



## LOS OSOS COMMUNITY SERVICES DISTRICT

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### REGULAR MEETING OF THE BOARD OF DIRECTORS

Thursday, March 5, 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](http://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](http://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.

#### 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

B. REAL PROPERTY MATTERS (Government Code §54956.8)

Conference with Real Property Negotiator

- Property: APN 038-662-002
- District Negotiator: Kathy A. Kivley, General Manager
- Negotiating Party: Thomas R. Kellaway, Property Owner
- Issue: Instruct Negotiator on terms and price

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 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. Presentation of Certificates to Los Osos Middle School Student Hannah Haas and Los Osos Middle School Art Teacher Raquel Meinke for promoting fire safety awareness in Los Osos

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. Community Action Partnership of San Luis Obispo (CAPSLO) Report
- H. 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 January 8, 2015 and February 5, 2015 [Recommend Approval]
- C. Receive Warrant Register for February 2015 [Recommend Receive and File Warrants]

- D. Receive Current Expenditure Reports through January 31, 2015 [Recommend receive and file reports]
- E. Ratify Emergency Action for 8<sup>th</sup> Street Well Motor Replacement [Recommend ratifying emergency action and receive and file report]
- F. Establish a Prepaid Assessment Reserve and a Disputed Claims Reserve [Recommend adoption of Resolution 2015-04]
- G. Authorize Station 15-South Bay Hose Tower Refurbish Project [Recommend authorizing the General Manager execute an agreement with Sunrise Coating and authorize additional repairs and updates to Station 15 Hose Tower refurbishing project not to exceed \$11,161.00]
- H. Clarify District Policy Concerning Sewer Lateral Maintenance for Bayridge Estates and Vista de Oro [Recommend adopt Resolution 2015-05]
- I. Adopt 2015 Board Bylaws and Rules of Decorum Amendments [Recommend adoption of Resolution 2015-06]
- J. Approve Revision to 2015 Board Meeting Schedule [Recommend revision of July 2015 meeting date]
- K. Proposition 84 South Bay Well Nitrate Removal Project Closing [Recommend Receive and File Update]

**12. GENERAL ACTION ITEMS**

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- A. Preparation for Stage III Water Shortage Emergency Declaration [Recommend direct staff to draft resolution to be adopted at the April 2, 2015 Board meeting]
- B. 1. Authorize Formal Bid Process for Bayridge Estates for Phase 1 Maintenance Improvement Project and  
2. Authorize an Interfund Loan from Fund 500 to Fund 200  
[Recommend adoption of Resolution 2015-07 and Resolution 2015-08]
- C. Consider a Conditional Intent-to-Serve (ITS) Letter for 1325 Pasadena Drive [Recommend approve issuance of Conditional ITS Letter or direct staff to bring back resolution declaring Stage V water shortage and suspension of new ITS letters]

**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,**

  
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 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 February 27, 2015.

  
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 Ann Kudart, Administrative/Accounting Assistant III