



LOS OSOS COMMUNITY SERVICES DISTRICT

REGULAR MEETING OF THE BOARD OF DIRECTORS

Thursday, March 7, 2013 – 6:00 PM Closed Session – 7:00 PM Open Session
South Bay Community Center, 2180 Palisades Avenue, Los Osos, CA

Board of Directors

Leonard A. Moothart, President
Craig V. Baltimore, Vice President
Marshall E. Ochylski, Director
David S. Vogel, Director
R. Michael Wright, 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 §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.

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. PENDING LITIGATION (Government Code §54956.9(a).)

Conference with Legal Counsel Regarding Existing Litigation (Formally initiated):

- *In re Los Osos Community Services District (ND-06-10548)* United States Bankruptcy Court, Central District of California, Northern Division
- *LOCSD v. Golden State et al* (Groundwater Adjudication), Case No. CV04012 (San Luis Obispo Superior Court)
- *Corr Family Properties v. Los Osos Community Services District*, San Luis Obispo Superior Court, Case No. CV110674 (Cross-Complaint)

B. LIABILITY CLAIMS (Government Code §54956.95)

- Claimant: William Moylan and Beverly De Witt-Moylan
Agency Claimed Against: Los Osos Community Services District

C. PERSONNEL (Government Code §54957)

- Conference with Labor Negotiator
District Negotiators: Vice President Baltimore and Director Vogel
Employee Organization: San Luis Obispo County Employees Association

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. Each speaker has up to three (3) minutes.

4. ADJOURN TO CLOSED SESSION MEETING

5. RECONVENE TO OPEN SESSION MEETING – 7:00 PM

6. RECEIVE REPORT OUT OF CLOSED SESSION – District Legal Counsel Seitz

7. INFORMATIONAL ITEM – President Moothart

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. Each person addressing the Board of Directors shall do so in an orderly and civil manner. Each speaker has up to three (3) minutes.

9. ADMINISTRATIVE AND COMMITTEE REPORTS

- A. Fire Department Report
- B. Utilities Department Report
- C. LOCAC Report
- D. Emergency Services Advisory Committee Meeting – February 26, 2013
- E. Utilities Advisory Committee Meeting – February 13, 2013
- F. Finance Advisory Committee Meeting – March 4, 2013
- G. 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

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. Each speaker has up to three (3) minutes.

11. CONSENT AGENDA

Consent Agenda Items are considered routine and therefore do not require separate discussion, however, any item may be removed from the Consent Agenda by a member of the Board of Directors for separate consideration. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda, unless an item is 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 February 7, 2013 [Recommend Approval]
- C. Receive Warrant Register for February 2013 [Recommend Receive and File]
- D. Receive Financial Statements for Period Ending January 2013, and Cash and Investment Schedules and Reserves Schedule as of January 13, 2012 [Recommend Receive and File]

- E. Approve Increase in Appropriation for Legal Services in the Wastewater Fund 600 [Recommend Approval]
- F. Award Contract for Audit Services for Fiscal Years 2012/13 to 2014/15 [Recommend Approval]
- G. Approve Reinvestment of Public Facilities Fees and Affirm Signatories to Account [Recommend Approval]
- H. 2013 Standing Advisory Committees Direction [Provide direction to the 2013 Committees based upon their 2013 prioritized goals]
- I. Approve Letter of Support Regarding Assembly Bill 124 [Approve letter and direct Staff to forward letter to Assembly Member Achadjian]
- J. Approve the Agreement for San Luis Obispo County PEG Grant Funding [Approve Agreement]

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. Each person addressing the Board of Directors shall do so in an orderly and civil manner. Each speaker has up to three (3) minutes.

- A. Dispute of General Manager's Determination for Additional Relief of Water Leak Adjustment [Review General Manager's Determination]
- B. Ratify Appointment of Alternate Public Members for District Standing Advisory Committees [Approve Alternate Member Appointments]
- C. Nominate Local Agency Formation Commission (LAFCO) Regular Special District Member [Direct Staff to submit nomination to LAFCO]

13. 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.

14. CLOSING BOARD COMMENTS

15. ADJOURN

◆ The Next Regular Board Meeting is scheduled for Thursday, April 4, 2013 at the South Bay Community Center