots submitted without an original signature and/or without confirmation that the form of the ballot was approved at a public meeting of the agency's Governing Body will be considered void.
- 9.8. Ballots may be returned using either hand-delivered or mailed in ballots - faxed or e-mailed ballots will not be accepted. Mailed in ballots must be addressed to, and hand-delivered ballots must be delivered to, the Special District Risk Management Authority office presently located at 1112 I Street, Suite 300, Sacramento, California 95814-2865.
- 9.9. Any ballot received after the specified deadline will not be counted and will be considered void.

10.0. Election Results

10.1. All ballots will be opened and counted at SDRMA's office only after the deadline for receiving ballots. Ballots will be opened by SDRMA's Election Committee, no more than five (5) days after the closing deadline. Candidates receiving the highest number of votes shall be declared the elected director(s).

10.2. In the event of a tie, a coin toss shall be used to determine the elected director. The coin toss shall be conducted by the Election Committee at the time and place of the conclusion of counting ballots.

PROCEDURE: In the event more than two (2) candidates tie, the coin toss shall be between two (2) candidates at a time based on the order in which their name appeared on the ballot. This process shall be repeated, as needed, in cases where there are more than two (2) candidates.

10.3. Excluding tie votes, within five (5) days after the ballots are opened and tabulated Authority staff shall advise the candidates and their respective agency in writing of the final election results. Copies of the results shall also be mailed/distributed to SDRMA's Board of Directors, staff and consultants and published in the first available CSDA newsletter.

10.4. If a director-elect withdraws after the election or fails to accept the Director seat prior to December 31, the Board shall name a new director-elect by going back to the ballots and awarding the seat to the candidate receiving the next highest number of votes during the election.

10.5. Staff shall invite newly elected director(s) to attend the Annual Membership meeting and all scheduled Board meeting(s) after confirmation of election results until the director(s) elect assume office. Director(s) elect will be reimbursed for expenses, except for director stipends, in accordance with approved director reimbursement policy (copy of policy shall be provided to newly elected directors).

10.6. A member or candidate dissatisfied with the election result may, within ten (10) days after the ballots are opened and tabulated, file with the Authority a written challenge and appeal. The challenge and appeal must clearly set forth the complaint and any and all facts in support of the challenge and appeal. Within ten (10) days after the ballots are opened and tabulated, the challenge and appeal shall be delivered and received by the Authority. Within five (5) days of receipt of the challenge and appeal, the Authority shall deliver the same to the Election Committee for decision. The Election Committee shall have absolute authority for deciding the challenge and appeal. Notice of the decision of the Election Committee shall be provided to the party filing the challenge and appeal within ten (10) days.

11.0. Director Vacancy

11.1. If a director vacancy(s) occurs (Note 1), appointment of a replacement director for the balance of the unexpired term will be made by the remaining members of the SDRMA Board. In order to accomplish this in an orderly and consistent manner, when a vacancy(s) of an elected Director(s) occurs, the SDRMA Board of Directors, after discussion and consideration, shall, when deemed appropriate, instruct staff to:

- a) notify all then member entities that a vacancy has occurred; and
- b) said notice shall refer to the applicable Article in the By-laws in advising member entities and their eligible candidates of the steps to take to apply for appointment; and
- c) the SDRMA Board shall establish the closing date for the receipt of applications; and
- d) candidates shall submit the following, by the date specified in the notice:
 - i) a letter of interest; and
 - ii) a resume, with particular emphasis on the candidate's knowledge of special districts and risk management; and
 - iii) a resolution from, or a letter approved by, the candidate's Governing Body nominating the candidate; and
- e) the Election Committee shall review all applications received, and shall reject any that do not meet all of the qualifications specified and set forth in this policy; and

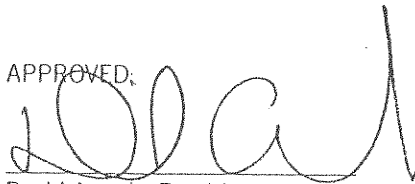
- f) upon verification or rejection of each application by the Election Committee, staff will mail acknowledgement to both the applicant and the district/agency of its acceptance or rejection of the applicant as a qualified candidate for appointment; and
- g) candidates shall be interviewed at the next regularly scheduled meeting of the SDRMA Board of Directors following the date of closure for the applications. Interviews shall be in person, or if an unforeseen emergency arises, the interview may be by telephone at the same scheduled time; and
- h) the SDRMA Board shall make the appointment without undue delay, but need not act at the same meeting.

