



**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  
[www.sslocsd.us](http://www.sslocsd.us)

**AGENDA  
BOARD OF DIRECTORS MEETING**  
Arroyo Grande City Council Chambers  
215 E. Branch Street,  
Arroyo Grande, California

**Wednesday, February 06, 2019, at 6:00 p.m.**

**Board Members**

Linda Austin, Chair  
Jeff Lee, Director  
Caren Ray Russom, Director

**Agencies**

Oceano Community Services District  
City of Grover Beach  
City of Arroyo Grande

**Alternate Board Members**

Cynthia Replogle, Director  
Barbara Nicolls, Director  
Lan George, Director

Oceano Community Services District  
City of Grover Beach  
City of Arroyo Grande

- 
- 1. CALL TO ORDER AND ROLL CALL**
  - 2. PLEDGE OF ALLEGIANCE**
  - 3. AGENDA REVIEW**
  - 4. 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 which 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 Chair or presiding Board Member may:

- Direct Staff to assist or coordinate with you.
- Direct Staff to place your issue or matter on a future Board meeting agenda.

Please adhere to the following procedures when addressing the Board:

- Comments should be limited to three (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

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 located at 1655 Front Street, Oceano, California. Consistent with the Americans with Disabilities Act (ADA) 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 modification or accommodation in order to participate at the above referenced public meeting by contacting the District Administrator or Bookkeeper/Secretary at (805) 481-6903. So that the District may address your request in a timely manner, please contact the District two business days in advance of the meeting.

**5. CONSENT AGENDA:**

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 to change the recommended course of action. The Board may approve the remainder of the Consent Agenda on one motion.

**5A. Approval of Warrants**

**5B. Approval of Meeting Minutes of January 02, 2019**

**6. ACTION ITEMS:**

**6A. ELECTION OF CALENDAR YEAR 2018 BOARD OFFICERS**

Recommendation: Consider and elect a Chair and Vice-Chair for the 2019 Calendar Year.

**6B. MID-FISCAL YEAR 2018/19 FINANCIAL REVIEW**

Recommendation: Receive and File Report.

**6C. DISTRICT ADMINISTRATOR AND PLANT OPERATIONS REPORT**

Recommendation: Receive and File Report.

**6D. ANNUAL REVIEW OF BYLAWS**

Recommendation: That the Board of Directors discuss staff's proposed edits and direct staff with regard to whatever it deems appropriate.

**7. MISCELLANEOUS ITEMS:**

**8. BOARD MEMBER COMMUNICATIONS:**

**9. CLOSED SESSION:**

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Paragraph (1) of subdivision (d) of Government Code Section 54956.9

*Wolff v. Dutra, et al.* San Luis Obispo County Superior Court Case No: 18CV-0402

**10. ADJOURNMENT**

**The next regularly scheduled Board Meeting on February 20, 6:00 pm at the  
Arroyo Grande City Hall Chambers,  
215 E. Branch Street, Arroyo Grande, California**

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
WARRANT REGISTER  
2/6/2019

VENDOR	BUDGET LINE ITEM	DETAIL	WARRANT NO	ACCT	ACCT BRKDN	TOTAL
ABALONE COAST ANALYTICAL, INC	CHEMICAL ANALYSIS	19-0006	020619-3520	7078	85.00	85.00
AGP VIDEO	PROF SERV. AGP VIDEO	DECEMBER	3521	7080	1,300.00	1,300.00
ALLIED ADMINISTRATORS	EMPLOYEE DENTAL	FEBRUARY	3522	6025	720.77	720.77
AMERICAN BUSINESS MACHINES	OFFICE SUPPLIES	430410	3523	8045	225.07	225.07
AMY SIMPSON	TRAINING	CALPERS	3524	7050	281.44	281.44
APPLIED INDUSTRIAL	EQUIPMENT MAINTENANCE	7015121657; 7015232222	3525	8030	6,234.61	6,234.61
ARAMARK	UNIFORMS	01/04; 01/11; 01/18; 01/25	3526	7025	797.71	797.71
AT&T	TELEPHONE	01/11/19-02/10/19	3527	7013	81.76	81.76
AUTOSYS, INC.	REDUNDANCY	2271; 2288	3528	20-7080	510.00	1,050.00
	SCADA	2289		20-8010	540.00	
BANK OF THE WEST	OFFICE SUPPLIES	DECEMBER	3529	8045	216.02	1,185.17
	COMPUTER SUPPORT	DECEMBER		7082	229.65	
	MEMBERSHIP/SEMINARS	DECEMBER		7067	729.98	
	FEES	DECEMBER		7068	9.52	
BARBARA NICOLLS	BOARD SERVICE	JANUARY	3530	7075	100.00	100.00
BC PUMP & SUPPLY	FUEL	33056	3531	8020	244.48	874.84
	EQUIPMENT MAINTENANCE	33094		8030	630.36	
BRENNTAG	PLANT CHEMICALS	BPI907989; BPI910595	3532	8050	12,106.92	12,106.92
CAL WATER ENV. ASSOC.	MEMBERSHIP/SEMINARS	JACKMAN	3533	7050	188.00	188.00
CAREN RAY RUSSOM	BOARD SERVICE	JANUARY	3534	7075	100.00	100.00
CENTRAL COAST PIPING	EQUIPMENT MAINTENANCE	41674; 41675	3535	8030	493.00	493.00
CENTRAL COAST TECH CONSULTANTS	COMPUTER SUPPORT	FEBRUARY	3536	7082	493.43	493.43
CHARTER BUSINESS	TELEPHONE/INTERNET	01/29/19-02/28/19	3537	7011	299.95	299.95
CITY OF ARROYO GRANDE	BILLING	1819-007	3538	7073	5,703.75	5,703.75
COASTAL ROLL OFF SERVICE	RUBBISH	12/01/18-12/31/18	3539	7093	748.68	748.68
DE JESUS GARDENING	GROUND MAINTENANCE	JANUARY	3540	8060	450.00	450.00
ENGEL & GRAY, INC.	BIOSOLIDS HANDLING	8CX00012	3541	7085	2,911.44	2,911.44
ERIKA FROST	MEDICAL REIMBURSE	FY 18/19	3542	6075	225.00	318.00
	TRAINING	LAB CONFERENCE		7050	93.00	
EVERYWHERE RIGHT NOW	COMPUTER SUPPORT	FEBRUARY	3543	7082	100.00	100.00
FERGUSON ENTERPRISES	HOUSEHOLD SUPPLY	7007891	3544	8035	85.78	85.78
FGL	CHEMICAL ANALYSIS	883279A	3545	7078	2,268.00	2,268.00
GILBERT TRUJILLO, ESQ.	LEGAL COUNSEL	DECEMBER	3546	7071	3,755.50	3,755.50
GRAINGER	SAFETY SUPPLY'S	MULTIPLE	3547	8056	70.10	291.98
	LAB SUPPLIES	9060363729		8040	221.88	
HARDY DIAGNOSTICS	LAB SUPPLIES	10/9/2018	3548	8040	98.63	98.63
HAULAWAY	EQUIPMENT RENTAL		3549	7032	93.80	93.80
I.I. SUPPLY	SAFETY SUPPLY'S	58417	3550	8056	8.37	83.19
	STRUCTURES/GROUNDS MAJOR	58726		8061	74.82	
JB DEWAR	FUEL	896733; 47441	3551	8020	186.63	186.63
JONES & MAYER	OUTSIDE COUNSEL	DECEMBER	3552	7070	5,962.01	6,443.01
	LEGAL COUNSEL	DECEMBER		7071	481.00	
JWC ENVIRONMENTAL	HOUSEHOLD SUPPLY	95562; 95571	3553	8035	404.80	404.80
KENNEDY JENKS	REDUNDANCY	127538	3554	20-7080	110,230.69	110,230.69
LINDA AUSTIN	BOARD SERVICE	JANUARY	3555	7075	100.00	100.00
MC MASTER - CARR	SMALL TOOLS	8457592;	3556	8055	71.29	71.29
MINERS	HOUSEHOLD SUPPLY	DECEMBER AND JANUARY	3557	8035	1,076.96	1,076.96
MKN & ASSOCIATES	REDUNDANCY	5091	3558	20-7080	943.35	943.35
OEC ENVIRONMENTAL	CHEMICAL ANALYSIS	1900042; 1900371	3559	7078	90.00	90.00
PG&E	ELECTRICITY	12/10/18-01/08/19	3560	7091	12,634.99	12,634.99
PRAXAIR	EQUIPMENT RENTAL	11/20/18-12/20/18; 12/20/18-01/20/19	3561	7032	63.05	63.05
READY REFRESH	HOUSEHOLD SUPPLY	11/25/18-12/24/18; 12/25/18-01/24/19	3562	8035	236.98	236.98
SO CAL GAS	UTILITY GAS	11/30/18-01/02/19	3563	7092	3,499.53	3,499.53
SOUTH COUNTY SANITARY	RUBBISH	JANUARY	3564	7093	338.41	338.41
SPRINT	COMMUNICATIONS CELL PHONE	12/04/18-01/03/19	3565	7014	95.29	95.29
STREATOR PIPE & SUPPLY	EQUIPMENT MAINTENANCE	S1465598.001	3566	8030	38.51	38.51
USA BLUEBOOK	OFFICE SUPPLIES	792199	3567	8045	142.51	142.51
VWR	LAB SUPPLIES	2019-001	3568	8040	266.69	266.69
WHITAKER CONSTRUCTION	DIGESTER VALVE REPLACEMENT	1080	3569	26-8065	9,646.81	9,646.81
<b>SUB TOTAL</b>					<b>\$ 190,035.92</b>	<b>\$ 190,035.92</b>
SSLOCSO RABOBANK TRANSFER	DECEMBER	PAYROLL	3570		57,525.16	
		CALPERS RETIREMENT			7,599.10	
		CALPERS HEALTH			17,618.58	
					<b>\$ 82,742.84</b>	<b>\$ 82,742.84</b>
<b>GRAND TOTAL</b>					<b>\$ 272,778.76</b>	<b>\$ 272,778.76</b>

We hereby certify that the demands numbered serially from 020619-3520 to 020619-3570 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  
[www.sslocsd.org](http://www.sslocsd.org)

## **SUMMARY ACTION MINUTES Regular Meeting of Wednesday, January 02, 2019**

---

### **1. CALL TO ORDER AND ROLL CALL**

Chair Austin called the meeting to order and recognized a quorum.

