



March 2, 2023

**TO:** LOCSD Board of Directors  
**FROM:** Ron Munds, General Manager  
Laura Durban, Administrative Services Manager  
**SUBJECT: Agenda Item 10B- 03/02/2023 Board Meeting**  
Approve Prior Meeting Minutes

**President**  
Charles L Cesena

**Vice President**  
Marshall E. Ochylski

**Directors**  
Matthew D. Fourcroy  
Troy C. Gatchell  
Christine M. Womack

**General Manager**  
Ron Munds

**District Accountant**  
Robert Stilts, CPA

**Unit Chief**  
John Owens

**Battalion Chief**  
Paul Provence

**DESCRIPTION**

Attached are the minutes of the Board of Directors meeting held February 2, 2023, February 7, 2023, February 14, 2023 and February 21, 2023 for your approval.

**STAFF RECOMMENDATION**

This item will be approved along with the Consent Calendar unless it is pulled by a Director for separate consideration. If so, Staff recommends that the Board adopt the following motion:

***Motion: I move that the Board approve the minutes of the Board of Directors meeting held February 2, 2023, February 7, 2023, February 14, 2023 and February 21, 2023.***

Attachment  
02/02/2023 Draft Board of Directors Meeting Minutes  
02/07/2023 Draft Board of Directors Special Meeting Minutes  
02/14/2023 Draft Board of Directors Special Meeting Minutes  
02/21/2023 Draft Board of Directors Special Meeting Minutes

**Mailing Address:**  
P.O. Box 6064  
Los Osos, CA 93412

**Offices:**  
2122 9<sup>th</sup> Street, Suite 110  
Los Osos, CA 93402

**Phone:** 805/528-9370  
**FAX:** 805/528-9377

[www.losososcscsd.org](http://www.losososcscsd.org)

**Los Osos Community Services District**  
**DRAFT - Minutes of the Regular Meeting of February 02, 2023**

AGENDA ITEM	DISCUSSION OR ACTION
<p><b>1. CALL TO ORDER FLAG SALUTE ROLL CALL</b></p>	<p>President Cesena called the meeting to order at 5:00 p.m. and led the flag salute.</p> <p>Roll Call:            Matthew Fourcroy, Director – Present            Troy Gatchell, Director- Absent            Christine Womack, Director – Present            Marshall Ochylski, Vice President – Present            Chuck Cesena, President – Present</p> <p>The following Staff was present:            Ron Munds, General Manager            Thomas Green, District Counsel            Laura Durban, Administrative Services Manager            Margaret Falkner, Utility Systems Manager</p>
<p><b>2. ANNOUNCEMENT OF CLOSED SESSION</b></p> <p><b>A. Anticipated Litigation (Pursuant to Government Code §54956.9 (d)(2)) – Conference with District Counsel regarding anticipated litigation related to the Vista de Oro Incident. Number of cases: unknown</b></p> <p><b>B. Employment [Pursuant to Government Code §54957 (b)(1)] - District Legal Counsel</b></p>	<p>President Cesena announced closed session Pursuant to Government Code §54956.9 (d)(2) and Government Code §54957 (b)(1).</p> <p>Public Comment - None</p>
<p><b>3. Adjournment to Closed Session</b></p>	<p>President Cesena adjourned to Closed Session at 5:02 p.m.</p>
<p><b>4. Reconvene to Open Session</b></p>	<p>President Cesena called the meeting to order at 6:00 p.m.</p>
<p><b>5. Report out of Closed Session Meeting</b></p>	<p>Counsel Green reported that Staff was authorized to retain an attorney to help the District with FEMA issues. Staff is allowed to enter into negotiations with an insurance attorney to help the District determine what they should be getting coverage for related to the Vista de Oro incident</p>
<p><b>6. GENERAL ACTION ITEMS</b></p> <p><b>A. Approve Fiscal Year 2022/2023 Mid-Year Budget Adjustments</b></p> <p><b>B. Funding Strategy for the Cabrillo Storm Water Basin Repairs</b></p>	<p>General Manager Munds presented commenting on Funds 100, 301, 500 and 800.</p> <p>Public Comment – None</p> <p>Vice President Ochylski commented that the FAC Committee recommended approval.</p> <p><b>A motion was made by Vice President Ochylski that the Board approve the Mid-Year Adjustment requests as presented for Funds 100, 301, 500 and 800. The motion was seconded by Director Womack and carried with unanimous consent.</b></p> <p>General Manager Munds presented funding strategies for the Cabrillo Basin repairs.</p> <p>Public Comment – Victoria Conant Weir inquired if the basin repair plans include redirecting the water away from homes should there be another failure.</p> <p>General Manager Munds responded that analysis on the basis and updated design and engineering should stop a failure from happening again.</p> <p>Nora Mashon inquired why the incident happened.</p> <p>General Manager Munds responded it is under investigation and that an engineering report would be produced after the investigation.</p>

