

**MINUTES
REGULAR MEETING
OF THE BOARD OF DIRECTORS
AUGUST 19, 2009
6:00 P.M.**

A. Call to Order & Roll Call

A meeting of the De Luz Community Services District was held at the De Luz CSD Office commencing at 6:00 p.m. on August 19, 2009. Present at the meeting were the following Directors:

Director Bianchi
Director Boyer
Director Buescher
Director Rubin

Director Adams was absent.

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

President Rubin led the flag salute.

B. Sheriff

Deputy Donoho gave the Sheriff's Report for July 2009 and updated the Board on August activities. The written report is on file with the District.

Director Adams entered the meeting at 6:02 p.m.

C. Public Expression

None.

D. Information Only

The Board received the Statement of Investment Policy.

E. Consent Calendar

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

The motion carried unanimously.

F. Discussion of Legal Matters

General Counsel Jeff Scott discussed current legislation affecting the District.

G. Award of Contract: 2009 Slurry Seal Project

General Manager Holmes reported that four bids were received for this project. The Engineer's Estimate was \$256,505, and the low bidder was Wheeler Paving, Inc. in the amount of \$179,135.00. This work will be funded with Roadway Rehabilitation funds from the appropriate zones.

Discussion followed regarding Wheeler Paving's withdrawal of their bid after award was made to them for the 2007 Slurry Seal Project.

Motion was made by Buescher, seconded by Adams, to adopt Resolution No. 09-12:

Awarding a Contract for the 2009 Slurry Seal Project

with the understanding that if Wheeler Paving, Inc. withdraws their bid, award will be made to the second low-bidder, Roy Allan Slurry Seal, Inc., and that the Board will consider proceeding against the bid bond of Wheeler Paving, Inc.

The motion carried unanimously.

H. Finance Committee Report

Director Boyer reported that no Finance Committee meeting was held this month.

I. Engineering Committee Report

Director Buescher reported that the Engineering Committee reviewed upcoming rehabilitation plans.

Director Boyer left the meeting at 7:05 p.m.

J. General Manager's Report

General Manager Holmes presented his written report which is on file with the District Office.

K. Executive Session

The Board met in closed session pursuant to Government Code Section 54956.8 to conference with real property negotiators regarding terms, negotiating parameters and other conditions of purchase (APN 909-353-027).

The Board reconvened in open session.

General Counsel Scott reported that in closed session the Board directed Staff and the District's property negotiator to take appropriate action concerning the possible purchase of APN 909-353-027.

L. Adjournment

There being no further business, President Rubin adjourned the meeting at 7:33 p.m.

Rob Holmes
Secretary, Board of Directors

ATTEST:

Steve Rubin
President, Board of Directors