



December 11, 2009

President
Joe Sparks

TO: LOCSO Board of Directors

Vice President
Marshall Ochylski

FROM: Ann Kudart, Administrative Secretary

Directors
Chuck Cesena
Maria Kelly
Steve Senet

SUBJECT: Agenda Item 5H – 12/17/2009
Adopt Resolution Adding Incoming General Manager and
Deleting Outgoing Interim General Manager as Signer on
District Bank Accounts

General Manager
Dan Gilmore

SUMMARY

Attached is a resolution approving changes in the signers and directing Rabobank and Coast National Bank to delete outgoing Interim General Manager Mitch Cooney and to add incoming General Manager Dan Gilmore as a signer on these accounts.

District Accountant
Amparo Haber

Administrative Supervisor
Sandi Woods

RECOMMENDATION

Staff recommends that the Board adopt Resolution 2009-25 and direct staff to complete all necessary forms for submission to Rabobank and Coast National Bank.

Utilities Supervisor
Margaret Falkner

Fire Chief
Matt Jenkins

This item will be approved along with the consent calendar unless it is removed by a director for separate consideration.

Battalion Chief
Phill Veneris

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.lososocsd.org

Date: December 17, 2009
Agenda Item: 5H
() Approved
() Denied
() Continued to

RESOLUTION NO. 2009-25

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

Whereas, Rabobank 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:

Francis M. Cooney is removed as signer on all accounts.
W. Dan Gilmore is added as signer on all accounts.

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

Ayes: _____
Noes: _____
Absent: _____
Conflicts: _____

The foregoing resolution is hereby passed, approved, and adopted by the Board of Directors of the Los Osos Community Services District this 17th day of December 2009.

Joe Sparks, President
Board of Directors, Los Osos CSD

ATTEST:

W. Dan Gilmore, General Manager
and Secretary to the Board