Present: Linda Austin, Chair, Oceano Community Services District  
Barbara Nicolls, Vice Chair, City of Grover Beach  
Caren Ray Russom, Director, City of Arroyo Grande

District Staff: Jeremy Ghent, District Administrator;  
Keith Collins, Outside Counsel,  
Amy Simpson, District Bookkeeper/Secretary

### **2. PLEDGE OF ALLEGIANCE**

Chair Austin led the Pledge of Allegiance.

### **3. AGENDA REVIEW**

Approved unanimously.

### **4. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA**

Chair Austin opened the Public Comment period.

Jeff Edwards commented on the Redundancy Project and the Coastal Commission permit.

Julie Tacker commented on the coastal development permit, coastal hazards monitoring plan; and afterhours billing.

Chair Austin closed the Public Comment period.

Administrator Ghent responded to public comment regarding after hour billing. He said the District practice is to not charge member agencies for collection of waste at the plant.

### **CONSENT AGENDA:**

**5A. Approval of Warrants**

**5B. Approval of Meeting Minutes of December 19, 2018**

Chair Austin opened the Public Comment period.

Julie Tacker commented on the warrant of Lara HR Services.

Chair Austin closed the Public Comment period.

**Motion:** Director Nicolls motioned to approve the Consent Agenda as presented.

**Second:** Director Ray Russom

**Action:** Approved unanimously by voice vote. Vote carries 3-0

**6. ACTION ITEMS:**

**6A. DISTRICT ADMINISTRATOR AND PLANT OPERATIONS REPORT**

Administrator Ghent presented the Administrator Report. He said that the Plant continues to run well. He said the District financial audits will be completed by the end of January. He will be attending the Regional Water Quality Control Board NPDES permit hearing to answer any questions they may have. He continues to work with the Central Coast Blue team. He said the Board meeting of January 16, 2019 will be cancelled due to lack of a quorum. He then presented the Plant Operations Report and said the Plant is operating in compliance.

Chair Austin opened the Public Comment period.

Julie Tacker commented on using the Facebook page to educate public about the plant.

Mary Lucey commented on Central Coast Blue.

Administrator Ghent responded to the comment regarding Central Coast Blue. He said the effort has been led by City of Pismo Beach and they have applied for a planning grant and construction funding as well.

Ron Arnoldson said it is refreshing to have a knowledgeable District Administrator.

Chair Austin closed the Public Comment period.

**Action:** The Board received and filed the report.

**7. MISCELLANEOUS ITEMS**

None.

**8. BOARD MEMBER COMMUNICATIONS**

None.

**9. CLOSED SESSION:**

Legal Counsel Collins announced Closed Session.

**CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

Paragraph (1) of subdivision (d) of Government Code Section 54956.9

*Wolff v. Dutra, et al.* San Luis Obispo County Superior Court Case No: 18CV-0402

**CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (one case)

Chair Austin opened the Public Comment period.

Julie Tacker commented on initiation of litigation and is hopeful the Board is pursuing civil action against former administrator John Wallace.

Ron Arnoldson and Patricia Price agreed with the previous comment.

Chair Austin closed the Public Comment period.

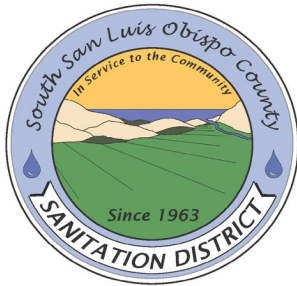
The Board went into Closed Session at 6:46 p.m.

Legal Counsel Collins announced there was no reportable action and the Board will issue a press release later in the week.

**10. ADJOURN MEETING**

The meeting was adjourned at 7:02 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**

Post Office Box 339 Oceano, California 93475-0339  
1600 Aloha Oceano, California 93445-9735  
Telephone (805) 489-6666 FAX (805) 489-2765  
[www.sslocsd.org](http://www.sslocsd.org)

---

### **STAFF REPORT**

**Date:** February 06, 2019  
**To:** Board of Directors  
**From:** Jeremy Ghent, District Administrator  
**Subject:** **ELECTION OF CHAIR AND VICE CHAIR FOR THE 2019 CALENDAR YEAR**

#### **RECOMMENDATION:**

The Board consider and elect a Chair and Vice Chair for the 2019 Calendar Year.

#### **BACKGROUND AND DISCUSSION:**

Section 1 of the District Bylaws state:

- 1.4** The Chair and Vice Chair of the Board shall be elected annually at the second meeting in January of each calendar year.

The Bylaws direct the Board to elect the Chair and Vice Chair for the 2019 calendar year at its second meeting in January. However, due to the cancellation of the January 16, 2019 meeting this item has been placed on tonight's agenda.





**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

[www.sslocsd.us](http://www.sslocsd.us)

---

**Staff Report**

**Date:** February 06, 2019  
**To:** Board of Directors  
**From:** Amy Simpson, District Bookkeeper/Secretary  
**Via:** Jeremy Ghent, District Administrator

**Subject: FISCAL YEAR 2018/19 SECOND (2ND) QUARTER BUDGET PERFORMANCE REVIEW**

**Recommendation:**

Receive and file 2nd quarter budget performance review.

**Executive Summary:**

On December 31, 2018, the District Fiscal Year 2018/19 2nd Quarter closed. Today's staff report provides an overview of the District's Budget Performance as it pertains to its Revenues, Expenditures, and Cash Balance as of December 31st, 2018. Accounting information for this quarter (July 1, 2018 to December 31, 2018), is contained below in the following tables:

- Table No. 1 contains the District's performance regarding revenues.
- Table No. 2 contains the District's performance regarding expenditures.
- Table No. 3 contains the District's cash and investment balance.

Through the 2<sup>nd</sup> quarter, the District has received 45% of its anticipated revenues and expended 35% of its budgeted expenditures (at the 50% Benchmark).

**No. 1 – Revenues**

	FY 2018/19 Budget	Received	
		Amount	Percent
Fund 19	\$5,490,350	\$2,355,581	43%
Fund 20	\$96,000	\$132,160	138%
Fund 26			0%
Total	\$5,586,350	\$2,487,741	45%

## No. 2 - Expenses

	FY 2018/19 Budget	Expended as of 12-31-18	
		Amount	Percent
Fund 19	\$3,324,120	\$1,179,327	35%
Fund 20	\$1,188,400	\$825,636	69%
Fund 26	\$1,936,200	\$224,809	12%
Total	\$6,448,720	\$2,229,772	35%

## No. 3 - Cash and Investment Balance

Cash in County Treasury	\$3,696,889
Cash in Rabobank	\$174,603
Cash in LAIF	\$2,489,180
Total Cash	\$6,360,673

### Analysis:

The following two accounts listed below are revenue accounts.

1. Account No. 19-4022 Grover Beach Services: 30.5%. Revenue for November and December have not been received due to the City being in transition with a new accounting system.
2. Account No. 19-4040 Other Service Income: 265%. The District provided temporary sewer service to treat contaminated water from the County's Airpark Bridge Project. This was unexpected revenue.

The following accounts listed below were paid in full at the beginning of the fiscal year.

3. Account No. 19-6065 Unfunded Accrued Liability: 96%. This was a payment to CalPERS. An unfunded liability is a disparity between the estimated amount of a pension plan's obligations and the current value of its assets.
4. Account No. 19-7043 Insurance Liability/Auto: 99%. This reflects an annual payment to Special District Risk Management Authority (SDRMA) for insurance.
5. Account No. 19-7069 LAFCO Budget Share: 92%. This reflects District's annual participation in the Local Agency Formation Commission.

The following accounts listed below were significantly greater than budgeted amount at close of the 2nd quarter.

6. Account No. 19-6095 Unemployment Reimburse: 78.8%. This reflects payments made to Employee Development Department (EDD). Staff will continue to monitor this account.
7. Account No. 19-7072 Auditing: 97.4%. This reflects the cost of the Fiscal Year 2016/17 audit. The Districts Fiscal Year 18/19 Annual Budget included funding for preparing one audit. However, the District will complete both the Fiscal year 16/17 and 17/18 audits during this Fiscal Year. This account is expected to go over budget.
8. Account No. 19-7092 Utility Gas: 88.9%. This reflects the boiler running on natural gas instead of digester gas. Staff will continue to monitor this account.
9. Account No. 19-8050 Plant Chemicals: 69.1%. This is a result of the chlorine contact chamber (CCT) overhaul. Staff will continue to monitor this account.

**Conclusion:**

Overall, the District expenditures remained below the adopted Fiscal Year 2018/19 budgeted amounts. As per good fiscal and budget practices, staff continues to monitor costs vs. budgeted amounts, while providing the District and its ratepayers the best cost benefit and investment of District funds.

**Attachment:**

Profit & Loss Budget vs. Actual for Funds 19, 20 and 26.

