



December 19, 2014

2015 Board of Directors
Charles L. Cesena
Marshall E. Ochylski
Jon-Erik G. Storm
Louis G. Tornatzky
R. Michael Wright

General Manager
Kathy A. Kivley

District Accountant
Michael L. Doyel

Fire Chief
Robert Lewin

Battalion Chief
Phill Veneris

TO: LOCSD Board of Directors

FROM: Kathy A. Kivley, General Manager

SUBJECT: **Agenda Item 11E – 1/8/2015 Board Meeting**
Adopt Resolution Adding Two Incoming Directors and
Deleting Two Outgoing Directors as Signers on all District
Bank Accounts

DESCRIPTION

Adopt Resolution 2015-01 to add incoming Directors Cesena and Tornatzky as signers on all District bank accounts and to remove outgoing Directors Baltimore and Moothart as signers on all District bank accounts.

STAFF RECOMMENDATION

Staff recommends that the Board approve the attached resolution.

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 2015-01 and direct staff to complete all necessary documents for submission to Rabobank and Heritage Oaks Bank.

DISCUSSION

Attached is a resolution approving changes to the signers and directing Rabobank and Heritage Oaks Bank to add incoming Directors Charles Cesena and Louis Tornatzky as signers on all District bank accounts, while removing outgoing Directors Craig Baltimore and Leonard Moothart as signers on these accounts.

Attachment

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

Offices:
2122 9th Street, Suite 102
Los Osos, CA 93402

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

www.losososcsd.org

RESOLUTION NO. 2015-01

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LOS OSOS COMMUNITY SERVICES DISTRICT
ADDING INCOMING DIRECTORS CHARLES CESENA AND LOUIS TORNATZKY
AND DELETING OUTGOING DIRECTORS CRAIG BALTIMORE AND LEONARD MOOTHART
ON BANK SIGNATURE CARDS**

Whereas, Rabobank and Heritage Oaks 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. 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:

1. Craig Baltimore and Leonard Moothart are removed as signers on all District bank accounts.
2. Charles Cesena and Louis Tornatzky are added as signers on all District bank accounts.

Upon motion of Director _____, seconded by Director _____ and on the following roll call vote, to wit:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

The foregoing resolution is hereby passed and adopted this 8th day of January, 2015.

President of the Board of Directors
Los Osos Community Services District

ATTEST:

APPROVED AS TO FORM:

Kathy A. Kivley
General Manager and Secretary to the Board

Michael W. Seitz
District Legal Counsel