



# De Luz Community Services District

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## BOARD OF DIRECTORS

MICHAEL ADAMS  
GENE BIANCHI  
BRYAN BUESCHER  
SUSAN EGGE  
STEVE RUBIN

GENERAL MANAGER  
ROB HOLMES

## MINUTES REGULAR MEETING OF THE BOARD OF DIRECTORS JUNE 15, 2011 6:00 P.M.

### A. Call to Order & Roll Call

A Regular Meeting of the De Luz Community Services District was held at the De Luz CSD Office commencing at 6:00 p.m. on June 15, 2011. Present at the meeting were the following Directors:

Director Adams  
Director Bianchi  
Director Buescher  
Director Egge  
Director Rubin

General Manager Holmes, Assistant Secretary Ruzek, and Administrative Assistant Snyder were also present.

President Rubin led the flag salute.

### B. Sheriff

Deputy Donoho gave the Sheriff's Report for May 2011 and updated the Board on June activities. He discussed a recent theft of avocados and the robbery of two individuals that were in a parked car. An arrest was made in the theft of the avocados; however, they are looking for the robbery suspects that left the scene in an older red Toyota Camry. The written report for May is on file with the District.

### C. Approval of Sheriff's Contract

General Manager Holmes explained that the Contract being considered for renewal had a few minor changes from past Sheriff's contracts. The changes were better clarification, mainly to the indemnification clauses.

Motion was made by Bianchi, seconded by Adams, to approve renewal of the Contract for two full-time Deputies from Riverside County for Fiscal Year 2011-2012.

The motion carried unanimously.

**D. Public Comment**

Property Owner Jerry Burke, representing the Santa Rosa Groves Property Owners Association presented a list of concerns to the Board. General Manger Holmes stated that he had spoke to Mr. Burke and reported that a majority of the items have been, or are in the process of being resolved. The Board received the list and stated the Engineering Committee will review any remaining issues that were not previously addressed by General Manager Holmes.

*General Counsel Jackson entered the meeting at 6:15 p.m.*

**E. Public Hearing on the Written Report of the Directors**

President Rubin opened the Public Hearing on the Written Report of the Directors for Fiscal Year 2011-2012.

General Manager Holmes explained that the Written Report contains the scope of work to be done and the zones benefitted by that work. He also explained that the Written Report contained a cash flow sheet as a courtesy to the Board, is not a part of the actual Report, and therefore, will be removed.

The Written Report and the Affidavit of the Notice of Publication of the Hearing on the Written Report were received into evidence and made a part of the Hearing.

President Rubin opened the Hearing to public comment.

*There being no public comment, the Hearing was closed by President Rubin.*

**F. Ordinance Adopting the Written Report of the Directors**

Motion was made by Buescher, seconded by Bianchi, to adopt Ordinance No. 11-01:

Adopting the Written Report of the Directors (without the inclusion of the cash flow sheets), Establishing the Zones of Benefit for Services Provided, the Scope of Services to be Performed, and the Charges to be Rendered for Road Maintenance and Police Services Provided to

Property Owners in the District during Fiscal Year 2011-2012

The motion carried unanimously.

**G. Public Hearing on the Budget**

President Rubin opened the Public Hearing to consider the adoption of the District Budget for Fiscal Year 2011-2012.

General Manager Holmes and Staff explained the method of calculating the budget and the zone benefit fees.

The Budget and Affidavit of the Notice of Publication of the Hearing on the Budget were received into evidence and made a part of the Hearing.

President Rubin opened the Hearing to public comment.

*There being no public comment, the Hearing was closed by President Rubin.*

**H. Resolution Adopting the Budget**

Motion was made by Buescher, seconded by Adams, to adopt Resolution No. 11-13:

Determining and Adopting the Budget for Fiscal Year 2011-2012

The motion carried unanimously.

**I. Consideration of Notice of Exemption**

General Counsel Jackson explained that the Notice of Exemption, which is filed with the Riverside County Clerk, states that the Budget is an exempt act under CEQA. It is not a project under the Public Resources Code of the State and is categorically exempt under that Code. He asked that the Board make the finding of "no project" and approve the Notice of Exemption.

Motion was made by Buescher, seconded by Bianchi, to make a finding of "no project" and to approve the Notice of Exemption for Establishment of Rates and Charges for Services Performed in Fiscal Year 2011-2012.

The motion carried unanimously.

**J. Resolution Electing to Have All Charges Collected on the Tax Roll**

Motion was made by Buescher, seconded by Bianchi, to adopt Resolution No. 11-14:

Electing to Have All Charges for Services Provided in the District during Fiscal Year 2011-2012 Collected on the Tax Roll of the County of Riverside

The motion carried unanimously.

**K. Information Only**

The Board received the June Financial Report, and the Statement of Investment Policy.

**L. Consent Calendar**

Motion was made by Bianchi, seconded by Buescher, to approve the Consent Calendar.

The motion carried unanimously.

**M. Discussion of Legal Matters**

General Counsel Jackson relayed some news media and legislative information of interest to the Board with regard to the misconduct of Board Members of other governmental agencies, and the legal fees incurred upon each municipality to defend the charges.

**N. Acceptance of Project: Rehabilitation of El Prado Road - Phase IV&V**

General Manager Holmes reported that this project was for the rehabilitation of portions of El Prado Road, and explained the variances in total contract cost were due to actual field measured quantities and the replacement of some existing culverts. The work was performed by Peters Paving and Grading, Inc. for a total cost of \$108,612.35, funded by and Zone IV Roadway Rehabilitation Funds. He recommended that the Board approve the Final Inspection Notice and accept the project as complete in accordance with District Standard and Specifications.

Motion was made by Buescher, seconded by Bianchi, to accept the

Rehabilitation of El Prado Road - Phase IV&V as complete.

The motion carried unanimously.

**O. Finance Committee Report**

Director Egge reported that at the recent meeting, the Finance Committee discussed the upcoming District audit, devising and implementing an emergency fund limit for each District zone, and the Roadway Rehabilitation fund spreadsheet. Director Egge also discussed the Sheriff's Special Tax analysis that she prepared and distributed to the Board.

**P. Engineering Committee Report**

Director Buescher reported that at their recent meeting, the Engineering Committee discussed parameters for the next fiscal year project schedule, the fence in Zone V, and also discussed an emergency fund limit in each zone.

**Q. General Manager's Report**

General Manager Holmes presented his written report which is on file with the District Office. He reported that the District has received its first FEMA/CalEMA payment for the 2010 disaster, and continues to be in contact with FEMA representatives regarding reimbursement for the 2005 disaster.

**R. Closed Session**

The Board met in closed session pursuant to the provisions of Government Code §54956.9(b) to discuss potential litigation (one case).

*The Board reconvened in open session.*

General Counsel Jackson reported that the Board has directed Counsel and General Manager Holmes to take appropriate action regarding the item of potential litigation discussed in closed session.

**S. Adjournment**

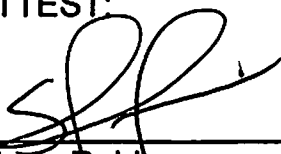
There being no further business, President Rubin adjourned the meeting at 7:27 p.m.



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Rob Holmes  
Secretary, Board of Directors

ATTEST:



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Steve Rubin  
President, Board of Directors