<p style="text-align: center;"><b>C. Review of Emergency Contracting Procedures per Public Contract Code §22050 and Update on Vista de Oro Incident</b></p>	<p><b>A motion was made by Director Fourcroy that the Board move forward with interfund loans from Funds 301/500, using funds from Fund 500 first, backfill with Fund 301 funds as needed; Direct staff to provide Board with a loan repayment schedule, interest rate information, cash flow analysis for fund 800 and a report and resolution to approve; and Authorize the spending of the Fund 800 reserves for immediate expenses related to the temporary and permanent repair of the Cabrillo storm water basin. The motion was seconded by Director Womack and carried with unanimous consent.</b></p> <p>General Manager Munds presented a review of Emergency Contracting procedures and updates on the Vista de Oro incident.</p> <p>Director Fourcroy commented on steps that are being taken to move things forward.</p> <p>President Cesena commented on the hiring of FEMA and an insurance attorney.</p> <p>Public Comment – Julie Quillan inquired if the Districts’ process is hindered by resident’s processing their claims.</p> <p>Counsel Green responded that residents should pursue as aggressively as they can.</p> <p><b>A motion was made by Vice President Ochylski that the Board adopt Resolution 2023-06 Reaffirming the delegation of authority to General Manager or his designee pursuant to public contract code section 22050(b) to enter into emergency public works contracts. The motion was seconded by Director Womack and carried with the following vote:</b></p> <p><b>Ayes: Directors Ochylski, Womack, Fourcroy, Cesena</b>  <b>Nays: None</b>  <b>Abstain: None</b>  <b>Absent: Gatchell</b></p>
<p><b>7. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA</b></p>	<p>Public Comment - None</p>
<p><b>8. ADMINISTRATIVE AND COMMITTEE REPORTS</b></p> <p><b>A. Fire Department Report</b></p> <p><b>B. Sheriff Department Report</b></p> <p><b>C. California Highway Patrol Report</b></p> <p><b>D. Utilities Department Report</b></p> <p><b>E. General Manager Report</b></p> <p><b>F. Los Osos/Baywood Park Chamber of Commerce Report</b></p> <p><b>G. Los Osos Community Advisory Council (LOCAC) Report</b></p> <p><b>H. Parks and Recreation Committee Meeting Report</b></p>	<p>Battalion Chief Provence commented on the communities’ awesome response to the Vista de Oro incident. He reported that in January 2023, Station 15 responded to 134 incidents, trained in operating procedures, and participated in the Mar Grove Winter Carnival. He discussed special projects, the newly acquired fire vehicle, and highlighted storm responses while working with other agencies.</p> <p>Directory Fourcroy thanked Chief Provence for the continued help.</p> <p>Vice President Ochylski thanked Chief Provence for the new report and for all the help with flooding situations.</p> <p>Sergeant Eleotte Coyes commented on Vista Court and volunteer responses. For January 2023 he reported 68 calls for service, 2 assaults, 43 disturbances, 3 burglaries, 5 thefts, 10 vandalisms, 3 mail thefts, 0 phone scams, 18 suspicious circumstances, 88 enforcement stops, and 45 preventative patrols.</p> <p>Klingenberg provided details for January 2023 relating to 6 traffic collisions, including 1 non-injury DUI, 2 with minor injuries, and 3 without injuries. On January 9th, due to the storms, he reported 542 911 calls and 182 active incidents, and that Cal Trans was hindered in their response due to flooding of the Cal Trans yard.</p> <p>Written Report</p> <p>General Manager Munds reported on Station 15 Building Assessment, a CCC meeting concerning water in Los Osos, a LOCAC meeting concerning community issues, a SLOCOG meeting concerning climate change issues, and a continued drought reminder.</p> <p>Vice President Ochylski reported that the Chamber is moving forward with a new Board.</p> <p>President Cesena commented on what Supervisor Gibson shared, and the Los Osos Emergency Coalition web page on the LOCAC website.</p> <p>No Report next meeting 03/21/23</p>