Note 1: If the Director vacancy occurs within nine (9) months after the date the ballots were counted and certified by the Election Committee or within nine (9) months after a candidate was appointed to fill a vacancy, then the Board shall have the option to interview and appoint the candidate(s) who did not receive sufficient votes to be elected OR to interview and appoint from the pool of candidates from 11.1.g) above. If the Director vacancy occurs in an election year after the Notification of Election is sent to the members, the Board may determine to fill the vacancy by appointing the candidate who receives the next highest number of votes in the election. If the Board determines in its sole discretion that none of these options is appropriate, then staff shall be instructed to proceed with the process described above in steps 11.1 a) to h).

Revised and adopted this 27th day of June 2012, by the Board of Directors of Special District Risk Management Authority, at a regular meeting thereof.

This policy rescinds the previous version of Policy No. 2011-02 which was approved on February 2, 2011 and all other policies inconsistent herewith.

APPROVED:



David Aranda, President
Board of Directors

ATTEST:



Gregory S. Hall, ARM
Chief Executive Officer

SAMPLE RESOLUTION FOR CANDIDATE NOMINATION

Available for download in Microsoft Word file format
visit our website at www.sdrma.org

[AGENCY NAME]

RESOLUTION NO.

A RESOLUTION OF THE GOVERNING BODY OF THE [AGENCY NAME] NOMINATING
[CANDIDATE'S NAME] AS A
CANDIDATE FOR ELECTION TO THE SPECIAL DISTRICT RISK MANAGEMENT
AUTHORITY BOARD OF DIRECTORS

WHEREAS, the Special District Risk Management Authority (SDRMA) is a Joint Powers Authority formed under California Government Code, Section 6500 et.seq., for the purpose of providing risk management and risk financing for California Special Districts and other local government agencies; and

WHEREAS, the Joint Powers Agreement (JPA) and Bylaws of SDRMA set forth director qualifications, terms of office and election requirements; and

WHEREAS, the Board of Directors of SDRMA established procedures and guidelines for the Director Election process; and

WHEREAS, the Board of Directors of SDRMA established a policy requiring candidates seeking election to the SDRMA Board of Directors to be: 1) a member of the agency's governing body or full-time management employee per SDRMA Election Policy 2012-05, Section 4.1 and be an active member agency of both SDRMA's property/liability and workers' compensation programs, and 2) be nominated by resolution of their member agency's governing body, and 3) each nominated candidate must submit a completed and signed "Statement of Qualifications" on or before the May 3 filing deadline in order for the candidate's name to be placed on the official ballot.

NOW, THEREFORE, BE IT RESOLVED:

1. The governing body of [AGENCY NAME] nominates [CANDIDATE'S NAME], its [POSITION TITLE], as a candidate for the Board of Directors of the Special District Risk Management Authority.

2. [ONLY IF CANDIDATE IS NOT A MEMBER OF THE AGENCY'S GOVERNING BODY: The governing body of [AGENCY NAME] has determined that [CANDIDATE'S NAME] is a full-time management employee for purposes of SDRMA Election Policy 2012-05, Section 4.1].

3. The governing body of [AGENCY NAME] further directs that a copy of this resolution be delivered to SDRMA on or before the May 3, 2013 filing deadline.

ADOPTED this [DATE] of [MONTH/YEAR] by the Governing Body of [AGENCY NAME] by the following roll call votes:

AYES: [LIST NAMES of GOVERNING BOARD VOTES]

NAYES: "

ABSTAIN: "

ABSENT: "

APPROVED

ATTEST

President – Governing Body

Secretary

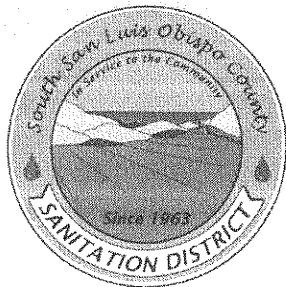
CANDIDATE'S STATEMENT OF QUALIFICATIONS

Available for download in Microsoft Word file format
visit our website at www.sdrma.org

This information will be distributed to the membership with the ballot, “exactly as submitted” by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Post Office Box 339 Oceano, California 93475-0339

1600 Aloha Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

<http://sslocsd.org/>

Staff Report

To: Board of Directors
From: Bob Barlogio, Plant Superintendent
Via: Via Paul Karp, Interim General Manager
Date: March 6, 2013
Subject: Methane Gas Flare Maintenance

Recommendation:

Staff recommends that the Varec Biogas flare be serviced by the manufacturer's representative for \$3,623.00.