# SO SAN LUIS OBISPO CO SANITATION DISTRICT - OPERATING(19)

## Profit & Loss Budget vs. Actual

July through December 2018

	Jul - Dec 18	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
19-4015 Arroyo Grande Services	1,165,904.46	2,414,000.00	-1,248,095.54	48.3%
19-4022 Grover Beach Services	547,637.59	1,794,000.00	-1,246,362.41	30.5%
19-4035 Oceano Services	527,937.24	912,000.00	-384,062.76	57.9%
19-4040 Other Service Income	21,204.22	8,000.00	13,204.22	265.1%
19-4045 School Services	5,565.96	40,000.00	-34,434.04	13.9%
19-4050 Brine Disposal Service	71,624.95	300,000.00	-228,375.05	23.9%
19-5015 Interest	15,707.02	21,600.00	-5,892.98	72.7%
19-5023 FOG Reimbursement	0.00	750.00	-750.00	0.0%
<b>Total Income</b>	<b>2,355,581.44</b>	<b>5,490,350.00</b>	<b>-3,134,768.56</b>	<b>42.9%</b>
<b>Gross Profit</b>	<b>2,355,581.44</b>	<b>5,490,350.00</b>	<b>-3,134,768.56</b>	<b>42.9%</b>
<b>Expense</b>				
19-6010 Medical Insurance	111,091.26	210,000.00	-98,908.74	52.9%
19-6025 Dental Insurance	5,097.00	9,000.00	-3,903.00	56.6%
19-6030 Plant Operators	231,676.72	643,008.00	-411,331.28	36.0%
19-6035 Student Interns	0.00	5,000.00	-5,000.00	0.0%
19-6040 Secretary/Bookkeeper	32,206.10	60,912.00	-28,705.90	52.9%
19-6045 District Administrator	76,007.63	155,000.00	-78,992.37	49.0%
19-6050 S.S. & Medicare	26,009.22	65,000.00	-38,990.78	40.0%
19-6055 State Disability Insur	1,760.81	3,500.00	-1,739.19	50.3%
19-6060 State Retirement	36,131.11	80,000.00	-43,868.89	45.2%
19-6065 Unfunded Liability	62,373.00	65,000.00	-2,627.00	96.0%
19-6075 Medical Reimbursement	255.00	6,500.00	-6,245.00	3.9%
19-6080 Workers Compensation	4,212.76	33,000.00	-28,787.24	12.8%
19-6085 Temp Labor Service	0.00	15,000.00	-15,000.00	0.0%
19-6090 Payroll Process Fee	1,515.45	3,500.00	-1,984.55	43.3%
19-6095 Unemployment Remiburse	6,300.01	8,000.00	-1,699.99	78.8%
19-7005 Advert/Legal&Recruit	1,563.59	10,000.00	-8,436.41	15.6%
19-7011 Communications	2,250.09	3,500.00	-1,249.91	64.3%
19-7013 Communications-Teleph	3,565.82	10,000.00	-6,434.18	35.7%
19-7014 Communcations-Cell	1,323.36	2,500.00	-1,176.64	52.9%
19-7015 Off. Equi/Computer/GIS	4,547.40	10,000.00	-5,452.60	45.5%
19-7025 Employee Uniforms	6,697.33	12,500.00	-5,802.67	53.6%
19-7032 Equip Rental Other	2,084.53	5,000.00	-2,915.47	41.7%
19-7043 Ins, Liability/Auto	34,615.28	35,000.00	-384.72	98.9%
19-7050 Membships/Seminars/Mtg	10,210.11	15,000.00	-4,789.89	68.1%
19-7055 Prof. Certs/Licenses	420.00	3,000.00	-2,580.00	14.0%
19-7060 Ocean Outfall Maint	0.00	25,000.00	-25,000.00	0.0%
19-7065 Public Outreach	0.00	5,000.00	-5,000.00	0.0%
19-7067 Training	3,183.24	10,000.00	-6,816.76	31.8%
19-7068 Permits/Fees/License	19,108.13	30,000.00	-10,891.87	63.7%
19-7069 LAFCO Budget Share	12,838.28	14,000.00	-1,161.72	91.7%
19-7070 Prof Serv -Out.Counsel	8,889.26	20,000.00	-11,110.74	44.4%
19-7071 Prof Serv-Attorney Fee	12,968.50	36,000.00	-23,031.50	36.0%
19-7072 Prof Serv - Auditing	14,610.00	15,000.00	-390.00	97.4%
19-7073 Prof Serv - AG Billing	5,610.00	22,000.00	-16,390.00	25.5%
19-7074 Prof Serv - Oceano Com	5,425.70	10,000.00	-4,574.30	54.3%
19-7075 Prof Serv - Brd Member	3,000.00	7,500.00	-4,500.00	40.0%
19-7076 Prof Serv- H R Service	7,660.00	40,000.00	-32,340.00	19.2%
19-7077 Prof Serv-Engineering	3,731.25	50,000.00	-46,268.75	7.5%

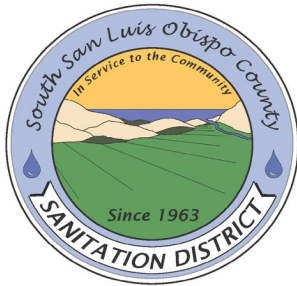
	<u>Jul - Dec 18</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
19-7078 Prof Serv-Chem Analysis	6,624.79	20,000.00	-13,375.21	33.1%
19-7079 Prof Serv-Records Mngmt	0.00	5,000.00	-5,000.00	0.0%
19-7080 Prof Serv - AGP Video	7,192.50	14,000.00	-6,807.50	51.4%
19-7081 Prof Serv-GB Bill	7,406.25	23,000.00	-15,593.75	32.2%
19-7082 Prof. Serv.-Comp. Suprt	4,925.58	10,000.00	-5,074.42	49.3%
19-7083 Prof Serv-Fiscal Serv.	9,709.00	25,000.00	-15,291.00	38.8%
19-7085 Solids Handling	19,722.04	90,000.00	-70,277.96	21.9%
19-7086 Brine Disposal Samplin	1,380.00	3,000.00	-1,620.00	46.0%
19-7088 Prof Serv-Strat Plannin	0.00	5,000.00	-5,000.00	0.0%
19-7091 Util-Elec	86,723.91	190,000.00	-103,276.09	45.6%
19-7092 Util-Gas	12,884.21	14,500.00	-1,615.79	88.9%
19-7093 Util-Rubbish	5,668.18	13,000.00	-7,331.82	43.6%
19-7094 Util-Water	415.68	3,000.00	-2,584.32	13.9%
19-7095 Zone 1/1A Agreement	30,950.96	31,000.00	-49.04	99.8%
19-8010 Capital Equipment	18,692.96	367,000.00	-348,307.04	5.1%
19-8015 Trunk Sewer Maintenanc	0.00	175,000.00	-175,000.00	0.0%
19-8020 Gas & Oil	1,952.68	10,000.00	-8,047.32	19.5%
19-8030 Equipment Maint-Reg	33,919.90	204,500.00	-170,580.10	16.6%
19-8032 Automotive Maint	173.98	5,000.00	-4,826.02	3.5%
19-8035 Household Expense	1,087.10	4,000.00	-2,912.90	27.2%
19-8040 Lab Supplies	3,851.28	10,000.00	-6,148.72	38.5%
19-8045 Office Supplies&Exp	2,682.38	6,000.00	-3,317.62	44.7%
19-8050 Plant Chemicals	154,481.86	223,500.00	-69,018.14	69.1%
19-8055 Small Tools	890.44	1,200.00	-309.56	74.2%
19-8056 Safety Supplies	2,112.81	8,000.00	-5,887.19	26.4%
19-8060 Structure Maint-Reg	4,430.10	20,000.00	-15,569.90	22.2%
19-8061 Struct Maint - Major	0.00	40,000.00	-40,000.00	0.0%
19-8077 Contingency	0.00	50,000.00	-50,000.00	0.0%
<b>Total Expense</b>	<b>1,179,326.92</b>	<b>3,324,120.00</b>	<b>-2,144,793.08</b>	<b>35.5%</b>
<b>Net Ordinary Income</b>	<b>1,176,254.52</b>	<b>2,166,230.00</b>	<b>-989,975.48</b>	<b>54.3%</b>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
19-8079 Transfer to Replacement	-968,100.00	1,936,200.00	-2,904,300.00	-50.0%
<b>Total Other Income</b>	<b>-968,100.00</b>	<b>1,936,200.00</b>	<b>-2,904,300.00</b>	<b>-50.0%</b>
<b>Net Other Income</b>	<b>-968,100.00</b>	<b>1,936,200.00</b>	<b>-2,904,300.00</b>	<b>-50.0%</b>
<b>Net Income</b>	<b>208,154.52</b>	<b>4,102,430.00</b>	<b>-3,894,275.48</b>	<b>5.1%</b>

**So San Luis Obispo Co Sanitation District**  
**Profit & Loss Budget vs. Actual**  
July through December 2018

	<u>Jul - Dec 18</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
20-4010 AG Connections	89,073.00	30,000.00	59,073.00	296.9%
20-4020 GB Connections	17,943.00	30,000.00	-12,057.00	59.8%
20-4030 OCSD Connections	0.00	6,000.00	-6,000.00	0.0%
20-5015 Interest Income	25,143.55	30,000.00	-4,856.45	83.8%
<b>Total Income</b>	<u>132,159.55</u>	<u>96,000.00</u>	<u>36,159.55</u>	<u>137.7%</u>
<b>Expense</b>				
20-7080 Redundancy Project	819,709.63	1,000,000.00	-180,290.37	82.0%
20-7094 MOU w/Pismo Joint EIR	0.00	113,400.00	-113,400.00	0.0%
20-8010 Capital Equip/SCADA	5,926.55	75,000.00	-69,073.45	7.9%
<b>Total Expense</b>	<u>825,636.18</u>	<u>1,188,400.00</u>	<u>-362,763.82</u>	<u>69.5%</u>
<b>Net Ordinary Income</b>	<u>-693,476.63</u>	<u>-1,092,400.00</u>	<u>398,923.37</u>	<u>63.5%</u>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
20-4005 Use of Fund Bal. Avail.	0.00	862,370.00	-862,370.00	0.0%
<b>Total Other Income</b>	<u>0.00</u>	<u>862,370.00</u>	<u>-862,370.00</u>	<u>0.0%</u>
<b>Net Other Income</b>	<u>0.00</u>	<u>862,370.00</u>	<u>-862,370.00</u>	<u>0.0%</u>
<b>Net Income</b>	<u><b>-693,476.63</b></u>	<u><b>-230,030.00</b></u>	<u><b>-463,446.63</b></u>	<u><b>301.5%</b></u>

**So San Luis Obispo Co Sanitation District - 26(Replacement)**  
**Profit & Loss Budget vs. Actual**  
July through December 2018

	<u>Jul - Dec 18</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Expense</b>				
<b>26-8015 Trunk Sewer Maintenanc</b>	0.00	175,000.00	-175,000.00	0.0%
<b>26-8061 Struct/Grnds Maint-Maj</b>	0.00	40,000.00	-40,000.00	0.0%
<b>26-8065 Struct/Grnds Repl&amp;Imp</b>	224,809.39	1,671,200.00	-1,446,390.61	13.5%
<b>26-8070 Emergency Equip Repair</b>	0.00	50,000.00	-50,000.00	0.0%
<b>Total Expense</b>	<u>224,809.39</u>	<u>1,936,200.00</u>	<u>-1,711,390.61</u>	<u>11.6%</u>
<b>Net Ordinary Income</b>	<u>-224,809.39</u>	<u>-1,936,200.00</u>	<u>1,711,390.61</u>	<u>11.6%</u>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
<b>26-5040 Transfer from funds</b>	968,100.00	1,936,200.00	-968,100.00	50.0%
<b>Total Other Income</b>	<u>968,100.00</u>	<u>1,936,200.00</u>	<u>-968,100.00</u>	<u>50.0%</u>
<b>Net Other Income</b>	<u>968,100.00</u>	<u>1,936,200.00</u>	<u>-968,100.00</u>	<u>50.0%</u>
<b>Net Income</b>	<u><b>743,290.61</b></u>	<u><b>0.00</b></u>	<u><b>743,290.61</b></u>	<u><b>100.0%</b></u>



