



# 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 JULY 19, 2010 6:00 P.M.

### A. Call to Order & Roll Call

A Regular Meeting of the De Luz Community Services District was held at the Rancho California Water District Community Room commencing at 6:02 p.m. on July 19, 2010. Present at the meeting were the following Directors:

Director Adams  
Director Bianchi  
Director Buescher  
Director Egge  
Director Rubin

General Manager Holmes, Assistant Secretary Gipson, and General Counsel Jackson were also present.

President Rubin led the flag salute.

### B. Sheriff

Deputy Folia gave the Sheriff's Report for June 2010 and updated the Board on July activities. The written report is on file with the District. He also discussed a recent fire, illegal camps, and abandoned vehicles.

Director Egge reported on attempted thefts from the mail boxes.

### C. Public Comment

None.

**D. Information Only**

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

**E. Consent Calendar**

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

The motion carried unanimously.

**F. Discussion of Legal Matters**

General Counsel Jackson updated the Board on current legislation of interest.

**G. CSDA ByLaw Amendment**

Assistant Secretary Gipson reviewed the proposed changes to the California Special Districts Association (CSDA) bylaws, and explained that a majority vote of a quorum of CSDA members is required for approval.

Motion was made by Buescher, seconded by Bianchi, to approve the proposed 2010 bylaws of California Special Districts Association.

The motion carried unanimously.

**H. CSDA Board of Directors Election**

Assistant Secretary Gipson presented the qualification sheets for the four candidates running for Director of California Special Districts Association (CSDA). Discussion followed, and it was the consensus of the Board to cast their vote for Bob Topolovac.

Motion was made by Egge, seconded by Buescher, to vote for Bob Topolovac for Seat B Director of California Special Districts Association.

The motion carried unanimously.

**I. Contract for Improvements to District Office**

General Counsel Jackson explained that the low bidder, ATOM Engineering, did not provide insurance acceptable to the District, specifically, with a California admitted carrier, and were given an additional 12 days to rectify the situation. They did not meet the requirements, and General Counsel Jackson notified them that they would not be awarded the contract due to their non-compliance. The Board was informed that the second low-bidder, Van de Mortel Construction, is able to perform on the contract, and General Manager Holmes recommended that the project be awarded to them in an amount not to exceed their bid of \$45,000.00.

Motion was made by Bianchi, seconded by Buescher, to ratify the letter General Counsel Jackson sent to ATOM Engineering informing them of their non-compliance, and at adopt Resolution No. 10-13:

Awarding a Contract for the Interior Tenant Improvements, Meeting and Conference Room at the District Office

The motion carried unanimously.

**J. District Conflict of Interest Code**

General Counsel Jackson presented the revised Conflict of Interest Code and recommended that the Board approve the changes.

Motion was made by Buescher, seconded by Adams, to approve the 2010 Revision of the District's Conflict of Interest Code.

The motion carried unanimously.

**K. District Inspection of Records Policy**

General Counsel Jackson presented an updated records inspection policy and asked that the Board adopt a resolution approving it.

Motion was made by Buescher, seconded by Bianchi, to adopt Resolution No. 10-14:

Adopting an Updated Policy for Processing Requests under the California Public Records Act

The motion carried unanimously.

**L. Award of Contract: 2010 Slurry Seal**

General Manager Holmes reported that there were five valid bids received for this project. The Engineer's estimate was \$114,110.00, and the low bidder was Wheeler Paving, Inc. in the amount of \$115,125.00. This project will be funded with Roadway Rehabilitation Funds from the benefitting zones.

Motion was made by Buescher, seconded by Bianchi, to adopt Resolution No. 10-15:

Awarding a Contract for the 2010 Slurry Seal Project

The motion carried unanimously.

**M. Award of Contract: Sandia Creek Drive Slump Failure**

General Manager Holmes reported that there were five valid bids received for this project. The Engineer's estimate was \$50,650.00, and the low bidder was Peters Paving and Grading, Inc. in the amount of \$49,824.00. This project will be funded with Primary Zone Roadway Rehabilitation Funds.

Motion was made by Bianchi, seconded by Buescher, to adopt Resolution No. 10-16:

Awarding a Contract for Sandia Creek Drive Slump Failure

The motion carried unanimously.

**N. Award of Contract: Rehabilitation of 3 Intersections on Sandia Creek Drive**

General Manager Holmes reported that there were four valid bids received for this project. The Engineer's estimate was \$50,025.00 and the low bidder was Peters Paving and Grading, Inc. in the amount of \$40,546.34. This project will be funded with Primary Zone Roadway Rehabilitation Funds.

Motion was made by Buescher, seconded by Bianchi, to adopt Resolution No. 10-17:

Awarding a Contract for Rehabilitation of 3 Intersections: Sandia Creek Drive

The motion carried unanimously.

**O. Approval of Plans and Scope of Work: Via Santa Rosa (Zones P & V)**

General Manager Holmes presented the plans and scope of work for the 2010 Rehabilitation Project on Via Santa Rosa in the Primary Zone and Zone V. The Engineer's Estimate is \$559,975, and the project will be funded with Roadway Rehabilitation Funds from Primary Zone and Zone V.

Motion was made by Buescher, seconded by Bianchi, to adopt Resolution No. 10-18:

Approving the Plans and Scope of Work for the 2010 Rehabilitation of Portions of Via Santa Rosa (Primary Zone and Zone V)

The motion carried unanimously.

**P. Finance Committee Report**

Director Bianchi reported that at their recent meeting, the Finance Committee discussed the ongoing District audit, placement of assessments on the tax rolls, the building improvement contract and FEMA funding.

**Q. Engineering Committee Report**

Director Buescher reported that at their recent meeting, the Engineering Committee discussed the contracts discussed earlier this evening, the construction schedule, and the upcoming newsletter.

**R. General Manager's Report**

General Manager Holmes presented his written report which is on file with the District Office. He also presented a draft of the newsletter for consideration.

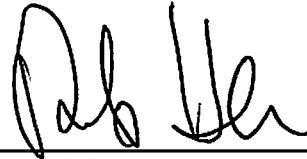
**S. Executive Session**

The Board met in closed session pursuant to the provisions of Government Code §54957: Review of the performance of a public employee (General Manager).

*The Board reconvened in open session.*

**T. Adjournment**

There being no further business, President Rubin adjourned the meeting at 7:32 p.m.



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Rob Holmes  
Secretary, Board of Directors

ATTEST:



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Steve Rubin  
President, Board of Directors