Funding:

Funding would come from the 19-8030, Equipment Maintenance, regular and minor replacement. The fiscal year started with \$100,000, we have spent \$ \$116,822, which is \$16,822 over the account's budget. The co-gen's repairs took a large portion of the account. Additional funding for this account will be taken from MBI projects that are either under budget or not scheduled to be completed this fiscal year.

Discussion:

Because the co-gen is down, the District is burning off the methane gas throughout Varec biogas flare. When the co-gen was running and consuming gas, the Varec flare was rarely in use and therefore did not need servicing. Therefore, the flare has not been serviced by the manufacturer's representative for several years. Because we are utilizing the flare continuously and the flare needs servicing to ensure proper operation, staff is requesting the service be provided by the Varec authorized maintenance technician.. Staff has attempted to use other vendors to do service on this equipment but with no success.



Varec Biogas
162 Theresa Way, Chula Vista CA 91911
TEL: (619) 843-0540 FAX: (619) 585-0397

Varec Quotation No.
MS-2369
Your Reference
Phone Call

Page 1 of 1

ATTN:	Bob Barlogio	PHONE:	805-489-6666
CO:	South San Luis Obispo County WWTP	FAX:	805-489-2726
DATE:	2/20/13	RE:	Phone Call

Bob,

Varec Biogas is pleased to offer the following quotation for your consideration:

Item	Qty.	Part Number, Size and Description	Unit Price	Extended Price
1	8	Labor Hours	120.00	968.00
2	12	Travel Hours	95.00	1,140.00
3	2	Hotel	120.00	240.00
4	3	Per Diem	60.00	180.00
5	650	Mileage @ .80 a mile	.80	520.00
6	1	Gaskets needed for Gas Safety Equipment -- Flame arrester, regulators, drip trap	150.00	150.00
7	2	Orifice Kits	200.00	400.00
8	1	Shipping	25.00	25.00
			Total Estimate	\$3,623.00

Note: Any other equipment needed will be billed at cost

Note: Price valid for 30 days

Work to be performed

Clean/Inspect/Calibrate existing Varec Waste Gas Burner Model 244E

Perform a point to point wire check on panel - Inspect/Calibrate condition of thermocouple

Inspect condition of spark igniter - Inspect/adjust spark plug - Inspect pilot gas regulator

Inspect time delay relay - Clean/adjust orifices - Clean pilot nozzles - Clean/Inspect all Varec gas safety equipment on pad.

Location

South San Luis Obispo County WWTP

1600 Aloha Place

Oceano, CA 93445

If you would like to place this order, please fax P.O. to 619-585-0397.

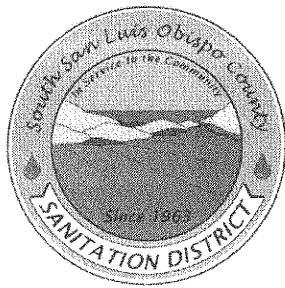
If you have any questions, you can reach me at cell (619) 843-0540.

Sincerely,

Manny Baldivez

Manny Baldivez

Varec Service



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

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1600 Aloha Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

<http://sslocsd.org/>

Staff Report

To: Board of Directors
From: Paul Karp, Interim General Manager
Date: March 6, 2013
Subject: FEMA Reimbursement (DR 1952) Update

Recommendation:

Staff recommends the board receive and file this report.

Funding:

Qualifying damages from the 2010 storm event are partially funded from Federal Emergency Management Agency (FEMA) and the California Emergency Management Agency (Cal EMA). The District previously received federal funding for the repairs to the plant due to the 2010 storm event.

PW No.		FEMA Approved Amount		Current Amount Claimed by Applicant
1952-PW-00272		\$9,071.00		\$9,071.00
1952-PW-00792		\$40,329.40		\$145,324.64
1952-PW-00793		\$28,258.42		\$28,258.42
Total		\$77,658.82		\$182,654.06
PW No.	FEMA Approved Amount	subgrantee Claimed Amount*	Cal EMA Recommended Amount**	Adjustment
Total of all Small Projects	\$77,658.82	\$187,677.79	\$182,554.09	\$104,895.24

*The District submitted a request for a total of \$187,677.79 on August 10, 2012. After reviewing documents with Cal EMA the amount was reduced to \$182,645.06.