<p><b>I. Utilities Advisory Committee Meeting Report</b></p> <p><b>J. Finance Advisory Committee Meeting Report</b></p> <p><b>K. Emergency Services Advisory Committee Meeting Report</b></p> <p><b>L. Basin Management Committee Meeting Report</b></p> <p><b>M. Directors' Announcements of District and Community Interest and Reports on Attendance at Public Meetings, Training Programs, Conferences, and Seminars</b></p> <p><b>N. Response to Previously Asked Questions</b></p>	<p>President Cesena reported on storm damage, the intertie, and other projects.</p> <p>Director Womack summarized the FAC meeting held on January 30, 2023. The Committee recommended approving the Midyear Budget, receive and file the Warrant Register, Financial Reports, 4th Quarter report, and 2022 annual report.</p> <p>No Report next meeting 2/16/2023</p> <p>No Report next meeting 2/15/2023</p> <p>Director Fourcroy completed the bi-annual ethics and harassment training.</p> <p>None</p>
<p><b>9. PUBLIC COMMENT FOR ITEMS ON THE ADMINISTRATIVE AND COMMITTEE REPORTS AND THE CONSENT AGENDA</b></p>	<p>Public Comment - None</p>
<p><b>10. CONSENT AGENDA</b></p> <p><b>A. Receive Administrative, Committee Reports, and Approved Committee Minutes</b></p> <p><b>B. Approve Meetings Minutes of January 5, 2023, January 12, 2023, January 17, 2023, January 24, 2023</b></p> <p><b>C. Approve Warrant Register for January, 2023</b></p> <p><b>D. Receive Financial Report for Period Ending December 31, 2022</b></p> <p><b>E. Approve 2023 Advisory Committee Work Plans</b></p> <p><b>F. Receive and File the Annual 2022 Investment Report</b></p> <p><b>G. Adopt a Resolution Establishing Legislative Advocacy Platform for 2023</b></p> <p><b>H. Adopt Resolution Adopting the Board of Directors Bylaws and Rules of Decorum for 2023</b></p> <p><b>I. Adopt Resolution Establishing "GANN" Appropriations Limit for Fiscal Year 2022/2023</b></p> <p><b>J. Approve a Request for Proposal (RFP) for the Environmental Work for the Water Resiliency Intertie Project</b></p>	<p><b>A motion was made by Vice President Ochylski that the Board receive and file the Administrative and Committee Reports and approve the Consent Agenda. The motion was seconded by Director Womack and carried with the following vote:</b></p> <p><b>Ayes: Directors Ochylski, Womack, Fourcroy, Cesena</b>  <b>Nays: None</b>  <b>Abstain: None</b>  <b>Absent: Gatchell</b></p>
<p><b>11. DISCUSSION OF PULLED CONSENT ITEMS</b></p>	<p>None</p>

<b>12. PRESENTATION</b>	Vice President Ochylski presented the Brown Act Training Presentation.  Public Comment - None
<b>13. FUTURE AGENDA ITEMS</b>	None
<b>14. CLOSING BOARD COMMENTS</b>	Director Fourcroy thanked Staff for keeping things going.  Vice President Ochylski thanked Staff and Fire Department.  President Cesena thanked Staff and General Manager Munds.
<b>15. ADJOURNMENT</b>	The meeting was adjourned at 7:32 p.m.

