



LOS OSOS COMMUNITY SERVICES DISTRICT

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

805-528-9370 Direct / 805-528-9377 Fax

www.losososcscsd.org

REGULAR MEETING OF THE BOARD OF DIRECTORS

Thursday, June 4, 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 §54954.2, 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):

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

B. POTENTIAL LITIGATION (Government Code §54956.9(d) (2).)

Conference with Legal Counsel Regarding Potential Litigation (1 case)

C. PERSONNEL MATTERS (Government Code §54957)

- Conference with Labor Negotiators
District Negotiators: Kathy Kivley, General Manger and Michael Seitz, District Counsel
Employee Organization: SLOCEA

D. REAL PROPERTY MATTERS (Government Code §54956.8)

- Conference with Real Property Negotiator
Property: APN 038-662-002, 2030 10th Street, Los Osos, CA
District Negotiator: Kathy A. Kivley, General Manager
Negotiating Party: Thomas R. Kellaway, 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 MEETING – District Legal Counsel Michael W. Seitz**

7. **PRESENTATIONS AND PUBLIC HEARINGS**

- A. Administer Firefighter's Oath to New Station 15-South Bay Reserve Firefighters Christian Evers, Peter Hardy, Tyler Loudermilk, Virgil Messer, Kyle Parker, Nathan Welch and Matthew Westbrook
- B. Adopt Final Budget for Fiscal Year 2015/2016 [Open Public Hearing, receive public testimony, and by motion and roll call vote adopt Resolution 2015-13 adopting Final Budget for Fiscal Year 2015/2016]

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. District 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 (ESAC) Report
- H. Finance Advisory Committee (FAC) Report
- I. 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 May 7, 2015 and May 20, 2015 [Recommend approval of minutes]
- C. Receive Warrant Register for May 2015 [Recommend receive and file Warrants]
- D. Receive Current Expenditure Reports through April 30, 2015 [Recommend receive and file reports]
- E. Establish Appropriation Limit for Fiscal Year 2015/2016 [Recommend adopt Resolution 2015-14]
- F. Award Bid for Bayridge Estates Phase 1 Maintenance Improvement Project [Recommend award construction contract to Specialty Construction, Inc. in an amount not to exceed \$149,800]
- G. Authorization to Approve Amended and Restated Hazardous Materials Team Cooperative Agreement [Recommend adopt Resolution 2015-15 and authorize the General Manager to sign the amended and restated Cooperative Agreement]
- H. Approve Contract Extension with Barnett Cox & Associates [Recommend approval of contract extension to continue water conservation campaign]
- I. Accept Fireman's Fund Heritage Grant and Approve Budget Adjustment [Recommend accept donation of \$10,163 from Fireman's Fund Insurance Company and approve budget adjustment]

12. GENERAL ACTION 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. 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.**

- A. Consider Special District Risk Management Authority (SDRMA) Board of Directors Election Ballot [Recommend entering a vote for R. Michael Wright and if considered two additional candidates and adopt Resolution 2015-16, the Official SDRMA Election Resolution Ballot]
- B. Confirm Appointment of Alternate Member to the Morro Bay National Estuary Program (MBNEP) [Recommend appointment and confirmation of Alternate Member to MBNEP]
- C. Define Responsibilities for Potential Development of a Parks and Recreation Advisory Committee [Recommend direct staff to prepare a Scope of Responsibilities regarding reestablishing a Parks and Recreation Standing or Advisory Committee]

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 May 29, 2015.



 Ann Kudart, Administrative/Accounting Assistant III