

**MINUTES
REGULAR MEETING
OF THE BOARD OF DIRECTORS
OCTOBER 21, 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 October 21, 2009. Present at the meeting were the following Directors:

Director Adams
Director Bianchi
Director Boyer
Director Buescher
Director Rubin

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

President Rubin led the flag salute.

At this time, General Counsel Jackson asked that a closed session be added to the agenda pursuant to Government Code §54954.2(b)(2) to discuss real property purchase.

Motion was made by Rubin, seconded by Buescher, to add a closed session to the agenda to discuss real property purchase.

The motion carried unanimously.

B. Sheriff

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

C. Public Expression

Property Owner Association Manager Lucy Ralston reported that there is quite a bit of trash on the roads from the trash trucks, and requested that the Deputies cite the drivers when they observe this.

D. Information Only

The Board received the Statement of Investment Policy and correspondence from "Concerned Residents of Avenida Del Oro and Calle Capistrano".

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 Jackson reported that the recent legislation to reduce the amount of retention required on public contracts has been vetoed by the Governor.

G. Award of Contract: Via Tornado and Los Gatos Road

General Manager Holmes reported that there were seven bids received for this project. The low bidder was International Pavement Solutions, Inc. in the amount of \$232,659.00. This project will be funded with Zone I and Zone V Roadway Rehabilitation Funds.

Motion was made by Buescher, seconded by Adams, to adopt Resolution No. 09-14:

Awarding a Contract for the Rehabilitation of a Portion of Via Tornado (Via Santa Rosa to Camino Estribo - Zone V) and Rehabilitation of a Portion of Los Gatos Road Phase II (Zone I)

The motion carried unanimously

H. Lease Agreement

General Counsel Jackson explained that the lease-leaseback arrangement with

California Special Districts Association Finance Corporation requires the Board adopt a resolution laying out the terms of the agreement.

Motion was made by Boyer, seconded by Bianchi, to adopt Resolution No. 09-15:

Authorizing the Execution and Delivery of a Lease Agreement and Site Lease and Authorizing and Directing Certain Actions in Connection Therewith

The motion carried unanimously

I. Santa Margarita River Watershed Cleanup Contribution

General Manager Holmes explained that for the past several years, the District has made a contribution toward the expense of the cleanup.

Property Owner John Rogers discussed the 2009 project and locations to be targeted within the District.

Motion was made by Bianchi, seconded by Buescher, to contribute \$750.00 to the Nature Conservancy to be used to offset expenses of the Santa Margarita River Watershed Cleanup.

The motion carried unanimously.

J. Finance Committee Report

Director Adams reported that at the October Finance Committee meeting the committee discussed the building purchase and financing.

K. Engineering Committee Report

Director Buescher reported that the Engineering Committee reviewed the projects currently being constructed, Las Casitas design review, a lot split on Los Robles, and the design of the Sycamore Mesa/Rancho California intersection, which will be considered at their November meeting.

L. General Manager's Report

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

Executive Session

The Board met in closed session pursuant to Government Code Section 54956.8 to discuss conditions of real property purchase (APN 909-353-027).

The Board reconvened in open session.

General Counsel Jackson reported that in closed session the Board directed Counsel to take appropriate action concerning the purchase of APN 909-353-027.

M. Adjournment

There being no further business, President Rubin adjourned the meeting at 7:25 p.m.

Rob Holmes
Secretary, Board of Directors

ATTEST:

Steve Rubin
President, Board of Directors