DRAFT

**Los Osos Community Services District**  
**DRAFT - Minutes of the Special Meeting of February 7, 2023**

AGENDA ITEM	DISCUSSION OR ACTION
<p><b>1. CALL TO ORDER FLAG SALUTE ROLL CALL</b></p>	<p>President Cesena called the meeting to order at 5:30 p.m. and led the flag salute.</p> <p>Roll Call:            Matthew Fourcroy, Director – Present            Troy Gatchell – Director - Absent            Christine Womack, Director – Present            Marshall Ochylski, Vice President - Present            Chuck Cesena, President – Present</p> <p>The following Staff was present:            Ron Munds, General Manager            Carol Gilmer, Admin Clerk</p>
<p><b>2. GENERAL ACTION ITEMS</b></p> <p><b>A. Review of Emergency Contracting Procedures per Public Contract Code §22050 and an Update on Vista De Oro Incident</b></p>	<p>General Manager Munds introduced the agenda item, and provided updates on the Vista de Oro incident including the SLO Disaster Relief Center to close on February 14; Los Osos Emergency Coalition has been formed; a fundraiser on February 26 at the Community Center; and a disaster information website hosted by LOCAC.</p> <p>Public Comment – None</p> <p><b>Vice President Ochylski recommended the Board adopt Resolution 2023-10 Reaffirming the delegation of authority to General Manager or his designee pursuant to public contract code section 22050(b) to enter into emergency public works contracts. The motion was seconded by Director Fourcroy and carried with the following vote:</b></p> <p style="padding-left: 40px;"><b>Ayes: Directors Ochylski, Fourcroy, Womack, Cesena</b>  <b>Nays: None</b>  <b>Abstain: None</b>  <b>Absent: Gatchell</b></p>
<p><b>B. Adopt Resolution Nos. 2023-11 and 12 approving emergency non-competitive contracts for MNS Engineers and Yeh and Associates</b></p>	<p>General Manager Munds reviewed the districts' contracting procedures, FEMA guidelines, and financial implications.</p> <p>The Board discussed interacting with the consultants and engineers. Appointing an Ad-Hoc Committee will be addressed at the next Special Board meeting.</p> <p>Public Comment – None</p> <p><b>Director Womack recommended the Board adopt Resolutions 2023-11 and 2023-12 approving non-competitive contracts with MNS Engineers and Yeh Associates. The motion was seconded by Director Fourcroy and carried with the following vote:</b></p> <p style="padding-left: 40px;"><b>Ayes: Directors Womack, Fourcroy, Ochylski, Cesena</b>  <b>Nays: None</b>  <b>Abstain: None</b>  <b>Absent: Gatchell</b></p>
<p><b>C. Adopt a FEMA Designation of Applicant's Agent Resolution for California Office of Emergency Services ID No. DR-4683</b></p>	<p>General Manager Munds commented on the FEMA requirements of appointing an agent.</p> <p>Public Comment – Richard Margetson inquired how long is the agent appointment.</p> <p>General Manager Munds responded 3 years.</p> <p>The Board discussed what to do if there is more rain and if General Manager Munds needs help.</p> <p><b>Director Fourcroy recommended the Board adopt a FEMA Designation of Applicant's Agent Resolution for California Office of Emergency Services ID No. DR-4683 and as amended. The motion was seconded by Director Womack and carried with the following vote:</b></p> <p style="padding-left: 40px;"><b>Ayes: Directors, Fourcroy, Womack, Ochylski, Cesena</b>  <b>Nays: None</b>  <b>Abstain: None</b>  <b>Absent: Gatchell</b></p>
<p><b>8. ADJOURNMENT</b></p>	<p>The meeting was adjourned at 6:03 p.m.</p>