# **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  
[www.sslocsd.org](http://www.sslocsd.org)

---

## **STAFF REPORT**

**Date:** February 6, 2019  
**To:** Board of Directors  
**From:** Jeremy Ghent, District Administrator; Mychal Jones, Interim Plant Superintendent  
**Subject:** **DISTRICT ADMINISTRATOR AND PLANT OPERATIONS REPORT**

This report represents ongoing information on the latest District staff activities on major capital projects and studies, programmatic initiatives, regional collaboration, miscellaneous activities, and Plant Operations. *Updates since the last report are provided in italics below:*

### **Capital Projects:**

#### **Redundancy Project:**

The bid-ready documents are scheduled for completion in February 2019, and the 2½ year construction will begin in the fall of 2019. Financial consultant, Bartle Wells Associates, is advising the District regarding rates and financing. *90% Plans have been reviewed and returned to KJ.*

### **Programmatic Initiatives:**

#### **Financial Initiative:**

*On January 28<sup>th</sup> and 29<sup>th</sup> the Auditors were onsite to collect the District's Financials. The Auditor's currently anticipate Presenting the Audit to the Board at the District's meeting on March 20<sup>th</sup> 2019.*

### **Misc.:**

#### **Regional Board WDR/NPDES Permit:**

*The Regional Board Staff presented the District's Revised WDR-NPDES Permit to the Regional Water Quality Control Board on Thursday January 31<sup>st</sup>. The item was pulled form consent for discussion. After lengthy discussion the item passed with 5 Ayes, 1 Abstain, and 1 Absent.*



**Regional Collaboration:**

**Central Coast Blue:**

*The Central Coast Blue Project Team expects tentatively to make a presentation to the Board at the February 20<sup>th</sup> meeting.*

**Plant Tours:**

1. Alternate SSLOCSD Director Cynthia Replogle
2. OCSD Director Allene Villa

**Upcoming Items:**

District Goals and Priorities  
Tribute Resolution for Barbara Nicolls District Service  
Redundancy Project Financial Outlook  
Redundancy Project Construction Management Services Contract

## Plant Operations Report

During this reporting period (Jan. 1<sup>st</sup> – Jan. 30<sup>th</sup>) the District's facility met its Permit Limitations as required under the State of California's National Pollutant Discharge Elimination System (NPDES) Permit issued to the District.

### Monthly Plant Data as of January 30, 2019

January 2019	INF Flow MGD	INF Peak Flow MGD	INF BOD mg/L	EFF BOD mg/L	BOD % Removal	INF TSS mg/L	EFF TSS mg/L	TSS % Removal	Fecal Coliform MPN/100mL	Chlorine Usage lbs/day
Low	2.58	3.4	519	13.7		580	19.3		<1.8	94
High	3.4	5.5	734	20		890	29		13	313
Average	2.73	3.86	632	15.7	97.5	759	24.1	96.8	2.55	198
Jan. 2018 AVG	2.3	3.6	547	23	95.8	590	32.3	94.5	25.6	202
Limit	5.0			40/60/90	>80		40/60/90	>80	2000	

\*Limit – 40/60/90 represent NPDES Permit limits for the monthly average, weekly average, and instantaneous maximum value for plant effluent Biochemical Oxygen Demand and Total Suspended Solids.

### Fecal Coliform Numbers for January 2019

1/1/2019	<	1.8	MPN/100 mL
1/2/2019	<	1.8	MPN/100 mL
1/3/2019	=	4.5	MPN/100 mL
1/4/2019	<	1.8	MPN/100 mL
1/7/2019	<	1.8	MPN/100 mL
1/8/2019	<	1.8	MPN/100 mL
1/9/2019	<	1.8	MPN/100 mL
1/10/2019	<	1.8	MPN/100 mL
1/11/2019	=	13	MPN/100 mL
1/14/2019	<	1.8	MPN/100 mL
1/15/2019	<	1.8	MPN/100 mL
1/16/2019	<	1.8	MPN/100 mL
1/17/2019	<	1.8	MPN/100 mL
1/18/2019	<	1.8	MPN/100 mL
1/21/2019	=	2	MPN/100 mL
1/22/2019	<	1.8	MPN/100 mL
1/23/2019	<	1.8	MPN/100 mL
1/24/2019	=	4	MPN/100 mL
1/25/2019	<	1.8	MPN/100 mL
1/28/2019	=	2	MPN/100 mL
1/29/2019	<	1.8	MPN/100 mL
1/30/2019	<	1.8	MPN/100 mL

\*Limit – 200/2000 represent NPDES Permit limits for the running weekly median and instantaneous maximum for fecal coliform bacteria.

**Operation and Maintenance Projects**

- Unplugged and cleaned centrifuge centrate line
- Cleaned biosolids from around centrifuge building
- Thoroughly cleaned maintenance shop
- Checked and marked Underground Service Alerts
- Fixed No Hub coupling on primary clarifier sump pump piping
- Removed centrifuge auger gearbox and motor
- Troubleshoot de-chlorination controller
- Installed new gearbox and motor on centrifuge auger
- Thoroughly cleaned centrifuge building
- Setup 3" trash pump at secondary clarifier sump
- Continued working on Flow Fit setup for disinfection system
- Installed bags on bar screen chute
- Performed monthly safety walk
- Disassembled and removed influent pump #2 pump assembly for shaft repair
- Fluid Resource Management and WGSII attempted digester #1 feed line repair

**Work Orders Completed**

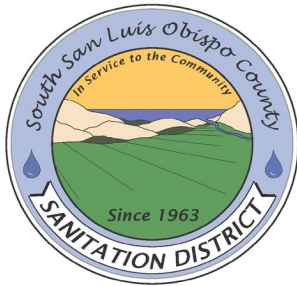
- Inspected digester vacuum/pressure relief valves
- Inspected junction box and clear debris
- Inspected chemical induction system and filled with coolant
- Test ran emergency generator and emergency bypass pump
- De-ragged both primary clarifier sludge pumps
- Rinsed all clarifiers
- Flushed and inspected sump pumps throughout plant
- Changed oil in fixed film reactor distributor drive
- Inspected all clarifier drives
- Serviced forklift, plant carts, and front loader
- Exercise effluent pumps
- Serviced Amiad filters

**Training**

- Confined space training with United Rentals
- Hand Protection: Lessons for a Lifetime
- Fatal Shock Electrical Case Histories

**Call Outs**

- No call outs this reporting period



## **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  
[www.sslocsd.org](http://www.sslocsd.org)

---

### **STAFF REPORT**

**Date:** February 06, 2019  
**To:** Board of Directors  
**From:** Jeremy Ghent, District Administrator  
**Subject:** **BYLAWS ANNUAL REVIEW AND UPDATE**

#### **RECOMMENDATION:**

That the Board of Directors discuss staff's proposed edits and direct staff with regard to whatever revisions it deems appropriate.

#### **BACKGROUND:**

Attached is a copy of the February 2018 Update of the Bylaws for the District Board of Directors. Staff has reviewed the currently adopted Bylaws for legal consistency and believes the recommended edits and changes are necessary for accuracy, clarity, and consistency.

#### **DISCUSSION:**

After review and discussion of the Bylaws and proposed edits, the Directors are requested to approve by motion any revisions they desire to make. Staff will make the revisions and place the updated Bylaws on the Consent Calendar of a future agenda for review and adoption.

Attachment: 1.) February 2018 Update of the Bylaws for the District Board of Directors  
2.) Recommended Revisions to the February 2018 Bylaws for Discussion

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

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

- 1.1 The officers of the Board of Directors are the Chair and Vice Chair.
- 1.2 The Chair of the Board of Directors shall serve as Chair at all Board meetings. He/she shall have the same rights as the other Directors of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.
- 1.3 In the absence of the Chair, the Vice Chair of the Board of Directors shall serve as Chair over all meetings of the Board. If the Chair and Vice Chair of the Board will both be absent, the Chair may name any member of the Board to perform the duties of the presiding officer prior to the meeting. If the Chair's absence is unexpected, the Chair shall be as specified by standing order of the Chair.
- 1.4 The Chair and Vice Chair of the Board shall be elected annually at the second meeting in January of each calendar year.
- 1.5 The term of office for the Chair and Vice Chair of the Board shall commence on January 1 of the year immediately following their election.
- 1.6 The Chair, or in his/her absence, the Vice Chair, are authorized to attend meetings of the San Luis Obispo County Planning Commission, meetings of the California Coastal Commission, meetings of the San Luis Obispo County Board of Supervisors, meetings between District Staff and Water Board Personnel, including either Regional Water Quality Control Staff or State Water Board Staff on behalf of the District, without compensation except reimbursement for use of his/her private vehicle to attend such meetings pursuant to District Policy 11.1(b). If the Chair is absent, the Vice Chair or Board member may attend these meetings.
- 1.7 The Chair, or in his/her absence, the Vice Chair shall meet with the District Administrator in advance of a regularly scheduled meeting to review all Warrants to be presented at the next regular Board meeting.

**2. MEETINGS**

- 2.1 Subject to holidays and scheduling conflicts, regular meetings of the Board of Directors shall commence at 6:00 p.m. on the first and third Wednesday of each calendar month at such meeting location within the District boundaries designated by the Board. The Board of Directors reserves the right to cancel and/or designate other dates, places and times for Director Meetings due to scheduling conflicts and holidays.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

**2.2 SPECIAL MEETINGS**

Special meetings may be called by the Chair or two (2) Directors with a minimum of twenty-four (24) hours public notice. A special meeting agenda shall be prepared and distributed pursuant to the procedures of the Brown Act by the District Administrator in consultation with the Chair, or in his or her absence, the Vice Chair or those Directors calling the meeting.

**2.3** Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.

**2.4** No action or discussion may be taken on an item not on the posted agenda; provided, however, matters deemed to be emergencies or of an urgent nature may be added to the agenda under the procedures of the Brown Act. Pursuant to the Brown Act:

- (a) Directors may briefly respond to statements or questions from the public;
- (b) Directors may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information, or request staff to report back at a subsequent meeting;
- (c) A Director individually, or the Board by motion, may take action to direct the District Administrator to place a matter on a future agenda. If requested by a Director individually, the District Administrator shall inquire whether a majority of the Board wishes to entertain the item; and
- (d) Directors may make brief announcements or make a brief report on his/her own activities under the Director Comment portion of the Agenda.

