

**Los Osos Community Services District
Board of Directors
Minutes of the Special Closed Session Meeting of October 12, 2015**

AGENDA ITEM	DISCUSSION OR ACTION
1. CALL TO ORDER/FLAG SALUTE/ROLL CALL	<p>President Wright called the meeting to order at 5:30 p.m. and led the flag salute.</p> <p><u>Roll Call:</u> Chuck Cesena, Director – Present Jon-Eric Storm, Director – Present Lou Tornatzky, Director – Present Marshall Ochylski, Vice President – Arrived Mike Wright, President – Present</p> <p>The following Staff were present: Kathy Kivley, General Manager Michael Seitz, District Legal Counsel Mike Doyel, District Accountant Ann Kudart, Administrative/Accounting Assistant III</p>
3. CONSENT AGENDA A. Approve MOU between LOCSD and SLOCEA for the Miscellaneous Employees Bargaining Unit through June 30, 2017	<p>Public Comment: Julie Tacker speaks.</p> <p>A motion was made by Director Tornatzky that the Board adopt Resolution 2015-26 approving the MOU between the LOCSD and SLOCEA for the Miscellaneous Employees Bargaining Unit through June 30, 2017. The motion was seconded by Director Storm and carried with the following vote:</p> <p>Ayes: Directors Tornatzky, Storm, Cesena, Ochylski, Wright Nays: None Abstain: None Absent: None</p>
A. ANNOUNCEMENT OF CLOSED SESSION ITEMS	<p>District Legal Counsel Seitz announced that the Board would convene to Closed Session for the following:</p> <p>1. <u>EXISTING LITIGATION (Government Code, §54956.9(d) (1).)</u> Conference with Legal Counsel Regarding Existing Litigation (Formally Initiated): - <i>LOCSD v. Golden State et al</i> (Groundwater Adjudication), Case No. CV040126 (San Luis Obispo Superior Court)</p> <p>Public Comment: Keith Wimer, Linde Owen, Jeff Edwards, Al Barrow, Richard Margetson and Julie Tacker spoke.</p> <p>2. <u>PERSONAL MATTERS (Government Code §54957)</u> - Public Employee Performance Evaluation – District General Manager</p> <p>Public Comment: Peggy Pavcek, Linde Owen, C. Hite, Vita Miller, Lee Sutter, Al Barrow, Jeff Edwards, April Dury, Julie Tacker, Richard Margetson, and Elaine Watson spoke in opposition of the General Manager's performance.</p> <p>Gretchen Clark, Don Beardon, Richard Clark, Lynette Tornatzky, and Leonard Moothart support in support of the General Manager's performance.</p>
B. ADJOURN TO CLOSED SESSION	<p>The Board adjourned to Closed Session at 6:26 p.m.</p>
C. RECONVENE TO OPEN SESSION AND ANNOUNCEMENT OF CLOSED SESSION ACTION	<p>The Board reconvened to Open Session at 7:35 p.m.</p> <p>District Legal Counsel Seitz announced that pertaining to Item 1, the Board approved the stipulated judgment and authorized his signature and pertaining to Item 2, the Board authorized the retention of an outside investigator to investigate the allegation of the General Managers misappropriation of public funds.</p>
3. ADJOURNMENT	<p>The Board adjourned to Closed Session at 7:40 p.m.</p>