**Los Osos Community Services District**  
**DRAFT - Minutes of the Special Meeting of February 14, 2023**

AGENDA ITEM	DISCUSSION OR ACTION
<p><b>1. CALL TO ORDER FLAG SALUTE ROLL CALL</b></p>	<p>Vice President Ochylski called the meeting to order at 5:31 p.m. and led the flag salute.</p> <p>Roll Call:            Matthew Fourcroy, Director – Present            Troy Gatchell – Director – Present – Remotely via AB 2449 with no Objections            Christine Womack, Director – Present            Marshall Ochylski, Vice President - Present            Chuck Cesena, President – Present – Remotely via AB 2449 with no Objections</p> <p>The following Staff was present:            Ron Munds, General Manager            Laura Durban, Administrative Services Manager</p>
<p><b>2. GENERAL ACTION ITEMS</b></p> <p><b>A. Review of Emergency Contracting Procedures per Public Contract Code §22050, Formation of a Board Ad Hoc Committee to Monitor the Cabrillo Basin Emergency Repair Work and Receive an Update on Vista De Oro Incident</b></p>	<p>General Manager Munds presented forming an Ad Hoc Committee and recommended duties for the Committee.</p> <p>The Board discussed the duties.</p> <p>Public Comment on the Ad Hoc Committee – None</p> <p>President Cesena appointed Director Fourcroy and himself to the ad Hoc Committee.</p> <p>Public Comment on adopting Resolution 2023-13 - None</p> <p>General Manager Munds presented updates on the Vista de Oro incident.</p> <p><b>Director Womack recommended the Board adopt Resolution 2023-13 Reaffirming the delegation of authority to General Manager or his designee pursuant to public contract code section 22050(b) to enter into emergency public works contracts; and the motion was seconded by Director Fourcroy and carried with the following vote:</b></p> <p style="padding-left: 40px;"><b>Ayes: Directors Womack, Fourcroy, Gatchell, Ochylski, Cesena</b>  <b>Nays: None</b>  <b>Abstain: None</b>  <b>Absent: None</b></p>
<p><b>8. ADJOURNMENT</b></p>	<p>The meeting was adjourned at 5:46 p.m.</p>

**Los Osos Community Services District**  
**DRAFT - Minutes of the Special Meeting of February 21, 2023**

AGENDA ITEM	DISCUSSION OR ACTION
<b>1. CALL TO ORDER  FLAG SALUTE  ROLL CALL</b>	President Cesena called the meeting to order at 5:01 p.m. and led the flag salute.  Roll Call: Matthew Fourcroy, Director – Present Troy Gatchell – Director - Present Christine Womack, Director – Arrived at 5:11 p.m. Marshall Ochylski, Vice President – Arrived at 5:38 p.m. Chuck Cesena, President – Present  The following Staff was present: Ron Munds, General Manager Ty Green, Legal Counsel Laura Durban, Administrative Services Manager
<b>2. Anticipated Litigation Pursuant to Government Code §54956.9 (d)(2)</b>	Public Comment - None
<b>3. Adjournment to Closed Session</b>	The meeting was adjourned to closed session at 5:03 p.m.
<b>4. Reconvene to Open Session</b>	The meeting was reconvened to open session at 5:35 p.m.
<b>5. Report out of Closed Session Meeting</b>	There was no reportable action
<b>6. GENERAL ACTION ITEMS</b>  <b>A. Review of Emergency Contracting Procedures per Public Contract Code §22050 and Receive and Update on Vista De Oro Incident</b>	General Manager Munds introduced the Agenda item, and commented on the roll offs, volunteer work slowing down, working with the Los Osos Emergency Coalition to understand the needs, and the upcoming fundraiser on February 26, 2023 for those affected by the flood.  Public Comment – Victoria Conant-Weir inquired if the District has heard anything from their insurance company.  President Cesena responded that the District has not hear anything from the insurance company yet.  <b>Director Fourcroy recommended the Board adopt Resolution 2023-14 Reaffirming the delegation of authority to General Manager or his designee pursuant to public contract code section 22050(b) to enter into emergency public works contracts. The motion was seconded by Director Gatchell and carried with the following vote:</b>  <b>Ayes: Directors Fourcroy, Gatchell, Womack, Ochylski, Cesena</b> <b>Nays: None</b> <b>Abstain: None</b> <b>Absent: None</b>
<b>7. ADJOURNMENT</b>	The meeting was adjourned at 5:40 p.m.