**2.5 MEETING PROTOCOL**

- (a) Policy. The purpose of oral presentation at District meetings, as well as written presentations, is to formally communicate to the Board of Directors on matters (1) listed on the Agenda, or (2) matters that are within the jurisdiction of the Board of Directors during general public comment. Such presentations are helpful to the Board in its decision- making process. The Board of Directors welcomes information and expressions of opinion from members of the public on any item which it may be considering. However, the Board of Directors is not required to provide a public forum for remarks or conduct in violation of the Rules of Decorum.
- (b) Public Comment. Subject to the following rules, the Board of Directors shall set aside 30 minutes on each agenda item for public comment.
- (c) The Chair, after consideration of the length of the Agenda, the nature of the agenda item, and the meeting limitations of Section 2.1, may expand or further limit the 30-minute time allocation for public comment.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

- (d) Each public commenter shall be limited to three (3) minutes unless shortened or extended by the Chair with consideration of the length of the Agenda, the nature of the agenda item, and the meeting limitations of Sections 2.1, above.

**2.6 DISTURBANCE OF BOARD MEETINGS**

**2.6.1** Rules of Decorum. The rules of decorum, below, shall apply to public comment and attendance at District meetings.

- (a) No person shall address the Board of Directors without first being recognized by the Chair.
- (b) Persons addressing the Board have the option to state their name and their general place of residence.
- (c) Public comment and public testimony shall be directed to the Chair and shall be addressed to the Board of Directors as a whole. Persons addressing the Board of Directors shall not engage in a dialogue with individual Directors, District staff or members of the audience. The Chair shall determine whether, or in what manner, the District will respond to questions.
- (d) Persons addressing the Board are limited to one opportunity per Agenda item unless otherwise directed by the Chair in his/her discretion.
- (e) A person cannot defer his/her time allocation to another person.
- (f) When a group or organization wishes to address the Board on the same subject, the Chair may request that a spokesperson be chosen to speak for that group. The spokesperson's three (3) minute time allocation may be extended by the Chair in his/her discretion.
- (g) Persons addressing the Board shall confine the subject matter of their comments to the Agenda item being considered by the Board of Directors.
- (h) Each person addressing the Board of Directors shall do so in an orderly and civil manner and shall not engage in conduct which disrupts the orderly conduct of the District meeting.
- (i) The Chair may rule a speaker out of order who is unduly repetitious or extending discussion of irrelevance.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

- (j) Except as provided below, persons who reference or read from documents such as reports, exhibits, or letters ("Documents") as part of his/her comment to the Board shall lodge the Document (or a copy) with the District Secretary at the end of the comment, to allow the Document to be appropriately referenced in the meeting Minutes and to allow District staff the opportunity to review and respond to the Document. The Chair has the discretion to strike a speaker's comments from the record for failure to lodge the referenced Documents. Upon request, the lodged Documents shall be returned to the speaker after 1:00 p.m. on the day following the meeting.

Exceptions:

- Speaker's presentation outline, however, Documents referenced in the outline shall be lodged.
- Documents that are in the Agenda packet.
- Documents that have been previously published by the District, so long as the speaker identifies the Document by date, author and the pages referenced or read from.
- For voluminous Documents the speaker need only lodge the cover sheet that identifies the author and date and the pages read from or referenced.

**2.7** Enforcement of Rules of Decorum. Any person who violates the Rules of Decorum may, at the discretion of the Chair, be removed from the meeting. The Rules of Decorum shall be enforced in the following manner:

- (a) Warning. The Chair shall warn the person who is violating the rules of decorum.
- (b) Expulsion. If after receiving a warning from the Chair, the person persists in violating the rules of decorum the Chair shall order the person to leave the Board meeting room for the remainder of the meeting.
- (c) Assisted Removal. If such person does not voluntarily remove himself/herself, the Chair may order any law enforcement officer who is on duty at the meeting, or who may be summoned to the meeting, to remove the person from the Board room.
- (d) Restoration of Order. If order cannot be restored by the removal of individuals who are disrupting the meeting, the Board meeting will be continued under the provisions of Government Code §54957.9

**2.8** Limitations (Government Code §59454.3(c)). The Rules of Decorum shall not be interpreted to prohibit public criticism of the policies, procedures, programs or services of the District.



**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

- 2.9** The Chair, or in his/her absence the Vice Chair, or if both are absent, the Chair's designee as provided by Paragraph 1.3, shall be the presiding officer at District Board meetings. He/she shall conduct all meetings in a manner consistent with the policies of the District. He/she shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board. He/she shall announce the Board's decision on all subjects. He/she shall vote on all questions and on roll call votes his/her name shall be called last.
- 2.10** Two (2) Directors of the Board shall constitute a quorum for the transaction of business. When a quorum is lacking for a regular, adjourned, or special meeting, the Chair, Vice Chair, or any Director shall adjourn such meeting; or, if no Director is present, the District Secretary shall adjourn the meeting.
- 2.11** Except as otherwise specifically provided by law, a majority vote of the total membership of the Board of Directors is required for the Board of Directors to take action.
- 2.12** A roll call vote shall be taken upon the passage of all ordinances and resolutions, and shall be entered in the Minutes of the Board, showing those Directors voting aye, those voting no, those not voting because of a conflict of interest, and absent. A roll call vote shall be taken and recorded on any motion not passed unanimously by the Board. Silence shall be recorded as an affirmative vote.
- 2.13** Any person attending a meeting of the Board of Directors may record the proceedings with an audio or video tape recorder or a still or motion picture camera in the absence of a reasonable finding that the recording cannot continue without disruptive noise, illumination, or obstruction of view that constitutes or would constitute a disruption of the proceedings.
- 2.14** All video tape recorders, still and/or motion picture cameras shall remain stationary and shall be located and operated from behind the public speaker's podium once the meeting begins. The Chair retains the discretion to alter these guidelines, including the authority to require that all video tape recorders, still and/or motion picture cameras be located in the back of the room.

**3. ETHICS TRAINING**

- 3.1** Pursuant to sections 53234 et seq. of the Government Code all Directors and designated District personnel shall receive at least two (2) hours of ethics training every two years.
- 3.2** Each newly appointed Board member will receive such training from their Agency. Each newly designated District personnel shall receive ethics training no later than one year from the first day of service with the District and thereafter shall receive ethics training at least once every two years.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

**4. AGENDAS**

- 4.1** The District Administrator, in cooperation with the Board Chair, shall prepare the agenda for each regular and special meeting of the Board of Directors. Any Director may call the District Administrator and request an item to be placed on the regular meeting agenda no later than 5 p.m. 11 calendar days prior to the meeting date. Such a request must also be submitted in writing either at the time of communication with the District Administrator or delivered to the office within the next working day.
- 4.2** A block of thirty (30) minutes time shall be set aside to receive general public comment. Comments on agenda items should be held until the appropriate item is called. Unless otherwise directed by the Chair, public comment shall be presented from the podium. The person giving public comment may choose to state his/her name and whether or not he/she lives within the District boundary prior to giving his/her comment. Public comment shall be directed to the Chair of the Board and limited to three (3) minutes unless extended or shortened by the Chair at his/her discretion.
- 4.3** Those items on the District Agenda which are considered to be of a routine and non-controversial nature are placed on the "Consent Agenda". These items shall be approved, adopted, and accepted, etc. by one motion of the Board of Directors; for example, approval of Minutes, approval of Warrants, various Resolutions accepting developer improvements, minor budgetary items, status reports, and routine District operations.
- (a)** Directors may request that any item listed under "Consent Agenda" be removed from the "Consent Agenda", and the Board will then take action separately on that item. Members of the public will be given an opportunity to comment on the "Consent Agenda"; however, only a member of the Board of Directors can remove an item from the "Consent Agenda". Items which are removed ("pulled") by Directors of the Board for discussion will typically be heard after other "Consent Agenda" items are approved unless a majority of the Board chooses an earlier or later time.
- (b)** A Director may ask questions on any item on the "Consent Agenda." When a Director has a minor question for clarification concerning a consent item which will not involve extended discussion, the item may be discussed for clarification and the questions will be addressed along with the rest of the "Consent Agenda". Directors are encouraged to seek clarifications prior to the meeting if possible.
- (c)** When a Director wishes to consider/"pull" an item simply to register a dissenting vote, or conflict of interest, the Director shall inform the presiding officer that he/she wishes to register a dissenting vote, or conflict of interest, on a particular item without discussion. The item will be handled along with the rest of the Consent Agenda, and the District Secretary shall register a "no" vote, or conflict of interest, in the Minutes on the item identified by the Director.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

**5. PREPARATION OF MINUTES AND MAINTENANCE OF TAPES**

- 5.1** The minutes of the Board shall be kept by the District Secretary and shall be neatly produced and kept in a file for that purpose, with a record of each particular type of business transacted set off in paragraphs with proper subheads.
- 5.2** The minutes of the Board of Directors shall record the aye and no votes taken by the members of the Board of Directors for the passage or denial of all ordinances, resolutions or motions.
- 5.3** The District Secretary shall be required to make a record only of such business as was actually considered by a vote of the Board and, except as provided in Sections 5.4 and 5.6 below, shall not be required to record any remarks of Directors or any other person.
- 5.4** Any Director may request for inclusion into the Minutes brief comments pertinent to an agenda item, only at the meeting in which the item is discussed. In addition, the minutes shall include brief summaries of public comment, the District Administrator's report, and matters of concern to District legal counsel, District committee reports, and Directors' reports. Materials submitted with such comments shall be appended to the minutes at the request of the District Administrator, District Counsel, the Board Chair, or any Director.
- 5.5** The District Secretary shall attempt to record the names and general place of residence of persons addressing the Board, the title of the subject matter to which their remarks related, and whether they spoke in support or opposition to such matter.
- 5.6** Whenever the Board acts in a quasi-judicial proceeding such as in assessment matters, the District Secretary shall compile a summary of the testimony of the witnesses.