** Please note the amount claimed by the Applicant is \$97.97 more than what is recommended by Cal EMA. The discrepancy comes from the final closeout calculations and what items Cal EMA would consider eligible for reimbursement. After reviewing the documents, Cal EMA determined the recommended amount to be \$182,554.09.

Background:

The 2010 Storm Event resulted in substantial damages to the District's facilities. The District applied for federal aid monies from the Federal Emergency Management Agency (FEMA) for 3 projects. All projects were considered "small projects". The projects were completed by June 13, 2012. The final project closeout forms were submitted to Cal EMA for review on August 10, 2012.

FEMA originally obligated \$77,658.82 for all three small projects. However, as part of the closeout process the District requested a net small project overrun adjustment of \$104,995.25. The overrun occurred from the results of the short circuit coordination study by Thoma Electric and damages that

occurred to the plant by the storm. Cal EMA reviewed and approved the requested adjustment and reduced the eligible amount slightly by \$100.01 to a total additional refund amount of \$104,895.27.

Discussion:

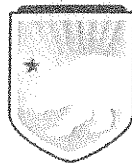
The District filed the net small project overrun on August 10, 2012. Cal EMA completed their review by October 10, 2012 and recommended to FEMA that the request be approved and the funds to be paid. FEMA completed its review of the closeout documentation and informed Cal EMA that FEMA only approved a portion of the \$104,895.27 request. According to Cal EMA, FEMA considered a portion of the \$104,895.27 request as an "improved project" and therefore would not be funded. Cal EMA has not received the formal response letter from FEMA yet and therefore the exact amount being disputed is not available but could be a deduction of \$20,000-\$40,000.

Once Cal EMA receives the formal FEMA response letter, it will be forwarded to the District which will outline the disputed costs. The District will have 60 days to submit an appeal starting from the Date on the Cal EMA letter per *44 CFR, Section 206.206(c) (1)*, see the attached code, Attachment A.

Cal EMA will then have 60 days to review the appeal and provide a written recommendation to the Regional Administrator (FEMA). Within 90 days following receipt of an appeal, FEMA will notify the grantee (Cal EMA) in writing of the disposition of the appeal or of the need for additional information. A request by FEMA for additional information will include a date by which the information must be provided. Within 90 days following the receipt of the requested additional information or following expiration of the period for providing the information, FEMA will notify the grantee (Cal EMA) in writing of the disposition of the appeal. If the decision is to grant the appeal, the Regional Administrator will take appropriate implementing action.

ATTACHMENTS

Attachment A-*Code of Federal Regulations Title 44, Chapter 1, Subchapter D, Part 206, Subpart G, 206.206(c) (1)*,



October 10, 2012

RECEIVED

OCT 17

Ms. Nancy Ward, Regional Administrator
Federal Emergency Management Agency, Region IX
U.S. Department of Homeland Security
1111 Broadway Street, Suite 1200
Oakland, California 94607

Subject: First Appeal - Net Small Project Overrun and Final Inspection Report
FEMA-1952-DR, December 2012 Statewide Storms
Cal EMA ID: 079-91015 FEMA ID: 079-UT3EJ-00
Subgrantee: South San Luis Obispo County Sanitation District
Cal EMA Log: 576353 FEMA Log: None

Dear Ms. Ward:

On August 13, 2012, the California Emergency Management Agency (Cal EMA) received the enclosed Project Completion and Certification Report (P.4) dated August 10, 2012, from the South San Luis Obispo County Sanitation District (district). The purpose of the P.4 is to request that the Federal Emergency Management Agency (FEMA) approve an adjusting Project Worksheet (PW) for a Net Small Project Overrun associated with the above-noted disaster. Since the district's application consisted only of small projects, an application closeout is also requested.

PW No.	FEMA Approved Amount	Subgrantee Claimed Amount	Cal EMA Recommended Amount	Adjustment
Total of All Small Projects	\$77,658.82	\$187,677.79	\$182,554.09	\$104,895.27

The district states that work on its last small project was completed on June 13, 2012. The district also stated that overruns are due to actual documented costs for the approved scope of work. Accordingly, the district requests additional funding in the amount of \$104,895.27.

Based on a final inspection and the supporting documentation provided by the district, Cal EMA believes the small project cost overruns are eligible for funding, pursuant to *Title 44 of the Code of Federal Regulations (44 CFR), Section 206.204(e)*.

It should be noted that the district's application only consists of small projects. Therefore, Cal EMA has included a signed P.4 and Final Inspection Report (FIR) for this disaster application.

