



LOS OSOS COMMUNITY SERVICES DISTRICT

2122 9th Street, Suite 102, Los Osos, CA 93402
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REGULAR MEETING OF THE BOARD OF DIRECTORS

Thursday, November 5, 2015 – 6:00 PM Closed Session – 7:00 PM Open Session
Sea Pines Golf Resort, 1945 Solano Street, Los Osos, CA 93402

Board of Directors

R. Michael Wright, President
Marshall E. Ochylski, Vice President
Charles L. Cesena, Director
Jon-Erik G. Storm, Director
Louis G. Tornatzky, Director

AGENDA

This agenda is prepared and posted pursuant to Government Code §54954.2. District prepared staff reports and documents are normally available on the District website www.losososcscsd.org on the date the agenda is posted or at the District Office. Any writing or document pertaining to an open session item on this agenda which is distributed to the Board of Directors after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed at the District Office during normal business hours, and may be posted on the District's website at www.losososcscsd.org.

Please silence all cell phones during the meeting as a courtesy to others.

Consistent with the Americans with Disabilities Act and California Government Code §549542, requests for disability related modification or accommodation including auxiliary aids or services may be made by a person with a disability who requires the modification or accommodation in order to participate at the referenced public meeting by contacting the General Manager at 805-528-9370 or at the District Office during normal business hours.

1. OPENING – 6:00 PM

A. Call to Order, Pledge of Allegiance, and Roll Call

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

A. EXISTING LITIGATION (Government Code §54956.9(d) (1).)

Conference with Legal Counsel Regarding Existing Litigation (Formally initiated):

- *In re Los Osos Community Services District* (ND-06-10548) United States Bankruptcy Court, Central District of California, Northern Division
- *LOCSD v. Golden State et al* (Groundwater Adjudication), Case No. CV040126 (San Luis Obispo Superior Court)

B. ANTICIPATED LITIGATION (Government Code §54956.9(b))

Conference with Legal Counsel Regarding Anticipated Litigation (3 cases)

C. REAL PROPERTY MATTERS (Government Code §54956.8)

- Conference with Real Property Negotiator
Properties: 2030 10th Street, Los Osos, CA and 2122 9th Street, Los Osos, CA
District Negotiator: Kathy A. Kivley, General Manager
Negotiating Party: Thomas R. Kellaway, Property Owner and George Contento, Property Owner
Issue: Provide instructions to Negotiator

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS

Public comment and public testimony shall be directed to the Board President and shall be addressed to the Board of Directors as a whole. Each person addressing the Board of Directors shall do so in an orderly and civil manner. **Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.**

4. ADJOURN TO CLOSED SESSION

5. RECONVENE TO OPEN SESSION – 7:00 PM

6. REPORT OUT OF CLOSED SESSION MEETINGS OF NOVEMBER 5, 2015 – Legal Counsel Seitz

7. PRESENTATIONS AND PUBLIC HEARINGS

- A. League of Women Voters Civility Project Report [Adopt Resolution 2015-29]

8. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Members of the public may address the Board relating to any item of interest within the Board's jurisdiction but *not* on its agenda today. Public comment and public testimony shall be directed to the Board President and shall be addressed to the Board of Directors as a whole. Please state your name before addressing the Board. Each person addressing the Board of Directors shall do so in an orderly and civil manner. **Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.**

9. ADMINISTRATIVE AND COMMITTEE REPORTS

- A. Fire Department Report
- B. Utilities Department Report
- C. General Manager Report
- D. Legal Counsel Report
- E. Los Osos Community Advisory Council (LOCAC) Report
- F. Los Osos/Baywood Park Chamber of Commerce Report
- G. Emergency Services Advisory Committee
- H. Utilities Advisory Committee
- I. Finance Advisory Committee
- J. Park and Recreation Subcommittee Report
- K. South Bay Community Center Ad Hoc Committee Report
- L. Directors' Announcements of District and Community Interest and Reports on Attendance at Public Meetings, Training Programs, Conferences, and Seminars

10. PUBLIC COMMENT FOR ITEMS ON THE ADMINISTRATIVE AND COMMITTEE REPORTS AND THE CONSENT AGENDA (EXCEPT ITEMS PULLED FOR SEPARATE CONSIDERATION)

Public comment and public testimony shall be directed to the Board President and shall be addressed to the Board of Directors as a whole. Please state your name before addressing the Board. Each person addressing the Board of Directors shall do so in an orderly and civil manner. **Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.**

11. CONSENT AGENDA

Any item from the Consent Agenda can be removed by a member of the Board of Directors for separate consideration. Consent Agenda items are considered routine and do not require separate discussion. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda unless an item has been pulled for separate consideration. Items pulled for separate consideration will be heard after all other Action Items listed on the agenda.

- A. Receive Administrative and Committee Reports [Recommend receive and file reports]
- B. Approve Meeting Minutes of September 1, 2015, September 3, 2015 and October 12, 2015 [Recommend approval of minutes]

- C. Receive Warrant Register for September 2015 and October 2015 [Recommend receive and file warrants]
- D. Receive Statement of Revenue and Expenditure through September 30, 2015 [Recommend receive and file reports]
- E. Declare Utility Vehicle Surplus to District Needs and Approve the Sale of the Vehicle [Adopt Resolution 2015-27]
- F. Authorize Destruction or Disposal of Certain District Records, Documents and Papers [Adopt Resolution 2015-28]
- G. Detailed Description of Findings for Fiscal Year 2013/14 Audit [Receive and File]

12. GENERAL ACTION ITEMS

- A. Award Bid for 16th Street Tanks Maintenance Coating Spot Repairs [Recommend award contract to Paso Robles Tank for an amount not to exceed \$37,462.50]

13. DISCUSSION OF PULLED CONSENT ITEMS

Items pulled for separate consideration from the Consent Agenda, if any, will be heard at this time.

14. FUTURE AGENDA ITEMS

Requests from Board members to receive feedback, direct Staff to prepare information and/or request a formal agenda report be prepared and the item placed on a future agenda. No formal action can be taken.

15. CLOSING BOARD COMMENTS

16. ADJOURNMENT

Respectfully submitted,



Kathy A. Kivley, General Manager

This is to certify that this agenda was posted at the Los Osos Community Services District Office and distributed according to requests on October 30, 2015.



Ann Kudart, Administrative/Accounting Assistant III