**6. DIRECTORS**

- 6.1** Directors shall prepare themselves to discuss agenda items at meetings of the Board of Directors.
- 6.2** Members of the Board of Directors shall exercise their independent judgment **on** behalf of the interest of the entire District, including the residents, property owners and the public as a whole.
- 6.3** Information may be requested from staff before meetings, within such limitations as required by the Brown Act. Information that is requested or exchanged shall be distributed through the District Administrator, and all Directors will receive a copy of all information being distributed.
- 6.4** Directors should at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

- 6.5** Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions. Civil discourse is encouraged. Once the Board of Directors takes action, dissenting Directors should not create barriers to the implementation of said action.
- 6.6** Except during open and public meetings the use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the Directors to develop a collective concurrence as to action to be taken on an item by the Board of Directors is prohibited.
- 6.7** Directors shall not be prohibited by action of the Board of Directors from citing his or her District affiliation or title in any endorsement or publication, so long as no misrepresentation is made, or implied, about the District's position on the issue.
- 6.8** Directors are cautioned when using e-mail communications. Any communication from the District Administrator, or the District's legal counsel, or from other members of the Board of Directors, in each case the Director in responding to that e-mail shall not respond to "all", as that could constitute a violation of the Brown Act for a serial meeting or other provisions.
- 6.9** Any Director may complain to the District about another Director's conduct.

The complaint shall be made in writing and forwarded to the District Administrator and District Counsel along with supporting information. Within five days, the District will notify the accused Director in writing the substance of the complaint and supporting information. The notice shall also specify that the accused Director has five days to respond with supporting information.

The District Administrator and Counsel shall review the submitted information, investigate further as needed, and forward a preliminary report to the District Board.

The District Board may:

- Do nothing;
- Direct staff to place the matter on a regular meeting agenda;
- Take action in open session at a regular meeting concerning the complaint. Any action taken shall be by resolution and shall be consistent with elected officials' right to free speech.
- Potential actions include, but are not limited to: finding the complaint unfounded, expressing a legislative opinion concerning behavior, and issuing an official reprimand (censure) concerning inappropriate behavior.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

**7. AUTHORITY OF DIRECTORS**

- 7.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.
- 7.2 Directors do not represent any fractional segment of the community but are, rather, a part of the body which represents and acts for the community as a whole.
- 7.3 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.
- 7.4 Directors, when attending other meetings, may refer to their affiliation as a member of the Board of Directors and may make statements on their own behalf or endorsements on their own behalf as long as there is no misrepresentation made or implied about the District's position in regards to the issue presented.

**8. AUTHORITY OF THE DISTRICT ADMINISTRATOR**

The District Administrator shall be responsible for all of the following:

- 8.1 The implementation of the policies established by the Board of Directors for the operation of the District.
- 8.2 The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the District's Personnel Policies as established by the Board of Directors.
- 8.3 The supervision of the District's facilities and services.
- 8.4 The supervision of the District's finances.

**9. DIRECTOR GUIDELINES**

- 9.1 Directors, by making a request to the District Administrator, shall have access to information relative to the operation of the District, including but not limited to statistical information, information serving as the basis for certain actions of Staff, justification for Staff recommendations, etc. If the District Administrator cannot timely provide the requested information by reason of information deficiency, or major interruption in work schedules, workloads, and priorities, then the District Administrator shall inform the individual Director why the information is not or cannot be made available.
- 9.2 In handling complaints from residents or property owners within the District, or other members of the public, Directors are encouraged to listen carefully to the concerns, but the complaint should be referred to the District Administrator for processing and the District's response, if any.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

- 9.3** Directors, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, should refer said concerns directly to the District Administrator.
- 9.4** When approached by District personnel concerning specific District policy, Directors should direct inquiries to the District Administrator. The chain of command should be followed.
- 9.5** Directors and District Administrator should develop a working relationship so that current issues, concerns and District projects can be discussed comfortably and openly.
- 9.6** When responding to constituent request and concerns, Directors should respond to individuals in a positive manner and route their questions to the District Administrator.
- 9.7** Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.
- 9.8** No Board member may participate in a hearing or take action on an item which creates an economic conflict of interest for the member. Where there is an economic conflict of interest, the conflicted member shall announce the nature of the conflict of interest and recuse himself or herself from the hearing or deciding the matter and thereon step down from the dais and leave the room until the matter has been fully considered and voted upon, or otherwise continued.

**10. DIRECTOR COMPENSATION**

- 10.1** Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular, adjourned or special meeting of the Board of Directors attended by him/her.
- 10.2** Each Director is authorized to receive one hundred dollars (\$100) per day as compensation for representation of the District at a public meeting or public hearing conducted by another public agency and/or participation in a training program on a topic that is directly related to the District, provided that the Board of Directors has previously approved the member's participation at a Board of Director's meeting and the member delivers a written report to the Board of Directors at the District's next regular meeting regarding the member's participation.
- 10.3** In no event, shall Director Compensation exceed \$100 per day.
- 10.4** Director compensation shall not exceed six full days in any one calendar month.

**11. DIRECTOR REIMBURSEMENT**

- 11.1** Each Director is entitled to reimbursement for their actual and necessary expenses, including the cost of programs and seminars, incurred in the performance of the duties required or authorized by the Board.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

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

If lodging is in connection with a conference or organized education activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of the Board of Directors at the time of booking. If the group rate is not available, the Director shall use lodging that is comparable with the group rate. Personal phone calls, room service, and other discretionary expenditures are not reimbursable.

- (b) Members of the Board of Directors shall use government and group rates offered by a provider of transportation for travel when available. Directors using his/her private vehicle on District business, shall be compensated at the prevailing IRS per diem mileage rate.
- (c) Any Director traveling on District business shall receive in addition to transportation and lodging expenses, a per diem allowance to cover ordinary expenses such as meals, refreshments and tips. The amount set for per diem shall be considered fair reimbursement. The per diem shall include \$10.00 for breakfast, \$10.00 for lunch, \$20.00 for dinner, for a daily total of \$40.00.
- (d) All travel and other expenses for District business, conferences, or seminars outside of the State of California shall require separate Board authorization, with specific accountability as to how the District shall benefit by such expenditure.

- 11.2** All expenses that do not fall within the reimbursement policy set forth in 11.1, above, shall be approved by the Board of Directors, at a public meeting, before the expense is incurred.
- 11.3** Board members shall submit an expense report on the District form within ten (10) calendar days after incurring the expense. The expense report shall be accompanied by receipts documenting each expense except for per diem allowances.
- 11.4** Members of the Board of Directors shall provide brief reports on meetings attended at the expense of the District at the next regular meeting of the Board of Directors.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

**12. CORRESPONDENCE DISTRIBUTION POLICY**

Time permitting, the following letters and other documents shall be accumulated and delivered to the Board of Directors on Monday of each week and/or with agenda packet.

- 12.1** All letters approved by the Board of Directors and/or signed by the Chair on behalf of the District; and
- 12.2** All letters and other documents received by the District that are of District-wide concern, as determined by District staff.

**13. CONFLICTS AND RELATED POLICY**

State laws are in place which attempt to eliminate any action by a Director or the District which may reflect a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. Laws which regulate conflicts are very complicated. The following provides a brief policy summary of various conflict related laws. Directors are encouraged to consult with District Legal Counsel and/or the Fair Political Practices Commission (FPPC) at 1-800-ASK-FPPC (1-800-275-3772), prior to the day of the meeting, if they have questions about a particular agenda item.

**13.1 Conflict of Interest**

Each Director is encouraged to review the District Conflict Code on an annual basis. The general rule is that an official may not participate in the making of a governmental decision if it is: reasonably foreseeable that the decision will have a material financial effect on the official or a member of his or her immediate family or on an economic interest of the official, and the effect is distinguishable from the effect on the public generally. Additionally, the FPPC regulations relating to interests in real property have recently been changed. If the real property in which the Director has an interest is located within 500 feet of the boundaries of the property affected by decision, that interest is now deemed to be directly involved in the decision.

**13.2 Interest in Contracts, Government Codes Section 1090**

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

**13.3 Incompatible Office**

The basic rule is that public policy requires that when the duties of two offices are repugnant or overlap so that their exercise may require contradictory or inconsistent action, to the detriment to the other public interest, their discharge by one person is incompatible with that interest. When a Director is sworn in for such a second office, he/she is simultaneously terminated from holding the first office.



**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2018 UPDATE**

**14. EVALUATION OF CONSULTANTS**

The District's legal counsel shall be evaluated by the Board of Directors annually during the months of May or June of each year.

**15. CONTINUING EDUCATION**

Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Subject to budgetary constraints, there is no limit to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

**16. BOARD BYLAWS REVIEW POLICY**

The Board Bylaws Policy shall be reviewed annually at the first regular meeting in February. The review shall be provided by District Counsel and ratified by Board action.

**17. RESTRICTIONS ON RULES**

The rules contained herein shall govern the Board in all cases to which they are applicable, and in which they are not inconsistent with State or Federal laws.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~98~~ UPDATE**

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

- 1.1 The officers of the Board of Directors are the Chair and Vice Chair.
- 1.2 The Chair of the Board of Directors shall serve as Chair at all Board meetings. He/she shall have the same rights as the other Directors of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.
- 1.3 In the absence of the Chair, the Vice Chair of the Board of Directors shall serve as Chair over all meetings of the Board. If the Chair and Vice Chair of the Board will both be absent, the Chair may name any member of the Board to perform the duties of the presiding officer prior to the meeting. If the Chair's absence is unexpected, the Chair shall be as specified by standing order of the Chair.
- 1.4 The Chair and Vice Chair of the Board shall be elected annually at the second meeting in January of each calendar year.
- 1.5 The term of office for the Chair and Vice Chair of the Board shall commence on ~~February~~January 1 of the year immediately following their election.
- 1.6 The Chair, or in his/her absence, the Vice Chair, are authorized to attend meetings of the San Luis Obispo County Planning Commission, meetings of the California Coastal Commission, meetings of the San Luis Obispo County Board of Supervisors, meetings between District Staff and Water Board Personnel, including either Regional Water Quality Control Staff or State Water Board Staff on behalf of the District, without compensation except reimbursement for use of his/her private vehicle to attend such meetings pursuant to District Policy 11.1(b). If the Chair is absent, the Vice Chair or Board member may attend these meetings.
- 1.7 The Chair, or in his/her absence, the Vice Chair shall meet with the District Administrator in advance of a regularly scheduled meeting to review all Warrants to be presented at the next regular Board meeting.

