



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, September 4, 2014 – 6:00 PM Closed Session – 7:00 PM Open Session
South Bay Community Center, 2180 Palisades Avenue, Los Osos, CA

Board of Directors

Craig V. Baltimore, President
R. Michael Wright, Vice President
Leonard A. Moothart, Director
Marshall E. Ochylski, Director
Jon-Erik G. Storm, 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.

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.

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

Please note that due to length of agenda the President has limited public comment to two (2) minutes only for all items on this agenda.

1. OPENING – 6:00 PM

- A. Call to Order
- B. Pledge of Allegiance
- C. 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
 - *RWQCB v. LOCSD* in SLO Superior Court (CV051074) – Injunctive Relief Measure B

B. PERSONNEL MATTERS (Government Code §54957)

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

A. **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 two (2) 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**

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- A. Public Hearing to Consider Adopting a Water Shortage Contingency Plan Pursuant to Water Code § 375 [Open public hearing, receive public testimony, and by motion and roll call vote adopt Resolution 2014-18]

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 two (2) 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. LOCAC Report
- F. Emergency Services Advisory Committee (ESAC)
- G. Utilities Advisory Committee (UAC)
- H. Finance Advisory Committee (FAC)
- 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)**

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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 August 7, 2014 [Recommend Approval]
- C. Receive Warrant Register for August 2014 [Recommend Receive and File Warrants]
- D. Receive Current Expenditure Reports [Recommend Receive and File Reports]
- E. Adopt Resolution Verifying Biennial Review and Re-Adoption of the District's Conflict of Interest Code [Adopt Resolution 2014-19 and direct Staff to submit Notice to County Clerk-Recorder]
- F. Nitrate Removal Project Update South Bay Well [Recommend Receive and File Update]
- G. Adopt Resolution to Permit Destruction or Disposal of Certain District Records, Documents and Papers [Adopt Resolution 2014-20]
- H. Approve Capital Improvement Projects (CIP) List [Recommend Approval]
- I. Adopt Outdoor Water Conservation Program and Approve Contract with Barnett Cox & Associates for a Dual Phase Public Outreach Campaign [Adopt Resolution 2014-22 and authorize staff to proceed with contract]

12. GENERAL ACTION ITEMS

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- A. Approve the Issuance of a Conditional Intent to Serve (ITS) Letter for Property Located at 1173 10th Street, Los Osos [Recommend approval of Conditional ITS Letter and authorize the General Manager to sign]
- B. Adopt 2014 San Luis Obispo County Integrated Regional Water Management (IRWM) Plan [Adopt Resolution 2014-21 adopting the IRWM Plan]
- C. Appoint Alternate Member to the Finance Advisory Committee [Confirm Committee Appointment]

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 August 29, 2014.



 Ann G. Kudart, Administrative/Accounting Assistant III