

De Luz

Community Services

District

Board Of Directors

Charles Bowman
Paula Carroll
Robert D'Alessandri
Gina Rawson
Debbie Roberts

General Manager

James E. Emmons

MINUTES

REGULAR MEETING

OF THE BOARD OF DIRECTORS

October 18, 2023
6:00 p.m.

A. CALL TO ORDER & ROLL CALL

This regular meeting of the Board of Directors of the De Luz Community Services District was held at the DLCSD office, 41606 Date Street, Suite 205, Murrieta, CA on October 18, 2023. The meeting was also held electronically by Zoom. The meeting was called to order by President Roberts at 6:00 p.m. Those present at the meeting were as follows:

Directors Present:

Debbie Roberts, President
Charles Bowman, Vice President
Robert D'Alessandri, Treasurer
Paula Carroll, Director

Directors Absent:

Gina Rawson, Director

Staff Present:

James Emmons, General Manager/Secretary
Ward Simmons, General Counsel
Ron Stein, District Project Engineer
Steve Libring, Traffic Engineer
Theresa Snyder, Finance Manager
Jessica Richards, Administrative/IT Manager
TJ Cassel, Field Lead Worker
Isabel Gavidia, Administrative Assistant

The flag salute was led by President Roberts

B. SHERIFF:

Deputy Perez delivered the Sheriff's Report and provided an update on recent law enforcement activity. He stated that he has received concerns about the traffic on Sandia Creek/Skyrocket. He reported on people burning fireworks around the area, as well as the Sheriff's Department receiving complaints about stolen trailers. He suggested that trailers not only have current registration, but also license plates. The written report is on file with the district.

C. PUBLIC COMMENT:

Resident Hossein Mehrabiani addressed the Board regarding his concerns with Southern California Edison and an easement inside of his property.

Resident Herminio Academia addressed the Board regarding his concerns with the curb on Via Santa Rosa Road.

D. INFORMATION ONLY:

The Statement of Investment Policy and the Financial Statements were received by the Board.

E. CONSENT CALENDAR:

Motion was made by Bowman, seconded by Carroll to approve the Consent Calendar as follows:

1. Minutes of the August 16, 2023 Regular Board Meeting
2. Minutes of the October 3, 2023 Special Board Meeting
3. General Fund Claims for August & September 2023
4. Sheriff's Special Tax Claims: August & September 2023
5. Purchase Order No(s): None

AYES: Bowman, Carroll, D'Alessandri, Roberts

NOES:

ABSENT: Rawson

ABSTAIN:

The motion was approved 4-0.

F. LEGISLATIVE TOPICS:

Syrus Devers, Sacramento Lobbyist for BB&K reported that SB 613, pertaining to low-population exemption from solid waste collection, was passed to a vote by the full Assembly and was signed by Governor Gavin Newsom on October 13, 2023.

G. BUENA VISTA RECONSTRUCTION PROJECT

Project Engineer Stein made a presentation regarding the reconstruction of Buena Vista Road. He reported that the project is now completed, and the final invoice is being processed. He will present the Notice of Completion at the next meeting.

H. CULVERT MAINTENANCE & REPLACEMENT PROJECT

Sr. Construction Observer, Raj Gupta made a presentation regarding the Via Tornado 154-155 Culvert Repair Project. He reported that Traffic Plates were removed, and removal of existing failed corroded pipe commenced. Over the next five days the crew placed class-2 base, compacted the area, cleaned the site and the roads was reopened for traffic usage. He reported that approximately savings for this project were \$71,301.963.

Sr. Construction Observer, Raj Gupta made a presentation regarding the Los Gatos Culvert Maintenance and Replacement Project #23-02. He reported that traffic signs were used to detour the use of Buena Vista Road. He also reported that the crew removed the damaged pipe section, excavated, compacted the bedding of trench, placed the new pipe and capped it with asphalt.

General Manager Emmons explained the in-house culvert repair program with the Board, as well as what they may expect until the end of the year.

I. ROAD MAINTENANCE/FIELD CREW REPORT

Field Lead Cassell reported that in addition to emergency repairs, the field crew continues with tree trimming and clearing the weeds along the shoulder of roadways.

J. COMMITTEE REPORTS

ENGINEERING COMMITTEE REPORT

Director Bowman reported that the Engineering Committee met on October 10, 2023, and discussed Engineering matters including Buena Vista Project, Via Tornado & Los Gatos Culverts; traffic and maintenance issues that were presented.

FINANCE COMMITTEE REPORT

Director D'Alessandri reported that the Finance Committee discussed the interest rate for LAIF. He also reported that the Districts T-Bills will be earning over 5%. He also reported that the audit has commenced, and he expects to have a presentation at the beginning of January 2024.

LEGISLATIVE COMMITTEE REPORT (SB415)

General Manager Emmons reported that the Committee received a favorable response from the State Controller's Office on Fuel Tax. The Committee would like to meet with Supervisor Jeffries to discuss this matter further.

K. GENERAL MANAGER'S REPORT

General Manager Emmons reported that Alliant, the District's broker, informed him that the insurer had agreed to extend coverage until January 1, 2024.

Motion was made by Bowman, seconded by Carroll, to authorize staff to acquire the extension of the Great American package and the approval of the Landmark ENO and employment.

AYES: Bowman, Carroll, D'Alessandri, Roberts
NOES:
ABSENT: Rawson
ABSTAIN:

The motion was approved 4-0.

General Manager Emmons explained that the District shall, to the maximum extent permitted by and in accordance with the Government Claims Act, and other applicable California law, as may be amended from time to time, defend and indemnify each of its Directors, officers, and Employees against expenses and judgments.

Motion was made by D'Alessandri, seconded by Carroll, to adopt Resolution No. 23-13; an Indemnification Policy Pursuant to the Government Claims Act of The California Government Code.

AYES: Bowman, Carroll, D'Alessandri, Roberts
NOES:

ABSENT: Rawson
ABSTAIN:

The motion was approved 4-0.

L. LEGAL COUNSEL MATTERS

Legal Counsel Simmons stated that he will wait to speak in Closed Session.

The Board adjourned to Closed Session.

M. CLOSED SESSION

The Board met in closed session pursuant to Government Code (Paragraph (1) of subdivision (d) of Section 54956.9). De Luz CSD v. Brunmark

The Board met in closed session pursuant to Government Code Section 54957: Public Employee Evaluation (General Manager).

The Board reconvened in open session.

N. OPEN SESSION

The Board of Directors of DLCSO is very unhappy with the actions of the insurance company and the way in which they proceeded and ignored our input. The action is being taken by the advice of General Counsel.

Motion was made by D'Alessandri, seconded by Bowman to authorize the General Manager to sign the Settlement Agreement for Brunmark v. DLCSO.

AYES: Bowman, Carroll, D'Alessandri, Roberts
NOES:
ABSENT: Rawson
ABSTAIN:

The motion was approved 4-0.

The amendment to the General Manager Agreement will include a 5% salary increase retroactive to July 1, 2023 and a 5% merit bonus effective December 1, 2023.


Motion was made by D'Alessandri, seconded by Bowman, to approve the Amendment to the General Manager's Agreement.

AYES: Bowman, Carroll, D'Alessandri, Roberts
NOES:
ABSENT: Rawson
ABSTAIN:

The motion was approved 4-0.

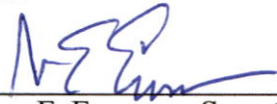
ADJOURNMENT

There being no further business, President Roberts adjourned the meeting at 7: 50 p.m.



Debbie Roberts, President
De Luz Community Services District

Attest:



James E. Emmons, Secretary
De Luz Community Services District