**2. MEETINGS**

- 2.1 Subject to holidays and scheduling conflicts, regular meetings of the Board of Directors shall commence at 6:00 p.m. on the first and third Wednesday of each calendar month at such meeting location within the District boundaries designated by the Board. The Board of Directors reserves the right to cancel and/or designate other dates, places and times for Director Meetings due to scheduling conflicts and holidays.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

**2.2 SPECIAL MEETINGS**

Special meetings may be called by the Chair or two (2) Directors with a minimum of twenty-four (24) hours public notice. A special meeting agenda shall be prepared and distributed pursuant to the procedures of the Brown Act by the District Administrator in consultation with the Chair, or in his or her absence, the Vice Chair or those Directors calling the meeting.

**2.3** Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.

**2.4** No action or discussion may be taken on an item not on the posted agenda; provided, however, matters deemed to be emergencies or of an urgent nature may be added to the agenda under the procedures of the Brown Act. Pursuant to the Brown Act:

- (a) Directors may briefly respond to statements or questions from the public;
- (b) Directors may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information, or request staff to report back at a subsequent meeting;
- (c) A Director individually, or the Board by motion, may take action to direct the District Administrator to place a matter on a future agenda. If requested by a Director individually, the District Administrator shall inquire whether a majority of the Board wishes to entertain the item; and
- (d) Directors may make brief announcements or make a brief report on his/her own activities under the Director Comment portion of the Agenda.

**2.5 MEETING PROTOCOL**

- (a) Policy. The purpose of oral presentation at District meetings, as well as written presentations, is to formally communicate to the Board of Directors on matters (1) listed on the Agenda, or (2) matters that are within the jurisdiction of the Board of Directors during general public comment. Such presentations are helpful to the Board in its decision- making process. The Board of Directors welcomes information and expressions of opinion from members of the public on any item which it may be considering. However, the Board of Directors is not required to provide a public forum for remarks or conduct in violation of the Rules of Decorum.
- (b) Public Comment. Subject to the following rules, the Board of Directors shall set aside 30 minutes on each agenda item for public comment.
- (c) The Chair, after consideration of the length of the Agenda, the nature of the agenda item, and the meeting limitations of Section 2.1, may expand or further limit the 30-minute time allocation for public comment.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

- (d) Each public commenter shall be limited to three (3) minutes unless shortened or extended by the Chair with consideration of the length of the Agenda, the nature of the agenda item, and the meeting limitations of Sections 2.1, above.

**2.6 DISTURBANCE OF BOARD MEETINGS**

**2.6.1 Rules of Decorum.** The rules of decorum, below, shall apply to public comment and attendance at District meetings.

- (a) No person shall address the Board of Directors without first being recognized by the Chair.
- (b) Persons addressing the Board have the option to state their name and their general place of residence.
- (c) Public comment and public testimony shall be directed to the Chair and shall be addressed to the Board of Directors as a whole. Persons addressing the Board of Directors shall not engage in a dialogue with individual Directors, District staff or members of the audience. The Chair shall determine whether, or in what manner, the District will respond to questions.
- (d) Persons addressing the Board are limited to one opportunity per Agenda item unless otherwise directed by the Chair in his/her discretion.
- (e) A person cannot defer his/her time allocation to another person.
- (f) When a group or organization wishes to address the Board on the same subject, the Chair may request that a spokesperson be chosen to speak for that group. The spokesperson's three (3) minute time allocation may be extended by the Chair in his/her discretion.
- (g) Persons addressing the Board shall confine the subject matter of their comments to the Agenda item being considered by the Board of Directors.
- (h) Each person addressing the Board of Directors shall do so in an orderly and civil manner and shall not engage in conduct which disrupts the orderly conduct of the District meeting.
- (i) The Chair may rule a speaker out of order who is unduly repetitious or extending discussion of irrelevance.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

- (j) Except as provided below, persons who reference or read from documents such as reports, exhibits, or letters ("Documents") as part of his/her comment to the Board shall lodge the Document (or a copy) with the District Secretary at the end of the comment, to allow the Document to be appropriately referenced in the meeting Minutes and to allow District staff the opportunity to review and respond to the Document. The Chair has the discretion to strike a speaker's comments from the record for failure to lodge the referenced Documents. Upon request, the lodged Documents shall be returned to the speaker after 1:00 p.m. on the day following the meeting.

**2.6.2 Exceptions:**

- (a) Speaker's presentation outline. ~~However,~~ ~~Documents~~ referenced in the outline shall be lodged.
- (b) Documents that are in the Agenda packet.
- (c) Documents that have been previously published by the District, so long as the speaker identifies the Document by date, author and the pages referenced or read from.
- (d) For voluminous Documents the speaker need only lodge the cover sheet that identifies the author and date and the pages read from or referenced.

**2.7 Enforcement of Rules of Decorum.** Any person who violates the Rules of Decorum may, at the discretion of the Chair, be removed from the meeting. The Rules of Decorum shall be enforced in the following manner:

- (a) Warning. The Chair shall warn the person who is violating the rules of decorum.
- (b) Expulsion. If after receiving a warning from the Chair, the person persists in violating the rules of decorum the Chair shall order the person to leave the Board meeting room for the remainder of the meeting.
- (c) Assisted Removal. If such person does not voluntarily remove himself/herself, the Chair may order any law enforcement officer who is on duty at the meeting, or who may be summoned to the meeting, to remove the person from the Board room.
- (d) Restoration of Order. If order cannot be restored by the removal of individuals who are disrupting the meeting, the Board meeting will be continued under the provisions of Government Code §54957.9

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

- 2.8** Limitations (Government Code §59454.3(c)). The Rules of Decorum shall not be interpreted to prohibit public criticism of the policies, procedures, programs or services of the District.
-

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

- 2.9** The Chair, or in his/her absence the Vice Chair, or if both are absent, the Chair's designee as provided by Paragraph 1.3, shall be the presiding officer at District Board meetings. He/she shall conduct all meetings in a manner consistent with the policies of the District. He/she shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board. He/she shall announce the Board's decision on all subjects. He/she shall vote on all questions and on roll call votes his/her name shall be called last.
- 2.10** Two (2) Directors of the Board shall constitute a quorum for the transaction of business. When a quorum is lacking for a regular, adjourned, or special meeting, the Chair, Vice Chair, or any Director shall adjourn such meeting; or, if no Director is present, the District Secretary shall adjourn the meeting.
- 2.11** Except as otherwise specifically provided by law, a majority vote of the total membership of the Board of Directors is required for the Board of Directors to take action.
- 2.12** A roll call vote shall be taken upon the passage of all ordinances and resolutions, and shall be entered in the Minutes of the Board, showing those Directors voting aye, those voting no, those not voting because of a conflict of interest, abstention ~~or~~ absent. A roll call vote shall be taken and recorded on any motion not passed unanimously by the Board. Silence shall be recorded as an affirmative vote.
- 2.13** Any person attending a meeting of the Board of Directors may record the proceedings with an audio or video tape recorder or a still or motion picture camera in the absence of a reasonable finding that the recording cannot continue without disruptive noise, illumination, or obstruction of view that constitutes or would constitute a disruption of the proceedings.
- 2.14** All video tape recorders, still and/or motion picture cameras shall remain stationary and shall be located and operated from behind the public speaker's podium once the meeting begins. The Chair retains the discretion to alter these guidelines, including the authority to require that all video tape recorders, still and/or motion picture cameras be located in the back of the room.

**3. ETHICS TRAINING**

- 3.1** Pursuant to sections 53234 et seq. of the Government Code all Directors and designated District personnel shall receive at least two (2) hours of ethics training every two years.
-

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

- 3.2** Each newly appointed Board member will receive such training from their Agency. Each newly designated District personnel shall receive ethics training no later than one year from the first day of service with the District and thereafter shall receive ethics training at least once every two years.
-



**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

**4. AGENDAS**

- 4.1** The District Administrator, in cooperation with the Board Chair, shall prepare the agenda for each regular and special meeting of the Board of Directors. Any Director may call the District Administrator and request an item to be placed on the regular meeting agenda no later than 5 p.m. eleven (11) calendar days prior to the meeting date. Such a request must also be submitted in writing either at the time of communication with the District Administrator or delivered to the office within the next working day.
- 4.2** A block of thirty (30) minutes time shall be set aside to receive general public comment. Comments on agendized items should be held until the appropriate item is called. Unless otherwise directed by the Chair, public comment shall be presented from the podium. The person giving public comment may choose to state his/her name and whether or not he/she lives within the District boundary prior to giving his/her comment. Public comment shall be directed to the Chair of the Board and limited to three (3) minutes unless extended or shortened by the Chair at his/her discretion.
- 4.3** Those items on the District Agenda which are considered to be of a routine and non-controversial nature are placed on the "Consent Agenda". These items shall be approved, adopted, and accepted, ~~etc.~~ by one motion of the Board of Directors; for examples of routine items include, approval of Minutes, approval of Warrants, various Resolutions accepting developer improvements, minor budgetary items, status reports, and routine District operations.
- (a) Directors may request that any item listed under "Consent Agenda" be removed from the "Consent Agenda", and the Board will then take action separately on that item. Members of the public will be given an opportunity to comment on the "Consent Agenda"; however, only a member of the Board of Directors can remove an item from the "Consent Agenda". Items which are removed ("pulled") by Directors of the Board for discussion will typically be heard after other "Consent Agenda" items are approved unless a majority of the Board chooses an earlier or later time.
- (b) A Director may ask questions on any item on the "Consent Agenda." When a Director has a minor question for clarification concerning a consent item which will not involve extended discussion, the item may be discussed for clarification and the questions will be addressed along with the rest of the "Consent Agenda". Directors are encouraged to seek clarifications prior to the meeting if possible.
-

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

- (c) When a Director wishes to consider/"pull" an item simply to register a dissenting vote, or conflict of interest, the Director shall inform the presiding officer that he/she wishes to register a dissenting vote, or conflict of interest, on a particular item without discussion. The item will be handled along with the rest of the Consent Agenda, and the District Secretary shall register a "no" vote, or abstention due to a conflict of interest, ~~in the Minutes on the item identified by the Director.~~

**5. PREPARATION OF MINUTES AND MAINTENANCE OF TAPES**

- 5.1** The minutes of the Board shall be kept by the District Secretary and shall be neatly produced and kept in a file for that purpose, with a record of each particular type of business transacted set off in paragraphs with proper subheads.
- 5.2** The minutes of the Board of Directors shall record the aye and no votes taken by the members of the Board of Directors for the passage or denial of all ordinances, resolutions or motions.
- 5.3** The District Secretary shall be required to make a record only of such business as was actually considered by a vote of the Board and, except as provided in Sections 5.4 and 5.6 below, shall not be required to record any remarks of Directors or any other person.
- 5.4** Any Director may request for inclusion into the Minutes brief comments pertinent to an agenda item, only at the meeting in which the item is discussed. In addition, the minutes shall include brief summaries of public comment, the District Administrator's report, and matters of concern to District legal counsel, District committee reports, and Directors' reports. Materials submitted with such comments shall be appended to the minutes at the request of the District Administrator, District Counsel, the Board Chair, or any Director.
- 5.5** The District Secretary shall attempt to record the names and general place of residence of persons addressing the Board, the title of the subject matter to which their remarks related, and whether they spoke in support or opposition to such matter.
- 5.6** Whenever the Board acts in a quasi-judicial proceeding such as in assessment matters, the District Secretary shall compile a summary of the testimony of the witnesses.

