



February 18, 2016

**TO:** LOCSO Board of Directors

**FROM:** Ann Kudart, Administrative/Accounting Assistant III

**SUBJECT: Agenda Item 11G – 3/3/2016 Board Meeting**  
Add Incoming Interim General Manager and Delete Outgoing  
General Manager as Signer on District Bank Accounts

**President**  
Marshall E. Ochylski

**Vice President**  
Jon-Erik G. Storm

**Directors**  
Charles L. Cesena  
Louis G. Tornatzky  
R. Michael Wright

**Interim General Manager**  
Peter J. Kampa

**District Accountant**  
Michael L. Doyel

**Acting Fire Chief**  
Steve Reader

**Battalion Chief**  
Tom McEwen

**DESCRIPTION**

Adopt a resolution approving changes in the signers on District bank accounts and directing Rabobank NA and Heritage Oaks Bank to delete outgoing General Manager Kathy Kivley and add incoming Interim General Manager Peter Kampa as a signer on these accounts.

**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 adopt Resolution 2016-06 and direct staff to complete all necessary forms for submission to Rabobank NA and Heritage Oaks Bank.***

Attachment

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Los Osos, CA 93412

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**RESOLUTION NO. 2016-06**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE LOS OSOS COMMUNITY SERVICES DISTRICT  
ADDING INCOMING INTERIM GENERAL MANAGER AND  
DELETING OUTGOING GENERAL MANAGER AND ON BANK SIGNATURE CARDS**

**WHEREAS**, Rabobank NA and Coast National Bank (herein "Bank") are designated as depositories for the funds of Los Osos Community Services District (herein "District"); and to provide other financial accommodations indicated in this resolution; and

**WHEREAS**, in 1998, the District was formed to replace County Service Area #9, which had previously provided water and other services to Los Osos within the District's boundaries; and

**WHEREAS**, this resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Bank. Any and all prior resolutions adopted by the District and certified to the Bank as governing the operation of this District's account(s), are in full force and effect, until the Bank receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Bank, establishing the authority for the changes; and

**WHEREAS**, the signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the District, and any Agent, so long as they act in a representative capacity as an Agent of the District is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Bank, subject to any restriction on this resolution or otherwise agreed to in writing; and

**WHEREAS**, all transactions, if any with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the District with the Bank prior to the adoption of this resolution are hereby ratified, approved and confirmed; and

**WHEREAS**, The District agrees to the terms and conditions of any account agreement, properly opened by any Agent of the District. The District authorized the Bank, at any time, to charge the District for all checks, drafts, or other orders, for the payment of money, that are drawn on the Bank, so long as they contain the required number of signatures for this purpose; and

**WHEREAS**, the District acknowledges and agrees that the Bank may furnish at its discretion automated access devices to Agents of the District to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM) and debit cards; and

**WHEREAS**, the District acknowledges and agrees that the Bank may relay on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" include, but is not limited to, facsimile signatures on file with the Bank, personal identification numbers (PIN) and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the District with the Bank from time to time) the Bank is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature specimen on file. The District authorizes each Agent to have custody of the District's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Bank shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE DISTRICT BOARD OF DIRECTORS AS FOLLOWS:**

Kathy A. Kivley is removed as a signer on all accounts.

Peter J. Kampa is added as a signer on all accounts.

On the motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and on the following roll call vote, to wit:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Conflicts: \_\_\_\_\_

The foregoing resolution is hereby passed, approved, and adopted by the Board of Directors of the Los Osos Community Services District this 3<sup>rd</sup> day of March 2016.

\_\_\_\_\_  
Marshall E. Ochylski  
President, Board of Directors  
Los Osos Community Services District

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Peter J. Kampa  
Interim General Manager and Secretary to the Board

\_\_\_\_\_  
Michael W. Seitz  
District Legal Counsel