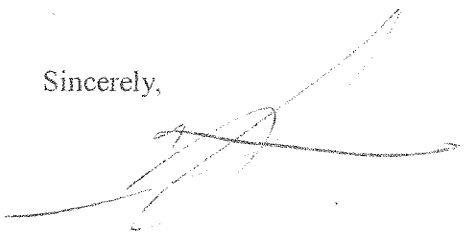
Ms. Nancy Ward
October 10, 2012
Page Two

Total funding recommended by Cal EMA for this application is \$182,554.09. For details, see the enclosed FIR, backup documentation, and draft adjusting PW. Cal EMA recommends FEMA's acceptance of the enclosed P.4 with the Governor's Authorized Representative's and the district's certifications in accordance with *44 CFR, Section 206.205*.

Final payment, if applicable, will be issued by Cal EMA upon receipt of FEMA's approval. The district will be informed that all records must be retained for at least three years.

If you require additional information related to this correspondence, please contact Mr. Michael Baldwin, Public Assistance Officer, at (916) 845-8128 or Mr. Saeed Kermani, Program Manager, at (916) 845-8271.

Sincerely,



STEPHEN SELLERS
Governor's Authorized Representative

Enclosures

c: Mr. Jeremy Freund, Senior Planner, South San Luis Obispo County Sanitation District
Ms. Teresa Zuiderhoek, Director, Recovery Division, FEMA/Enclosure

jcf



Attachment A
44 CFR Section 206.206 Appeals

§ 206.206

Appeals.

An eligible applicant, subgrantee, or grantee may appeal any determination previously made related to an application for or the provision of Federal assistance according to the procedures below.

(a) Format and Content. The applicant or subgrantee will make the appeal in writing through the grantee to the Regional Administrator. The grantee shall review and evaluate all subgrantee appeals before submission to the Regional Administrator. The grantee may make grantee-related appeals to the Regional Administrator. The appeal shall contain documented justification supporting the appellant's position, specifying the monetary figure in dispute and the provisions in Federal law, regulation, or policy with which the appellant believes the initial action was inconsistent.

(b) Levels of Appeal.(1) The Regional Administrator will consider first appeals for public assistance-related decisions under subparts A through L of this part.

(2) The Assistant Administrator for the Disaster Assistance Directorate will consider appeals of the Regional Administrator's decision on any first appeal under paragraph (b)(1) of this section.

(c) Time Limits.(1) Appellants must file appeals within 60 days after receipt of a notice of the action that is being appealed.

(2) The grantee will review and forward appeals from an applicant or subgrantee, with a written recommendation, to the Regional Administrator within 60 days of receipt.

(3) Within 90 days following receipt of an appeal, the Regional Administrator (for first appeals) or Assistant Administrator for the Disaster Assistance Directorate (for second appeals) will notify the grantee in writing of the disposition of the appeal or of the need for additional information. A request by the Regional Administrator or Assistant Administrator for the Disaster Assistance Directorate for additional information will include a date by which the information must be provided. Within 90 days following the receipt of the requested additional information or following expiration of the period for providing the information, the Regional Administrator or Assistant Administrator for the Disaster Assistance Directorate will notify the grantee in writing of the disposition of the appeal. If the decision is to grant the appeal, the Regional Administrator will take appropriate implementing action.

(d) Technical Advice. In appeals involving highly technical issues, the Regional Administrator or Assistant Administrator for the Disaster Assistance Directorate may, at his or her discretion, submit the appeal to an independent scientific or technical person or group having expertise in the subject matter of the appeal for advice or recommendation. The period for this technical review may be in addition to other allotted time periods. Within 90 days of receipt of the report, the Regional Administrator or Assistant Administrator for the Disaster Assistance Directorate will notify the grantee in writing of the disposition of the appeal.

(e) Transition.(1) This rule is effective for all appeals pending on and appeals from decisions issued on or after May 8, 1998, except as provided in paragraph (e)(2) of this section.

(2) Appeals pending from a decision of an Assistant Administrator for the Disaster Assistance Directorate before May 8, 1998 may be appealed to the Administrator in accordance with 44 CFR [206.440](#) as it existed before May 8, 1998 (44 CFR, revised as of October 1, 1997).

(3) The decision of the FEMA official at the next higher appeal level shall be the final administrative decision of FEMA.

[63 FR 17110, Apr. 8, 1998; 63 FR 24970, May 6, 1998]