**6. DIRECTORS**

- 6.1** Directors shall prepare themselves to discuss agenda items at meetings of the Board of Directors.
- 6.2** Members of the Board of Directors shall exercise their independent judgment **on** behalf of the interest of the entire District, including the residents, property owners and the public as a whole.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

- 6.3** Information may be requested from staff before meetings, within such limitations as required by the Brown Act. Information that is requested or exchanged shall be distributed through the District Administrator, and all Directors will receive a copy of all information being distributed.
- 6.4** Directors should at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.
-

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

- 6.5** Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions. Civil discourse is encouraged. Once the Board of Directors takes action, dissenting Directors should not create barriers to the implementation of said action.
- 6.6** Except during open and public meetings the use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the Directors to develop a collective concurrence as to action to be taken on an item by the Board of Directors is prohibited.
- 6.7** Directors shall not be prohibited by action of the Board of Directors from citing his or her District affiliation or title in any endorsement or publication, so long as no misrepresentation is made, or implied, about the District's position on the issue.
- 6.8** Directors are cautioned when using e-mail communications. Any communication from the District Administrator, or the District's legal counsel, or from other members of the Board of Directors, in each case the Director in responding to that e-mail shall not respond to "all", as that could constitute a violation of the Brown Act for a serial meeting or other provisions.
-

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

**6.9** Any Director may complain to the District about another Director's conduct.

The complaint shall be made in writing and forwarded to the District Administrator and District Counsel along with supporting information. Within five days, the District will notify the accused Director in writing the substance of the complaint and supporting information. The notice shall also specify that the accused Director has five days to respond with supporting information.

The District Administrator and Counsel shall review the submitted information, investigate further as needed, and forward a preliminary report to the District Board.

The District Board may:

- Do nothing;
- Direct staff to place the matter on a regular meeting agenda;
- Take action in open session at a regular meeting concerning the complaint. Any action taken shall be by resolution and shall be consistent with elected officials' right to free speech.
- Potential actions include, but are not limited to: finding the complaint unfounded, expressing a legislative opinion concerning behavior, and issuing an official reprimand (censure) concerning inappropriate behavior.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~98~~<sup>99</sup> UPDATE**

**7. AUTHORITY OF DIRECTORS**

- 7.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.
- 7.2 Directors do not represent any fractional segment of the ~~community~~District but are, rather, a part of the body which represents and acts for the ~~community~~District as a whole.
- 7.3 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.
- 7.4 Directors, when attending other meetings, may refer to their affiliation as a member of the Board of Directors and may make statements on their own behalf or endorsements on their own behalf as long as there is no misrepresentation made or implied about the District's position in regards to the issue presented.

**8. AUTHORITY OF THE DISTRICT ADMINISTRATOR**

The District Administrator shall be responsible for all of the following:

- 8.1 The implementation of the policies established by the Board of Directors for the operation of the District.
- 8.2 The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the District's Personnel Policies as established by the Board of Directors.
- 8.3 The supervision of the District's facilities and services.
- 8.4 The supervision of the District's finances.

**9. DIRECTOR GUIDELINES**

- 9.1 Directors, by making a request to the District Administrator, shall have access to information relative to the operation of the District, including but not limited to statistical information, information serving as the basis for certain actions of Staff, justification for Staff recommendations, etc. If the District Administrator cannot timely provide the requested information by reason of information deficiency, or major interruption in work schedules, workloads, and priorities, then the District Administrator shall inform the individual Director why the information is not or cannot be made available.
- 9.2 In handling complaints from residents or property owners within the District, or other members of the public, Directors are encouraged to listen carefully to the

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

concerns, but the complaint should be referred to the District Administrator for processing and the District's response, if any.

---

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 2019~~8~~ UPDATE**

- 9.3** Directors, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, should refer said concerns directly to the District Administrator.
- 9.4** When approached by District personnel concerning specific District policy, Directors should direct inquiries to the District Administrator. The chain of command should be followed.
- 9.5** Directors and District Administrator should develop a working relationship so that current issues, concerns and District projects can be discussed comfortably and openly.
- 9.6** When responding to constituent request and concerns, Directors should respond to individuals in a positive manner and route their questions to the District Administrator.
- 9.7** Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.
- 9.8** No Board member may participate in a hearing or take action on an item which creates an economic conflict of interest for the member. Where there is an economic conflict of interest, the conflicted member shall announce the nature of the conflict of interest and recuse himself or herself from the hearing or deciding the matter and thereon step down from the dais and leave the room until the matter has been fully considered and voted upon, or otherwise continued.

**10. DIRECTOR COMPENSATION**

- 10.1** Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular, adjourned or special meeting of the Board of Directors attended by him/her.
- 10.2** Each Director is authorized to receive one hundred dollars (\$100) per day as compensation for representation of the District at a public meeting or public hearing conducted by another public agency and/or participation in a training program on a topic that is directly related to the District, provided that the Board of Directors has previously approved the member's participation at a Board of Director's meeting and the member delivers a written report to the Board of Directors at the District's next regular meeting regarding the member's participation.
- 10.3** In no event, shall Director Compensation exceed \$100 per day.
- 10.4** Director compensation shall not exceed six full days in any one calendar month.

**11. DIRECTOR REIMBURSEMENT**

- 11.1** Each Director is entitled to reimbursement for their actual and necessary expenses, including the cost of programs and seminars, incurred in the performance of the duties required or authorized by the Board.



**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

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

If lodging is in connection with a conference or organized education activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of the Board of Directors at the time of booking. If the group rate is not available, the Director shall use lodging that is comparable with the group rate. Personal phone calls, room service, and other discretionary expenditures are not reimbursable.

- (b)** Members of the Board of Directors shall use government and group rates offered by a provider of transportation for travel when available. Directors using his/her private vehicle on District business, shall be compensated at the prevailing IRS per diem mileage rate.
-

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

- (c) Any Director traveling on District business shall receive in addition to transportation and lodging expenses, a per diem allowance to cover ordinary expenses such as meals, refreshments and tips. The amount set for per diem shall be considered fair reimbursement. The per diem shall include ~~\$10.00 for breakfast, \$10.00 for lunch, \$20.00 for and~~ dinner, ~~for a daily total of \$40.00.~~ The per diem rate shall be pursuant to current General Services Administration annually published rates for San Luis Obispo County at: [gsa.gov](http://gsa.gov).
  - (d) All travel and other expenses for District business, conferences, or seminars outside of the State of California shall require separate Board authorization, with specific accountability as to how the District shall benefit by such expenditure.
- 11.2** All expenses that do not fall within the reimbursement policy set forth in 11.1, above, shall be approved by the Board of Directors, at a public meeting, before the expense is incurred.
- 11.3** Board members shall submit an expense report on the District form within ten (10) calendar days after incurring the expense. The expense report shall be accompanied by receipts documenting each expense except for per diem allowances.
- 11.4** Members of the Board of Directors shall provide brief reports on meetings attended at the expense of the District at the next regular meeting of the Board of Directors and as required by AB 1234.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

**12. CORRESPONDENCE DISTRIBUTION POLICY**

Time permitting, the following letters and other documents shall be accumulated and delivered to the Board of Directors on Monday of each week and/or with agenda packet.

**12.1** All letters approved by the Board of Directors and/or signed by the Chair on behalf of the District; and

**12.2** All letters and other documents received by the District that are of District-wide concern, as determined by District staff.

**13. CONFLICTS AND RELATED POLICY**

State laws are in place which attempt to eliminate any action by a Director or the District which may reflect a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. Laws which regulate conflicts are very complicated. The following provides a brief policy summary of various conflict related laws. Directors are encouraged to consult with District Legal Counsel and/or the Fair Political Practices Commission (FPPC) at 1-800-ASK-FPPC (1-800-275-3772), prior to the day of the meeting, if they have questions about a particular agenda item.

---

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

**13.1 Conflict of Interest**

Each Director is encouraged to review the District Conflict Code on an annual basis. The general rule is that an official may not participate in the making of a governmental decision if it is: reasonably foreseeable that the decision will have a material financial effect on the official or a member of his or her immediate family or on an economic interest of the official, and the effect is distinguishable from the effect on the public generally. Additionally, the FPPC regulations relating to interests in real property have recently been changed. If the real property in which the Director has an interest is located within 500 feet of the boundaries of the property affected by decision, that interest is now deemed to be directly involved in the decision. The existing Regulation 18702.2 eliminated a prior bright-line 500-foot rule. Determining materiality where a property is more than 500 feet from the property subject to the decision is more complicated and subjective, and requires a comprehensive review of all factors that potentially affect the value of the property.

**13.2 Interest in Contracts, Government Codes Section 1090**

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

**13.3 Incompatible Office**

The basic rule is that public policy requires that when the duties of two offices are repugnant or overlap so that their exercise may require contradictory or inconsistent action, to the detriment to the other public interest, their discharge by one person is incompatible with that interest. When a Director is sworn in for such a second office, he/she is simultaneously terminated from holding the first office.

---

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

**14. EVALUATION OF CONSULTANTS**

The District's legal counsel shall be evaluated by the Board of Directors annually during the months of May or June of each year.

**15. CONTINUING EDUCATION**

Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Subject to budgetary constraints, there is no limit to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

**16. BOARD BYLAWS REVIEW POLICY**

The Board Bylaws Policy shall be reviewed annually at the first regular meeting in February. The review shall be provided by District Counsel and ratified by Board action.

---

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
BOARD OF DIRECTORS BYLAWS  
FEBRUARY 201~~9~~<sup>8</sup> UPDATE**

**17. RESTRICTIONS ON RULES**

The rules contained herein shall govern the Board in all cases to which they are applicable, and in which they are not inconsistent with State or Federal laws.