



September 28, 2016

TO: LOCSO Board of Directors
FROM: Roy A. Hanley, General Counsel

SUBJECT: Agenda Item 12A – 10/6/2016 Board Meeting
Discussion and Potential Action Regarding Los Osos
Community Services District Sponsored Candidates Forum

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DESCRIPTION

A candidate for the Board of Directors of the Los Osos Community Services District has inquired as to the District's willingness to sponsor a televised candidates forum for those people seeking to be elected to the Los Osos Community Services District Board of Directors. This is a policy issue for the Board and not something that the staff can decide on its own.

STAFF RECOMMENDATION

Staff has no recommendation for or against sponsoring a televised forum. If the Board elects to sponsor such a forum, General Counsel recommends that the Board of Directors specify a date, time and place, and choose a format or process for the forum that is neutral as to all candidates.

DISCUSSION

This is purely a policy decision for the Board of Directors. The matter is on the agenda at the request of Board Member Jon-Erik Storm. Normally, staff would present an issue to the Board solely to see if the Board wanted to have the item on a future agenda. However, since the election is in November, staff felt following the normal process would prevent the Board from making a timely policy decision unless the issue was placed on the agenda for action.

The Board of Directors is not required to sponsor a televised forum. The Board of Directors, however, is free to do so if it so desires. If the Board chooses to sponsor an event, the Board is free to set the ground rules for the event so long as the rules set forth are not designed to favor any particular candidate. Other than that, the event is a Board event, the Board's exercise of free speech. The limit on not favoring a particular candidate or candidates is a result of the rule of law that public money cannot be spent to advocate for a particular candidate or issue. Otherwise, so long as no public money is spent, a Board can state an opinion on a public issue. (See item 12B as an example)